



**City of St. Helena
Regular City Council Meeting
Tuesday, September 22, 2020 @ 6:00 PM**

In accordance with Executive Order 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 located on the meeting agenda (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@cityofstheleena.org. All public comments must be emailed by 4:00 PM prior to the meeting. Emailed public comments will not be read out loud but will be publicly available and attached to the on-line City Council agenda.

Please see the end of the agenda for detailed PUBLIC PARTICIPATION instructions.

Please click the link below to join the meeting: <https://us02web.zoom.us/j/84184780975>

Or iPhone one-tap: US: +16699006833,,84184780975# or +13462487799,,84184780975#

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 +1 253 215 8782 or +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799

Meeting ID: 841 8478 0975

International numbers available: <https://us02web.zoom.us/j/kcK8iCtJ2H>

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. How AT&T Keeps Customers Connected during Public Safety Power Shutoffs by Donna Davis, AT&T External Affairs

9 - 12

[Staying Connected Flyer Sept. 2020](#)

[AT&T PSPS Communication September 2020](#)

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. City Manager Update COVID-19 Emergency (Oral Report)

8. CONSENT ITEMS

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

- 8.1. Consideration and proposed approval of Regular Meeting Minutes of September 8, 2020 and Special Meeting minutes of September 8, 2020

13 - 22

CEQA Determination: Not a CEQA project

Prepared By: Cindy Tzaopoulos, City Clerk

Recommendation:

Adopt the minutes.

[9-8-20 Regular City Council Minutes.UPDATED 9-22-20 2:15pm](#)

[9-8-20 Special City Council - Housing Workshop - Minutes](#)

- 8.2. Consideration and Adoption of a Resolution Approving Amendment No. 1 Agreement for City Attorney Legal Services STH Contract: FY 2020-46 with Best Best & Krieger LLP Appointing Ethan Walsh as City Attorney.

23 - 27

CEQA Determination: Categorically Exempt, Section 15323

Prepared By: April Mitts, Finance Director

Recommendation:

Based on City Council direction adopt a resolution approving Amendment No. 1 Agreement for City Attorney Legal Services STH

Contract: FY 2020-46 with Best Best & Krieger LLP appointing Ethan Walsh as City Attorney.

[Staff Report - Pdf](#)

- 8.3. Consideration and proposed approval of a resolution approving Amendment #4 to the Updated Employment Agreement STH Contract: 2019-092 between the City of St. Helena and John Sorensen, Fire Chief reaffirming language regarding compensation for services rendered as a team leader or while on overhead assignment outside of the City of St. Helena jurisdiction and the billing of the services to the State of California or the Department of Emergency Services made effective February 25, 2020. 29 - 35

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Recommendation:

Staff recommends City Council approve a resolution approving Amendment #4 to the Updated Employment Agreement STH Contract: 2019-092 between the City of St. Helena and John Sorensen, Fire Chief reaffirming language regarding compensation for services rendered as a team leader or while on overhead assignment outside of the City of St. Helena jurisdiction and the billing of the services to the State of California or the Department of Emergency Services made effective February 25, 2020.

[Staff Report - Pdf](#)

- 8.4. Consideration and approval of a Resolution Authorizing the Parks and Recreation Commission Chairperson to serve an additional year as Chairperson 37 - 52

CEQA Determination: Not a CEQA project

Prepared By: Andre Pichly, Parks & Recreation Director

Recommendation:

It is recommended the City Council make an exception to the St. Helena Protocol for Committees, Commissions and Boards, which states "No member may serve more than two consecutive years as chair, unless unanimously agreed upon by the Committee in a sealed vote and approved by the City Council," and approve a resolution authorizing Matthew Demchuck to serve as the Parks and Recreation Commission Chairperson for an additional year, ending June 2021.

[Staff Report - Pdf](#)

9. PUBLIC HEARINGS

9.1. None

10. OLD BUSINESS

- 10.1. Consideration and proposed approval of a resolution: (1) approving temporary street closure of Hunt Avenue from Main Street to Railroad Avenue for a pop-up park program to help with COVID-19 business recovery; (2) approving the use of up to \$20,000 of the funds designated for the Small Business Sustainability Loan Program to help with start-up costs of the pop-up park program; Consideration and proposed introduction, waive reading and adoption of an Urgency 53 - 99

Ordinance to allow the temporary consumption of beer or wine in the area of Hunt that has been temporarily closed between Main Street and Railroad Avenue.

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

Prepared By: Martin Beltran, Management Analyst

Recommendation:

Approve resolution: (1) approving temporary street closure of Hunt Avenue from Main Street to Railroad Avenue for a pop-up park program to help with COVID-19 business recovery; (2) approving the use of up to \$20,000 of the funds designated for the Small Business Sustainability Loan Program to help with start-up costs of the pop-up park program; and (3) Adopt the urgency ordinance by title only and waive further reading by a 4/5 vote.

[Staff Report - Pdf](#)

[Resolution - Hunt Avenue Street Closure Pop-Up Park Program](#)

[LWC Hunt St Rendering-01](#)

[LWC Hunt St Rendering-02](#)

[LWC Hunt St Rendering-03](#)

[LWC Hunt St Rendering-04](#)

[COSH Draft Urgency Ordinance Alcohol Consumption-c2 \(002\)](#)

[Public Comment.Ahren Trumble](#)

[Public Comment.Amy Carabba-Salazar](#)

[Public Comment.Cynthia Ariosta](#)

[Public Comment.Fran and Larry Heit](#)

[Public Comment.Lawrence Papale](#)

[Public Comment.Pam and Mark Smithers](#)

[Public Comment.Patrick Rue](#)

11. NEW BUSINESS

11.1. None

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

12.1.

October City Council Meetings:

10/13 (Staff reports due 9/25)

10/13 4pm User Fees and Impact Fees Workshop

10/27 (staff reports due 10/9)

Presentation

STAFF BRIEFING:

10/27 Upper York Creek Dam Project Update by Erica Ahmann Smithies, Public Works Director and City Engineer

10/13 & 10/27 Update on Waste Water Treatment Plant Upgrade Project by Erica Ahmann Smithies, Public Works Director and City Engineer

10/13 Monthly Water Update

10/13 & 10/27 City Manager COVID-19 update

CONSENT:
10/13 Cell Tower Lease Renewal
10/13 NOC tennis courts rehab
10/13 Amendment to Oscar Larson Contract
10/27 Policy update on regulation of flavored tobacco - schedule as TBD (tentatively 10/27)
TBD Will Serve Policy Discussion
10/27 Downtown streetscape update
10/13 Scout Hall Discussion
10/13 Investment Policy update
PH or NEW BUSINESS:
10/27 4pm User fee and impact fee study discussion/Discussion of Council cost recovery policy
PH 10/13 Farmstead entitlement and development agreement
10/13 1484 & 1486 Sulphur Springs Road Measure E discussion

13. ADJOURNMENT

The next Regular City Council meeting is scheduled for October 13, 2020, at 6:00 p.m.

I do hereby certify that a copy of the foregoing agenda was posted on the City website on September 17, 2020.



Cindy Tzaferopoulos, 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:**
 1. 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.

2. 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**
 3. Select if you would like to connect audio and/or video and tap **Join Meeting**.
 4. For specific instructions for your device, go to: <https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>
1. **Listen Only by Telephone:**
 1. **Dial** the number listed on the Council Agenda.
 2. 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.**
 3. 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 by 4:00 PM Prior to the Meeting 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 2 hours before the scheduled meeting and will be included as an attachment to the agenda. All public comments will be made publicly available and attached to the agenda item and will not be read out loud. All public comments that are received after 4:00 PM will be attached to the agenda the following day.

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.



Staying Connected Without Power

In the event of high wildfire risks, your local energy company may need to turn off power in your community. This is called a **Public Safety Power Shutoff**. Learn how you can prepare and stay better connected in the event of a power outage.

Be Prepared

- **Keep your wireless phone batteries charged at all times.** Have an alternative plan to recharge your battery in case of a power outage, such as using your car charger to power your device or a portable battery.
- **Have a family communication plan in place.** Designate someone out of the area as a central contact and make certain that all family members know who to contact if they get separated.
- **Install a back-up battery if you use a VoIP home phone,** and consider purchasing a non-cordless telephone in the event of a power outage. A mobile phone may also help you stay connected if your home phone loses power during PSPS events.
- **Confirm your device has enabled Wireless Emergency Alerts.** Most smartphones and feature phones released in the last few years are capable of receiving Wireless Emergency Alerts (WEA), so make sure you have wireless emergency alerts turned on in your phone's message settings. Sign up for additional alerts in your county at calalerts.org.

EMERGENCY PREPAREDNESS



MAKE A PLAN



BUILD A KIT



BE INFORMED

Stay Connected

- **Try text messaging.** During an outage, text messages may go through more quickly than voice calls because they require fewer network resources.
- **Enable Wi-Fi calling.** Wi-Fi calling may let you talk and text from indoor locations if the cellular network is unavailable. When calling 9-1-1, device location data from nearby Wi-Fi networks will be used to help locate you. If that data isn't available, the emergency address you provide will be used.
- **Be prepared for high call volume.** During an emergency, the increased calling volume may create network congestion, leading to "fast busy" signals on your wireless phone or a slow dial tone on your landline phone. If this happens, hang up, wait several seconds and then try the call again.
- **Forward your home number to your wireless number in the event of an evacuation.** Because call forwarding is based out of the telephone central office, you will get incoming calls from your landline phone even if your local telephone service is disrupted at your home.
- **Keep non-emergency calls to a minimum** and limit your calls to the most important ones.

More Tips for People with Disabilities¹

- **Register with your local police department.** Remind them to keep a record of the help you may need during an evacuation, power outage or other emergency.
- **If you have a Personal Care Attendant,** work with that person to decide how you will communicate with each other if you are separated during an emergency.
- **Consider getting a medical alert system** that will allow you to call for help if you are immobilized in an emergency. Most alert systems require a working phone line, so have a backup such as a cell phone or pager if the landlines are disrupted.

¹ <https://www.fcc.gov/reports-research/guides/tips-communicating-emergency>

State of California Resources

MEDICALLY VULNERABLE INDIVIDUALS

- A **nonemergency hotline** has been established by the State to help medically vulnerable Californians and health and community care facilities find resources in their communities during power shutoffs. The State hotline is (833) 284-3473. During power shutoffs or potential power shutoffs, hotline assistance will be available 9:00am-9:00pm. Assistance is available in many languages.
- The California Department of Aging contracts with and provides leadership and direction to Area Agencies on Aging (AAA) that coordinate a wide array of services to **seniors and adults with disabilities**. You can locate a resource center in your area by calling 1-800-510-2020.
- To find an open **pharmacy** during an active emergency, visit www.RxOpen.org.

HOUSING AND EMERGENCY SHELTER

- For **emergency shelter** information, contact the Red Cross at <https://www.redcross.org/get-help/disaster-relief-and-recovery-services/find-an-open-shelter.html>
- The CalWORKs Homeless Assistance Program is available to homeless families who are eligible for or receiving CalWORKs benefits. The program can provide financial assistance to pay for up to 16 days in a motel. To find out how to apply for assistance, contact your county. Find contact information at <https://www.cdss.ca.gov/county-offices>

OTHER RESOURCES

- The **California Office of Emergency Services** (Cal OES) is responsible for overseeing and coordinating emergency preparedness, response, recovery and homeland security activities within the state of California. The Cal OES website includes information on how individuals and families can prepare for an emergency. For more information, visit <https://www.caloes.ca.gov/individuals-families>

For more information from the State of California, visit prepareforpowerdown.com.



AT&T External Affairs

How AT&T Keeps Customers Connected During Public Safety Power Shutoffs

What is a Public Safety Power Shutoff?

In the event of extreme or potentially dangerous weather conditions, a **Public Safety Power Shutoff (PSPS)** may be initiated by electric utilities in high fire risk and other areas. A PSPS involves the de-energization of the utility electrical systems to reduce the risk of electric lines igniting wildfires.

What happens to AT&T's network during a Public Safety Power Shutoff?

AT&T has designed its wireline and wireless networks in California in preparation for potential disaster situations, including those that result in or from power failures. We also have experience dealing with public safety power shutoff events and are further adapting our response plan as these events have become longer and larger in scope.

AT&T's network is designed with backup power solutions at multiple points throughout our network, and we have a fleet of mobile generators with a dedicated team that deploys these as needed. We have a response plan and protocols in place specifically for public safety power shutoff events. Our goal is to maintain communications for our customers and first responders to the fullest extent possible when these events occur; however, depending on the extent and duration of the shutoff, and our ability to access our facilities, we may not be able maintain all service through all shutoffs.



Additionally, our industry continues to work with Pacific Gas and Electric Company (PG&E), Southern California Edison (SCE), San Diego Gas & Electric (SDG&E) and other electric utilities to refine and improve the advance notification process.

How will I know what is happening with AT&T's network during a PSPS event or disaster?

Public notification – AT&T is expanding public notification and making a specific effort to expand outreach to consumers at heightened risk during power outages. Additionally, we are publicly disclosing outage information during PSPS events, available at att.com/outages.

May 20, 2020

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Direct contact with AT&T external affairs – We have local external affairs representatives across the state available to work with you as needed to get updates and information. Your local contact is listed below.

How does AT&T maintain its network during Public Safety Power Shutoff events?

Proactive Preparation – AT&T coordinates directly with electric utilities, the California Public Utilities Commission, and the California Office of Emergency Services to prepare for PSPS events. We stage backup power solutions in advance of a PSPS for immediate deployment when electric utilities notify us that they are considering calling a PSPS.

24/7 Monitoring – AT&T monitors network power needs 24/7, which allows us to identify any issues and deploy generators where needed.

Multiple layers of backup power – AT&T's backup power system is robust. We have multiple layers of protection, backup power solutions, and tested planning and preparation protocols.



- Both wireline and wireless networks have backup power capabilities at various points, including batteries and permanent stationary generators at key sites.
- AT&T's central offices in all locations in California are equipped with generators to supply backup power to last at least 72 hours without refueling.
- All wireline and wireless switching centers have permanent stationary generators on site.

Cell Site Backup Power – All of AT&T's macro cell sites have a backup power solution. These solutions last from 4 to 72 hours, depending on the type of facility, and can be extended by adding mobile generators, as conditions allow, and refueling existing generators. AT&T has a system in place to monitor network power needs on a 24/7 basis, identify any issues, and if needed can move our mobile generators to different sites.

Extended backup power and temporary solutions – AT&T may also deploy temporary mobile back-up power solutions that can operate independently and without permanent power.

- Mobile generators are staged ahead of time in safe locations for immediate deployment when electric utilities notify us that they are considering calling a shutoff. With advance notice of a PSPS from electric utilities, and as circumstances allow, AT&T can deploy these assets to affected areas.

Commitment to California Public Safety – In addition to the billions AT&T will invest in improving our California network beginning in 2020, AT&T is spending over \$100 million on our Public Safety Power Shutoff Response Plan.

If you have questions about AT&T's Public Safety Power Shutoff response, please contact: Donna Davis, AT&T Area Manager External Affairs (916)502-4083, dd3232@att.com.

If you are a FirstNet customer, you may also contact your FirstNet point of contact or call 800.574.7000 (FirstNet customers only).

MINUTES
City of St. Helena
Regular City Council Meeting
Tuesday, September 8, 2020 @ 6:00 PM

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

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

Absent: None

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. PUBLIC FORUM:

Bobbi Monnette addressed the City Council.

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

Reports by Staff and City Council Members were made.

City Attorney Kara Ueda noted that there was not any reportable action taken during closed session.

6. PRESENTATIONS AND PUBLIC RECOGNITIONS

6.1 Proclamation recognizing Latino Heritage Month

7. STAFF BRIEFING

7.1 Monthly Water Update by Erica Ahmann Smithies, Public Works Director and City Engineer

Public Works Director Erica Ahmann Smithies provided an update.

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

Public Works Director Erica Ahmann Smithies provided an update.

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7.3 City Manager Update on Fire and COVID-19 Emergency (Oral Report)

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

City Manager Mark Prestwich provided an update.

8. CONSENT ITEMS

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

8.1 Consideration and proposed approval of Regular Meeting Minutes of August 25, 2020

8.2 Consideration and proposed approval of a resolution 2020-88 approving the the Mexican flag to be flown on the City's ceremonial flag pole from Monday, September 14 through Friday, September 18, 2020 for Mexican Independence Day on Wednesday, September 16, 2020

CEQA Determination: Not a CEQA project
Prepared By: Cindy Tzaopoulos, City Clerk
Recommendation:
Approve Resolution authorizing the Mexican flag to be flown on the City's ceremonial flag pole from Monday, September 14 through Friday, September 18, 2020 for Mexican Independence Day on Wednesday, September 16, 2020.

8.3 Consideration and proposed approval of a resolution 2020-89 adopting a revised conflict of interest code for the City of St. Helena and rescinding Resolution 2017-39.

CEQA Determination: Not a CEQA project
Prepared By: Cindy Tzaopoulos, City Clerk
Recommendation:
Adopt a resolution approving a revised Conflict of Interest Code for the City of St. Helena and rescinding Resolution No. 2017-39.

8.4 Consideration and Proposed Adoption of a Resolution 2020-90 Authorizing the City Manager to Execute a Professional Services Agreement with Napa County Resource Conservation District, in an Amount not-to-exceed \$120,331 for York Creek Project Year 1 Monitoring Services for the Upper York Creek Ecosystem Restoration, City Project No. W-26.

CEQA Determination: Environmental Impact Report (SCH. No. 2006092096)

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Prepared By: Martin Beltran, Management Analyst

Recommendation:

Staff Recommends City Council Adopt a Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Napa County Resource Conservation District, in an Amount not-to-exceed \$120,331 for York Creek Project Year 1 Monitoring Services for the Upper York Creek Ecosystem Restoration, City Project No. W-26.

- 8.5 Consideration and Proposed resolution 2020-91 (1) accepting the Cycle 6 Lifeline Transportation Program Grant in the amount of \$94,000 for crosswalk improvements on Pope Street at College Avenue; (2) amending the Fiscal Year 2020-2021 adopted Capital Improvement Program Budget to include CIP Project R21-04 *Pope Street Crosswalk Improvements at College Avenue*; (3) authorizing a budget of \$117,500 for CIP Project R21-04; (4) authorizing the use of gas tax funds and authorizing a budget transfer in an amount not-to-exceed \$23,500 to CIP Project R21-04 for the 20% local match for the project; and (5) authorizing the City Manager to execute all grant related documents pertaining to CIP Project R21-04

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

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

Recommendation:

Adopt a resolution (1) accepting the Cycle 6 Lifeline Transportation Program Grant in the amount of \$94,000 for crosswalk improvements on Pope Street at College Avenue; (2) amending the Fiscal Year 2020-2021 adopted Capital Improvement Program Budget to include CIP Project R21-04 *Pope Street Crosswalk Improvements at College Avenue*; (3) authorizing a budget of \$117,500 for CIP Project R21-04; (4) authorizing the use of gas tax funds and authorizing a budget transfer in an amount not-to-exceed \$23,500 to CIP Project R21-04 for the 20% local match for the project; and (5) authorizing the City Manager to execute all grant related documents pertaining to CIP Project R21-04.

- 8.6 Consideration and proposed resolution 2020-92 (1) authorizing the City Manager to execute a Professional Services Agreement with BKF for engineering, environmental, and permitting of the Capital Improvement Project R20-02 Mills Lane Storm Drain for an amount not to exceed \$257,357; (2) authorizing a budget increase of \$57,357 from \$200,000 to \$257,357 for CIP Project R20-02; and (3) authorizing a budget transfer from Storm Drain Impact Fees Fund 742 to Streets Capital Improvement Fund 741 in the amount of \$57,357 for a total not-to-exceed amount of \$257,357 upon completion of the Professional Services Agreement.

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

Prepared By: Edrees Argand, Assistant Engineer

Recommendation:

Staff recommends City Council adopt a resolution (1) authorizing the City

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Manager to execute a Professional Services Agreement with BKF for engineering, environmental, and permitting of the Capital Improvement Project R20-02 Mills Lane Storm Drain for an amount not to exceed \$257,357; (2) authorizing a budget increase of \$57,357 from \$200,000 to \$257,357 for CIP Project R20-02; and (3) authorizing a budget transfer from Storm Drain Impact Fees Fund 742 to Streets Capital Improvement Fund 741 in the amount of \$57,357 for a total not-to-exceed amount of \$257,357 upon completion of the Professional Services Agreement.

8.7 NEW ITEM 9-4-2020

Consideration of Approval of a Resolution 2020-93 Approving (1) Applications for Funding, and (2) the Execution of a Grant Agreement and any Amendments thereto from the 2020 Community Development Block Grant Program – Coronavirus Response Round 1 (CDBG-CV1).

CEQA Determination: Not a CEQA project

Prepared By: Mandy Kellogg, Finance Manager

Recommendation:

Approve a Resolution Approving (1) Applications for Funding, and (2) the Execution of a Grant Agreement and any Amendments thereto from the 2020 Community Development Block Grant Program – Coronavirus Response Round 1 (CDBG-CV1).

Council Member Anna Chouteau moved to approve Consent items 8.1 through 8.7. The motion was seconded by Council Member Mary Koberstein and on roll call carried by the following vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

9. PUBLIC HEARINGS

9.1 None

10. OLD BUSINESS

10.1 Review and Discussion of Possible Back-up/Standby Generator Regulations

CEQA Determination: Not a CEQA project

Prepared By: Aaron Hecock, Senior Planner

Recommendation:

Provide direction to the City Manager.

Regular City Council
September 8, 2020

Senior Planner Aaron Hecock reported on this item.

It was the consensus of the City Council to move forward and make no changes and monitor the generator noise complaints.

No public comment was received.

- 10.2 Discussion on bike facilities along Spring Street, direction to staff on preferred facility, and consideration of adopting a Resolution rescinding Resolution 2018-165 and adding portions of Spring Street to the City's list of red zones (parking prohibitions). The recommended bike facility options are as follows:

(1)Reduce the lane width on Spring Street to 11' travel lanes, add a Class II 5' bike lane in the westbound direction, and a Class III/"Share the Road" facility in the eastbound direction, and restrict parking on the south side of Spring Street;

(2)Add a Class III "Share the Road" bike facility in both directions, keep existing lane widths, and no parking restrictions.

(3)Class II Bike lanes only, which would require parking to be prohibited along the south side. The vehicle travelway (centerlane) would not be striped

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: Preya Nixon, Asst. to the City Manager

Recommendation:

Discussion on bike facilities along Spring Street, direction to staff on preferred facility, and consideration of adopting a Resolution rescinding Resolution 2018-165 and adding portions of Spring Street to the City's list of red zones (parking prohibitions).

Vice Mayor Dohring has a conflict and recused himself and left the virtual meeting.

Public Works Director Erica Ahmann Smithies and Asst. to the City Manager reported on this item.

Jeff Farmer, Marilyn Coy and a citizen addressed the City Council.

Council Member Anna Chouteau moved to choose option (3)Class II Bike lanes only, which would require parking to be prohibited along the south side. The vehicle travelway (centerlane) would not be striped. The motion was seconded by Council Member David Knudsen and on roll call carried by the following vote:

Regular City Council
September 8, 2020

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

Vice Mayor Paul Dohring rejoined the virtual meeting.

11. NEW BUSINESS

Item 11.2 was heard before item 11.1.

11.1 NEW ITEM 9-4-2020

Discussion and Direction Regarding Proposal from Carl Doumani to Construct a Soccer Field and Bathrooms at Wappo Park

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

Prepared By: Mark T. Prestwich, City Manager

Recommendation:

Provide direction to the City Manager.

City Manager Mark Prestwich reported on this item.

Pam Smithers addressed the City Council.

It was the consensus of the City Council to move forward with the proposal.

11.2 NEW ITEM 9-4-2020

Consideration and proposed approval of a resolution approving temporary street closure of Hunt Avenue from Main Street to Railroad Avenue for a pop-up park program to help with COVID-19 business recovery.

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

Prepared By: Martin Beltran, Management Analyst

Recommendation:

Approve resolution authorizing a temporary street closure of Hunt Avenue from Main Street to Railroad Avenue for a pop-up park program to help with COVID-19 business recovery.

City Manager Mark Prestwich reported on this item.

Patrick Rue and Larry Heit addressed the City Council.

Regular City Council
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It was the consensus of the City Council to direct staff to bring this item back at the next meeting with additional information.

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

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

City Clerk Cindy Tzaopoulos reported on this item.

No public comment was received.

It was the consensus of the City Council to support the resolution and appoint Council Member Chouteau as the voting delegate and Mayor Ellsworth as the alternate.

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

12.1

<u>September City Council Meetings:</u>	
9/22 3pm User Fees and Impact Fees Workshop	
9/22 (staff reports due 9/4)	
9/8 4pm Workshop General Plan Housing Prioritizing Chapter	
<i>STAFF BRIEFING:</i>	
1.	9/22 Upper York Creek Dam Project Update by Erica Ahmann Smithies, Public Works Director and City Engineer
2.	9/8 & 9/22 Update on Waste Water Treatment Plant Upgrade Project by Erica Ahmann Smithies, Public Works Director and City Engineer
3.	9/22 Monthly Water Update
<i>CONSENT:</i>	
4.	9/22 Cell Tower Lease Renewal
5.	9/22 NOC tennis courts rehab
6.	Grant resolution approval
<i>OLD BUSINESS:</i>	
7.	September – First/Second reading for Vaping Ordinance
8.	9/22 Will Serve Policy Discussion
9.	9/22 Downtown streetscape update
10.	9/22 Scout Hall Discussion
11.	9/8 & 9/22 City Manager Fire and COVID-19 update

Regular City Council
September 8, 2020

<i>PH or NEW BUSINESS:</i>	
12.	9/22 User fee and impact fee study discussion/Discussion of Council cost recovery policy (Study Session 3:00 pm)
13.	10/13 User fee and impact fee study discussion/Discussion of Council cost recovery policy
14.	9/22 Term sheet WAPPO soccer field discussion

13. ADJOURNMENT

Mayor Ellsworth adjourned the meeting at 8:38 p.m.

The regular meeting minutes of September 8, 2020 was adopted at the September 22, 2020 regular City Council meeting.

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzaopoulos, City Clerk

MINUTES
City of St. Helena
Special City Council Meeting
Tuesday, September 8, 2020 @ 4:00 PM

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

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

Absent: None

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT:

Under California law, public comments at special meetings are limited to subjects on the agenda only. Therefore public comment will take place during consideration of the item. Each person's comments shall be limited to 4 minutes.

4. NEW BUSINESS:

4.1 Review and Discussion of Prioritization of Long and Short Term Goals Related to Housing

CEQA Determination: Not a CEQA project

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

Recommendation:

The recommended action is to provide feedback on the prioritization of the goals.

City Manager Mark Prestwich and Asst. to the City Manager Preya Nixon provided a presentation.

City Council reviewed and discussed General Plan Element actions and white paper recommendations, direction was provided to further consolidate tasks associated with zoning code update, document successes to date and identify additional opportunities including notice of funding availability (NOFA), funding sources and solutions from other similar cities.

Nancy Dirvin, Rick Crebs, Tom McBroom and Mary Stephenson addressed the

Special City Council
September 8, 2020

City Council.

5. ADJOURNMENT

Mayor Ellsworth adjourned the meeting at 5:34 p.m.

The special meeting minutes of September 8, 2020 was adopted at the September 22, 2020 regular meeting.

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzaopoulos, City Clerk



Report to the City Council
Regular City Council - 22 Sep 2020

Agenda Section: CONSENT ITEMS

Subject: Consideration and Adoption of a Resolution Approving Amendment No. 1 Agreement for City Attorney Legal Services STH Contract: FY 2020-46 with Best Best & Krieger LLP Appointing Ethan Walsh as City Attorney.

CEQA Categorically Exempt, Section 15323
Determination:

Prepared By: April Mitts, Finance Director

Reviewed By: Mark T. Prestwich, City Manager

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

Per City Council Policy on the Management of Legal Services, P-CC-0001, the City of St. Helena contracts out the position of City Attorney through a request-for-proposal process and the City Attorney is appointed by a majority vote of the City Council.

On Friday, June 14, 2019, the City Council of the City of St. Helena issued a Request for Proposal (RFP) for legal services. At the close of the RFP, nine proposals were submitted to the City and the top three rated candidates/firms were selected to be interviewed.

On September 26, 2019, the City Council held a Special Closed Session meeting pursuant to Government Code Section 54957 to interview the top three candidates/firms. Following the interviews, City Council directed the City Manager to prepare an agreement for their consideration with Best Best & Krieger LLP to perform all necessary legal services with Kara Ueda to be appointed as the City Attorney.

On October 22, 2019 City Council approved an agreement for City Attorney legal services between the City of St. Helena and Best Best & Krieger LLP. Section 3.3

named Kara Ueda as the designated City Attorney and Section 3.19 named Kara Ueda as the contact for delivery of Notices.

DISCUSSION

On Friday, August 28, 2020, the City received notification from City Attorney Kara Ueda of her appointment by Governor Newsom to the Sacramento Superior Court. With this appointment, it is necessary to appoint a new City Attorney from the firm of Best Best & Krieger LLP.

On Tuesday, September 8, 2020, City Council met in a Special Closed Session meeting pursuant to Government Code Section 54957 to interview a replacement City Attorney from Best Best & Krieger. Following the interview, City Council directed the City Manager to prepare Amendment No. 1 to STH Contract: FY 2020-46 appointing Ethan Walsh as City Attorney.

FISCAL IMPACT

None.

RECOMMENDED ACTION

Based on City Council direction adopt a resolution approving Amendment No. 1 Agreement for City Attorney Legal Services STH Contract: FY 2020-46 with Best Best & Krieger LLP appointing Ethan Walsh as City Attorney.

ATTACHMENTS

[First Amendment to BBK Legal Services Agreement-c1 \(002\)](#)

[Resolution - Amendment No. 1 BB&K](#)

**FIRST AMENDMENT TO
AGREEMENT FOR CITY ATTORNEY LEGAL SERVICES**

This First Amendment to Agreement for City Attorney Legal Services STH Contract: FY 2020-046 ("First Amendment") is made this 22nd day of September, 2020, by and between the City of St. Helena, a California municipal corporation ("City") and Best Best & Krieger LLP, a limited liability partnership engaged in the practice of law ("BB&K").

Section 1. The first sentence of Section 3.3 of the Agreement shall be amended to replace "Ethan Walsh" for "Kara K. Ueda" and to state, "Ethan Walsh shall be designated as City Attorney and shall be responsible for the performance of all Services under this Agreement, including the supervision of Services performed by other members of BB&K."

Section 2. Section 3.19 of the Agreement shall be amended to replace "Ethan Walsh" for "Kara Ueda" regarding notice.

Section 3. Except as expressly amended in Sections 1 and 2 above, all other terms and provisions of the Agreement shall continue on in full force and effect.

IN WITNESS WHEREOF, the City and BB&K have executed this Agreement as of the date first written above.

CITY OF ST. HELENA

BEST BEST & KRIEGER LLP

By: _____
Mark T. Prestwich, City Manager

By: _____
Ethan Walsh, Partner

Attest:

By: _____
Cindy Tzafopoulos, City Clerk

CITY OF ST. HELENA

RESOLUTION No. 2020-

Resolution of the Council of the City of St Helena Authoring First Amendment for City Attorney Legal Services STH Contract: FY 2020-046 with Best Best & Krieger LLP, a limited liability partnership engaged in the practice of law (BB&K)

RECITALS

- A. Per City Council Policy on the Management of Legal Services, P-CC-0001, the City of St. Helena contracts out the position of City Attorney through a request-for-proposal process and the City Attorney is appointed by a majority vote of the City Council; and
- B. On June 14, 2019, the City Council of the City of St. Helena issued a Request for Proposal (RFP) for legal services for the City of St. Helena; and
- C. At the close of the RFP, nine proposals were submitted to the City and the top three candidates/firms were selected to be interviewed; and
- D. On September 26, 2019, the City Council held a Special Closed Session meeting pursuant to Government Code Section 54957 to interview the top three candidates/firms; and
- E. Following the interviews, City Council selected Best Best & Krieger LLP (BB&K) to perform all necessary legal services with Kara Ueda to be appointed as the City Attorney; and
- F. On October 22, 2019, City Council approved an agreement for City Attorney legal services between the City of St. Helena and BB&K STH Contract: FY 2020-046 and appointed Kara Ueda as City Attorney; and
- G. On August 28, 2020, the City received notification from City Attorney Kara Ueda of her appointment by Governor Newsom to the Sacramento Superior Court; and
- H. With this appointment, it is necessary to appoint a new City Attorney from the firm of BB&K; and
- I. On September 8, 2020, City Council met in a Special Close Session meeting pursuant to Government Code Section 54957 to interview a replacement City Attorney from BB&K; and
- J. Following the interview, City Council directed the City Manager to prepare Amendment No. 1 to STH Contract: FY 2020-46 appointing Ethan Walsh as City Attorney.

RESOLUTION

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

1. Approves the First Amendment to Agreement for Legal Services STH Contract: FY 2020-046 with BB&K.
2. Amends the first sentence of Section 3.3 of the Agreement to replace "Ethan Walsh" for "Kara K. Ueda" and to state, "Ethan Walsh shall be designated as City Attorney and shall be responsible for the performance of all Services under this Agreement, including the supervision of Services performed by other members of Bb&K."
3. Amends Section 3.19 of the Agreement to replace "Ethan Walsh" for "Kara Ueda" regarding notice.
4. Except as expressly amended in Section 3.3 and 3.19 above, all other terms and provisions of the Agreement shall continue on in full force and effect.

Approved at a Regular Meeting of the St. Helena City Council on September 22, 2020, by the following vote:

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

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzafopoulos, City Clerk



Report to the City Council
Regular City Council - 22 Sep 2020

Agenda Section: CONSENT ITEMS

Subject: Consideration and proposed approval of a resolution approving Amendment #4 to the Updated Employment Agreement STH Contract: 2019-092 between the City of St. Helena and John Sorensen, Fire Chief reaffirming language regarding compensation for services rendered as a team leader or while on overhead assignment outside of the City of St. Helena jurisdiction and the billing of the services to the State of California or the Department of Emergency Services made effective February 25, 2020.

CEQA Not a CEQA project
Determination:

Prepared By: April Mitts, Finance Director

Reviewed By: Mark T. Prestwich, City Manager

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

On February 25, 2020, City Council approved Amendment No. 1 to the Updated Employment Agreement STH Contract: 2019-092 entered into as of May 29, 2019, between the City of St. Helena and John Sorensen, Fire Chief. Amendment No. 1 increased the Fire Chief hours of work from 16 hours per week to 30 hours per week and adjusted the work schedule, pay schedule, and benefits accordingly.

On April 28, 2020, City Council adopted Amendment No. 2 to STH Contract: 2019-092 authorizing John Sorensen to serve in a temporary full-time assignment as Fire Chief during the COVID-19 local emergency effective April 12, 2020 and remaining in effect for the duration of the local health emergency or until return to the previous staffing schedule of 30 hours per week. Amendment #2 adjusted the work schedule, pay schedule, and benefits accordingly.

On July 14, 2020, City Council adopted Amendment No. 3 to STH Contract: 2019-092 temporarily reducing the Fire Chief's annual salary by 5% as part of the balanced budget framework as a result of the COVID-19 pandemic.

DISCUSSION

Since adoption of Amendment No. 1 on February 25, 2020, an administrative error was discovered. When Amendment No. 1 was adopted, a specific line referring to additional compensation received when working as part of a strike team was inadvertently removed from the agreement language. This was discovered after the Fire Chief responded to the Apple Fire in Southern California in August 2020, which was the first strike team since the amendment was made. Although the current language is sufficient, it is desirable to make an administrative correction to ensure correct compensation for the Fire Chief when he is serving on assigned strike teams. The following language is being recommended to add to Section 5. Compensation and Benefits made effective February 25, 2020. This revision is intended to clarify the existing terms of the Fire Chief's compensation arrangement as well as add language to ensure all regular duties are covered, so that the City and its residents have proper Fire and Life Safety protection during any absence.

Chief will receive compensation for services rendered as a team leader or while on overhead assignment outside of the City of St. Helena jurisdiction and be billed to the State of California or the Department of Emergency Services at the established hourly rate per the adopted pay schedule. Ongoing participation by the Chief in such activities shall be at the City Manager's discretion, and the Chief shall ensure all his regular duties are covered, so that the City and its residents have proper Fire and Life Safety protection during any absence.

FISCAL IMPACT

There is no fiscal impact to the adoption of this resolution approving Amendment #4 to the Updated Employment Agreement with John Sorensen, STH Contract: 2019-092.

RECOMMENDED ACTION

Staff recommends City Council approve a resolution approving Amendment #4 to the Updated Employment Agreement STH Contract: 2019-092 between the City of St. Helena and John Sorensen, Fire Chief reaffirming language regarding compensation for services rendered as a team leader or while on overhead assignment outside of the City of St. Helena jurisdiction and the billing of the services to the State of California or the Department of Emergency Services made effective February 25, 2020.

ATTACHMENTS

[Sorenson 4th Amendment](#)

[Resolution - Amendment 4 Fire Chief Updated Employment Agreement](#)

**Amendment No. 4 to the Updated Employment Agreement Dated May 28, 2019
STH Contract: 2019-092**

**EMPLOYMENT AGREEMENT FOR FIRE CHIEF
Between
CITY OF ST. HELENA AND JOHN SORENSEN**

As authorized by the City Council through Resolution 2020-___, approved on September 22, 2020, this Amendment No. 4 to the Updated Employment Agreement dated May 28, 2019, as amended, is made effective February 25, 2020 between the City of St. Helena ("City"), a municipal corporation (City) and JOHN SORENSEN ("Fire Chief," "Chief," or "Employee"), collectively "the Parties."

RECITALS

WHEREAS, on February 25, 2020, Resolution 2020-19 approved Amendment No. 1 to the Updated Employment Agreement STH Contract 2019-092 increasing the Fire Chief hours to 30 hours over three 10-hour workdays, increasing his pay, leave accruals, and benefits accordingly.

WHEREAS, On April 28, 2020, City Council adopted Amendment No. 2 to STH Contract: 2019-092 authorizing John Sorensen to serve in a temporary full-time assignment as Fire Chief during the COVID-19 local emergency effective April 12, 2020 and remaining in effect for the duration of the local health emergency or until return to the previous staffing schedule of 30 hours per week. Amendment #2 adjusted the work schedule, pay schedule, and benefits accordingly.

WHEREAS, On July 14, 2020, City Council adopted Amendment No. 3 to STH Contract: 2019-092 reducing the Fire Chief's annual salary by 5% as part of the balanced budget framework as a result of the COVID-19 pandemic.

WHEREAS, since the adoption of Amendment No. 1 an administrative error was discovered where a specific line referring to additional compensation received when working as a part of a strike team was inadvertently removed from the agreement language.

WHEREAS, it is necessary to make an administrative correction to confirm the existing compensation arrangement and ensure current compensation for the Fire Chief when responding to Strike Teams.

NOW, THEREFORE, inconsideration of the mutual premises, covenants and conditions herein contained, the Parties agree to amend the Employment Agreement with an effective date of February 25, 2020, adding the following language to Section 5. Compensation and Benefits Subsection (a). All other language in this section remain the same as approved in Amendment No. 2 and Amendment No. 3.

Sorensen 4th Amendment to Employment Agreement
City of St. Helena
Page 1 of 2

Chief will receive compensation for services rendered as a team leader or while on overhead assignment outside of the City of St. Helena jurisdiction and be billed to the State of California or the Department of Emergency Services at the established hourly rate per the adopted pay schedule. Ongoing participation by the Chief in such activities shall be at the City Manager's discretion, and the Chief shall ensure all his regular duties are covered, so that the City and its residents have proper Fire and Life Safety protection during any absence.

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

CITY OF ST. HELENA
A Municipal Corporation

By: _____
Mark T. Prestwich
City Manager

By: _____
John Sorensen
Fire Chief

Approved as to Form:

By: _____
Ethan Walsh
City Attorney

CITY OF ST. HELENA

RESOLUTION NO. 2020-

Resolution approving Amendment No. 4 to the Updated Employment Agreement STH Contract: 2019-092 entered into as of May 28, 2019, between the City of St. Helena and John Sorensen reaffirming language regarding compensation for services rendered as a team leader or while on overhead assignment outside of the City of St. Helena jurisdiction and the billing of the services to the State of California or the Department of Emergency Services made effective February 25, 2020.

RECITALS

- A. Fire Chief John Sorensen entered into an Employment Agreement with the City of St. Helena on February 9, 2010; and
- B. On February 23, 2016, Resolution 2016-25 approved Amendment No. 1 appointing John Sorensen for an additional three-year term expiring January 31, 2019; and
- C. On October 11, 2016, Resolution 2016-135 approved Amendment No. 2 to re-establish a specified hourly rate of \$74.51 for the Chief's overhead assignment outside of the City of St. Helena jurisdiction billed to the State of California and the Department of Emergency Services; and
- D. On May 23, 2017, Resolution 2017-60 approved Amendment No. 3 to increase the hours of work an additional day (8 hours) per week and increase annual compensation to \$62,000 effective July 1, 2017; and
- E. On June 26, 2018, Resolution 2018-82 approved Amendment No. 4 for an additional 3.0% salary adjustment in Fiscal Year 2017-18 for a total 6.5% salary adjustment effective July 1, 2018; and
- F. On May 28, 2019, Resolution 2019-61 approved an updated Employment Agreement with John Sorensen STH Contract: 2019-092, incorporating relevant amendments referenced in recitals and included fringe benefits similar to those that are offered to other full-time department heads; and
- G. On February 25, 2020, City Council approved Amendment #1 to the Updated Employment Agreement STHH Contract: 20190-92 increasing the Fire Chief hours of work from 16 hours per week to 30 hours per week and adjusted the work schedule, pay schedule, and benefits accordingly; and
- H. On April 28, 2020, City Council adopted Amendment No. 2 to STH Contract: 2019-092 authorizing John Sorensen to serve in a temporary full-time assignment as

Fire Chief during the COVID-19 local emergency effective April 12, 2020 and remaining in effect for the duration of the local health emergency or until return to the previous staffing schedule of 30 hours per week. Amendment #2 adjusted the work schedule, pay schedule, and benefits accordingly; and

- I. On July 14, 2020, City Council adopted Amendment No. 3 to STH Contract: 2019-092 reducing the Fire Chief's annual salary by 5% as part of the balanced budget framework as a result of the COVID-19 pandemic; and
- J. Since the adoption of Amendment No. 1 an administrative error was discovered where a specific line referring to additional compensation received when working as part of a strike team was inadvertently removed from the agreement language; and
- K. It is necessary to make an administrative correction to confirm the existing compensation arrangement and ensure correct compensation for the Fire Chief when responding to Strike Teams; and
- L. Additional language has been added to ensure all regular duties are covered, so that the City and its residents have proper Life and Safety protection during any absence.

RESOLUTION

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

- 1. Approve Amendment 4 to Updated Employment Agreement STH Contract: 2019-092 dated May 28, 2019, with Fire Chief John Sorensen to add to Section 5. Compensation and Benefits effective February 25, 2020:

Chief will receive compensation for services rendered as a team leader or while on overhead assignment outside of the City of St. Helena jurisdiction and be billed to the State of California or the Department of Emergency Services at the established hourly rate per the adopted pay schedule. Ongoing participation by the Chief in such activities shall be at the City Manager's discretion, and the Chief shall ensure all his regular duties are covered, so that the City and its residents have proper Fire and Life Safety protection during any absence.

Approved at a Regular Meeting of the St. Helena City Council on September 22, 2020, by the following vote:

Mayor Ellsworth: _____

Vice Mayor Dohring: _____

Councilmember Koberstein: _____

Councilmember Chouteau: _____

Councilmember Knudsen: _____

ATTEST:

Cindy Tzaopoulos, City Clerk

APPROVED:

Geoff Ellsworth, Mayor



Report to the City Council
Regular City Council - 22 Sep 2020

Agenda Section: CONSENT ITEMS

Subject: Consideration and approval of a Resolution Authorizing the Parks and Recreation Commission Chairperson to serve an additional year as Chairperson

CEQA Determination: Not a CEQA project

Prepared By: Andre Pichly, Parks & Recreation Director

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

Per City of St Helena Protocol for Committees, Commissions and Boards (Exhibit A, approved by City Council Resolution 2014-45), "Annually, a committee will select a chairperson and vice chairperson. No member may serve more than two consecutive years as chair, unless unanimously agreed upon by the Committee in a sealed vote and approved by the City Council." On August 31, 2020, the Parks and Recreation Commission nominated and elected Matthew Demchuk to be the Commission chair for another year, which exceeds the two consecutive years stipulation set forth by the adopted protocol. There were no other nominations and the votes for Demchuk were unanimous.

DISCUSSION

Matthew Demchuk has served on the Parks and Recreation Commission since 2015, and has served in the role of Chairperson for four years. It is recommended the City Council make an exception to the protocol which states, "No member may serve more than two consecutive years as chair, unless unanimously agreed upon by the Committee in a sealed vote and approved by the City Council."

FISCAL IMPACT

None.

RECOMMENDED ACTION

It is recommended the City Council make an exception to the St. Helena Protocol for Committees, Commissions and Boards, which states "No member may serve more than two consecutive years as chair, unless unanimously agreed upon by the Committee in a sealed vote and approved by the City Council," and approve a resolution authorizing Matthew Demchuck to serve as the Parks and Recreation Commission Chairperson for an additional year, ending June 2021.

ATTACHMENTS

[Exhibit A 2014-45 Approving the City of St. Helena Protocol for Committee, Commissions and Boards and Related Documents](#)
[Resolution PRC Chairman to serve additional year](#)

Exhibit A

CITY OF ST. HELENA

RESOLUTION NO. 2014-45

**APPROVING THE CITY OF ST. HELENA PROTOCOL FOR
COMMITTEES, COMMISSIONS AND BOARDS AND RELATED
DOCUMENTS**

WHEREAS, the City Council has created a number of committees, boards and commissions, including the Planning Commission, the Parks and Recreation Commission, the Library Board of Trustees, the Tree Committee, the Sustainability Committee, the Multicultural Committee, the Active Transportation Committee, and the Water Board; and

WHEREAS, the City's committees, commissions and boards provide a valuable service to the community and the City Council relies on these entities to provide information, advice, recommendations and decisions related to their area of expertise and authority; and

WHEREAS, the City Council desires to standardize committee structure and operating procedures and provide necessary guidance in order to ensure these committees, commissions and boards are efficient and effective and serve in the best interests of the community; and

WHEREAS, at its regular meetings of November 27, 2012, January 23, 2013, July 23, 2013, and June 10, 2014, the City Council discussed a draft City of St. Helena Protocol for Committees, Commissions and Boards, and received public testimony on the draft Protocol.

NOW, THEREFORE, BE IT RESOLVED that the St. Helena City Council adopts the St. Helena Protocol for Committees, Commissions and Boards and related Meeting Ground Rules, Committee Standards of Conduct, Agenda format and Minutes format, as set forth in Exhibit A.

PASSED, APPROVED and ADOPTED at a regular meeting of the City Council of the City of St. Helena held on the 8th of July, 2014 by the following vote:

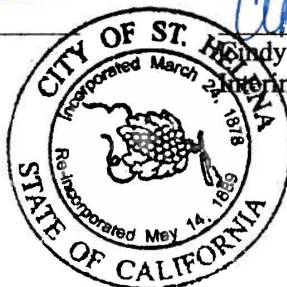
AYES: Councilmember: White, Sculatti and Mayor Nevero
NOES: None
ABSENT: Councilmember: Crull and Pitts
ABSTAIN: None

APPROVED:

ATTEST:


Ann Nevero
Mayor


Cindy Black
Interim City Clerk





City of St. Helena Protocol for Committees, Commissions and Boards (CCB)

St. Helena Committees, Commissions and Boards (CCB) function under the direction of the City Council on behalf of the City and its residents. The Council establishes committees by ordinance or resolution defining the role, purpose and membership. While each one functions specific to its purpose, all must follow the same overriding principles which are herein defined.

This protocol is intended to provide general guidance, and is not intended to supersede or conflict with any provision of State law, the St. Helena Municipal Code or other ordinance adopted by the City Council, which in the event of any conflict shall control.

ROLE AND PURPOSE

The City Council determines a committee's role and purpose at the time it is created, which should be defined clearly enough to easily communicate the purpose of the committee to the general public.

Committees may be 1) on-going standing committees, or 2) established for a specific purpose with an expected end date. Roles and purpose may be general or specific, but all will have a clearly defined goal, task or product.

Recommended changes in the role or purpose of a committee must be brought to the City Council to clarify how the proposed changes will provide improved or additional benefit.

MEMBERSHIP AND COMMITTEE STRUCTURE

The City Council defines the membership size by resolution or ordinance when establishing a committee. A committee consists of a minimum of five and a maximum of seven members, except the Planning Commission which consists only of five regular members. The Council may appoint up to two alternate members to serve on a committee in order to ensure a quorum can be reached if members cannot attend. City Council members and staff shall not sit as members on any committees. However,

the City Council may, in its discretion, appoint two Council members in the composition of a City Council subcommittee for a specific purpose.

As required by State law, the Mayor shall nominate committee members from the pool of applicants, and they will be appointed only after a majority vote approval by the City Council. Applicants may choose to attend the City Council meeting and make a statement in support of their application before the Council votes on the appointment.

Residency. Committee members must reside within the St. Helena City limits. The Council may approve an exception to this rule on a case-by-case basis. All five Planning Commissioners must live within the St. Helena City limits.

Member Terms. Committee members will serve two years from the date of appointment, except Planning Commissioners who will serve four years. Non-standing committee membership will be based upon the timing of the specific project. In establishing a new committee, or when reducing existing terms from three years to two when those terms come up for reappointment, the Council may initially impose staggered terms consisting of one and two year terms.

Removal of a member may occur for reasons such as, but not limited to, excessive absences, Brown Act violations, and conduct violations. Recommendations to the City Council for removal may be made by a committee member, member of the public, staff member, or City Councilmember. Notwithstanding the foregoing, the City Council may in its discretion at any time vote to remove a member of any committee for any reason or none, with or without cause.

Committee Officers. Annually, a committee will select a chairperson and vice chairperson. No member may serve more than two consecutive years as chair, unless unanimously agreed upon by the Committee in a sealed vote and approved by the City Council.

The chairperson runs the meeting in accordance with the agenda. The vice chairperson has the same powers and duties of the chair if the chair is absent or unable to act. If both the chair and vice-chair are absent or unable to act, the committee selects by motion and majority vote one member as acting chair for the duration of the meeting or absence.

Subcommittees. The committee may in its discretion appoint members to subcommittees for the purpose of researching specific issues, conducting community outreach, and/or formulating recommendations to the committee, and may also engage experts or other persons (who will not be considered as members). Subcommittee membership will be less than a majority of the total membership of the committee. Prior to creating a subcommittee, the committee will consult with staff to determine whether the subcommittee is subject to the Brown Act, in which case formation of the subcommittee will be subject to Council approval.

Bylaws. Committees may adopt bylaws governing their work that are consistent with this protocol and other City laws. Proposed bylaws must be reviewed by staff and approved by the City Council.

MEETING ADMINISTRATION

- Committees should meet at a regular interval (day and time) and location to facilitate public attendance and to provide an accessible forum for the public to attend.
- Committees and committee members shall conduct themselves in accordance with the requirements of State law and the Municipal Code.
- Meetings must be noticed to the public at least 72 hours prior to regular meetings, and 24 hours prior to special meetings, as required by the Brown Act.
- All meeting notices must be posted outside St. Helena City Hall and on the City website.
- Agendas must adhere to the form provided by the City to ensure consistency and clarity.
- Meeting minutes will be recorded using the City template and submitted for approval at the next committee meeting. Once approved, the minutes are submitted to the City Clerk for official record.

Quorum and Voting. A quorum is required to hold a meeting. A quorum is defined as the majority of the number of members, not counting alternates, which officially comprise a committee. Absences and vacancies do not change the quorum number. For example, if a committee is established with five members, the quorum is three members. If there are two vacancies on the committee, the quorum is still three members.

If a committee meets but does not have a quorum, either through lack of a quorum at the start of the meeting or due to members leaving the meeting, the committee may not conduct its regular business. In these instances, the committee may only act to adjourn to the next meeting date, recess, or take measures to obtain a quorum.

A majority vote is required to approve any action by the committee, unless otherwise required by law.

Alternate Members. Alternate members may vote only upon one of the following conditions:

1. Absence of one or more of the regular members of the committee; or
2. Disqualification of a regular member of the committee due to an expressed conflict of interest.

If more than one alternate member is present and only one vote is available, the alternate members will toss a coin to determine who may vote.

City Staff Liaison. The City Manager will designate a staff liaison to each committee. The liaison will be available to attend committee meetings at the request of the committee chair and with advance notice. The staff liaison's role is to assist the committee in understanding City functions and requirements, such as state regulations, Municipal Code requirements, and conflict of interest and Brown Act requirements. The staff liaison ensures the continued flow of information regarding the City's efforts and progress on work that pertains to the committee's topic area. The staff liaison will collect and file committee records and minutes.

CITY COUNCIL REPORTS

The chairperson or committee designee will appear at a City Council meeting at least once per quarter to report on the committee's activities and projects and to provide updates to the Council and community. The City Council will provide input and direction at that time. Committee chairpersons or designated committee members are encouraged to appear before the Council whenever they feel it is necessary to obtain Council direction or share information.

PROFESSIONALISM AND MEETING BEHAVIOR

As official representatives of the City of St. Helena, committee members are expected to conduct their duties in keeping with the St. Helena Committee Standards of Conduct and to maintain the highest level of professionalism during their tenure. Committees conduct City-sanctioned work for the benefit of all St. Helena residents.

All St. Helena committee meetings will be conducted in an open, fair and professional manner. Committees must ensure a welcoming atmosphere for all participants. St. Helena Meeting Ground Rules must be posted at each meeting, and adhered to, in order to ensure meetings are efficient, productive and respectful.

Committees are formed to improve understanding, ideas, processes or outcomes, and by definition that means individuals will have, and should have, different, and perhaps controversial, opinions. Open, honest dialogue is the goal, and is not to be viewed as a problem. Discussion of topics, not discussion of individuals, should be the focus of committee members both inside and outside the meetings. Committee members represent the City of St. Helena, and therefore may not negatively discuss members or public participants outside meetings. Members can request staff assistance, either during or after the meeting, with unruly or disruptive participants. No committee member should tolerate abuse toward other participants, members or themselves.

THE BROWN ACT AND CONFLICT OF INTEREST RULES

The Brown Act

Members of St. Helena committees are required to function under the Brown Act. Committees should have a clear understanding of Brown Act rules. The City will provide committees with Brown Act training materials, which must be reviewed by all members. Committee chairs can request specific information from City staff regarding Brown Act questions.

In general, the Brown Act requires all meetings of a legislative body of a local government, including all committees established by the St. Helena City Council, to be open and public. In some instances these requirements will apply to subcommittees.

- All meetings must be properly noticed and discussion items properly agendized.
- A “meeting” means any gathering of a majority of the members of a committee to hear, discuss or deliberate on any matter within the committee’s jurisdiction.
- Communication outside a meeting by members is restricted by the Brown Act if that communication results in:
 - A “serial” meeting involving a majority of the committee members. A serial meeting may occur if a member communicates to one member, who then communicates to another member, until a majority of members have become involved in the communication.
 - a “spoke and wheel” meeting where a member separately communicates to a majority of members.
- In order to avoid unintended “meetings” involving a quorum,, committee members should generally submit their comments to staff, and should not engage in “reply all” emails or emails or other communications involving a majority of the committee.

Violations of the Brown Act are serious, and can jeopardize the validity of committee decisions. Violations that are willful can carry criminal penalties.

Conflicts of Interest/Due Process

In addition to the Brown Act, State laws, such as the Political Reform Act (“PRA”), impose certain conflict of interest rules on City committee members. For example, the PRA requires members to make certain financial disclosures and prohibits members’ participation in decisions affecting members’ financial interests.

As with the Brown Act, the City will provide committees with conflict of interest training materials, which must be reviewed by all members. Committee chairs can request specific information from City staff regarding conflict questions.

Conflicts may exist where a member lives in close proximity to a project site or other place affected by the committee’s decision, or where a committee member’s personal financial interests or the financial interests of a member’s business, family or source of income may be affected by the decision to be made by the committee. In such instances, the member may be prohibited from participating in the decision.

Conflict of interest rules are complex. Moreover, as with the Brown Act, violations of the PRA are serious, and can jeopardize the validity of committee decisions. Violations can result in substantial fines and criminal penalties.

Committee members may receive assistance on questions from the State Fair Political Practices Commission (“FPPC”), which is the agency that is responsible for the implementation and enforcement of the PRA. In addition, Committee chairs may ask staff for assistance. Because conflict questions are often complex and fact-intensive, committee members are urged to attempt to identify potential conflict issues well in advance of meetings at which the decision is to be made.

Finally, in addition to conflict of interest rules involving financial interests under the PRA, some committee decisions on matters that require committees to act as “judges,” as for example when the Planning Commission acts on subdivision map applications or use permits, variances and/or design review, fair hearing and due process requirements apply. Those requirements may preclude members from participating in decisions where the member is “personally embroiled” in the decision at stake, and also may require members to disclose information received outside of a public hearing so that stakeholders may also hear and respond to such information.

As with conflict and Brown Act requirements, committee chairs may seek assistance from staff with respect to fair hearing/due process issues, and members are urged to attempt to identify and disclose such issues well in advance of the public hearing.



City of St. Helena

Meeting Ground Rules

1. Start on time
2. Everyone come prepared
3. If you called the meeting, run it well
4. If you are at the meeting, participate
5. Stay on topic
6. One person speaks at a time
7. Be open and honest
8. Actively listen – no side conversations, texting or cellphone use
9. No negative body language or personal attacks
10. End on time



[COMMITTEE NAME]

AGENDA - REGULAR MEETING

[MEETING ADDRESS]

[MEETING DATE AND TIME]

- 1) **ROLL CALL:** [LIST MEMBERS, COUNCIL LIAISON, AND STAFF LIAISON]
- 2) **APPROVAL OF MINUTES:** [Date of minutes]
- 3) **PUBLIC FORUM:** An opportunity for the public to directly address the [Committee] on items of interest to the public that are not listed on the agenda. Any person addressing the [Committee] should provide his or her name and address, and limit comments to five minutes. Because of restrictions imposed by the Brown Act, the [Committee] may not engage in substantive discussion, nor take action on matters not described on the agenda.
- 4) **SCHEDULED MATTERS:**
[List each item of business to be transacted or discussed at the meeting, with a brief description generally not exceeding 20 words and an approximate time allocated for the item.]
- 5) **REPORTS AND ANNOUNCEMENTS BY MEMBERS AND STAFF:** Reports by staff and/or [Committee] members on items of general interest. Brief questions for clarification may be posed and answered, and [Committee] 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 [Committee].
[List with approximate time allocated for each item]
- 6) **DISCUSSION OF ITEMS TO BE PLACED ON THE NEXT MEETING AGENDA**
- 7) **ADJOURNMENT**

The next regularly scheduled [Committee] meeting will be held on [Date]. This agenda was posted at City Hall, 1480 Main Street, and at [location where meeting will be held] on [Date].

Cindy Black, Interim City Clerk

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in the meeting, please contact City Hall at (707) 967-2792. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR35.102-35.104 ADA Title II). However, City staff will attempt to assist at any time with accessibility. The City Clerk has equipment to assist those with a hearing impairment.



**MINUTES OF THE REGULAR MEETING OF THE
[COMMITTEE NAME]
[Meeting Location]
[Meeting date and time the meeting was called to order]**

2) ROLL CALL:

PRESENT: [List members, Council liaison, and staff liaison. Guests and staff scheduled to give reports or presentations may also be listed. Do not list members of the public in attendance.]

ABSENT: [List members, Council liaison, and staff liaison]

3) APPROVAL OF MINUTES: M/S: [Moved/Seconded: Name/Name]. Ayes: ["All" or individual names]. Noes: ["None" or Names]. Abstain: ["None" or Names].

4) [LIST ALL AGENDA ITEMS and, if a vote was taken, indicate M/S, Ayes, Noes, and Abstain. Although not required, the minutes may briefly discuss major points of the discussion, report or presentation. If there was no discussion of the agenda item, state so. For example:

A. Election of Officers: Susan Smith was elected Chairperson and John Davis was elected Vice Chairperson. M/S: Stuart/Price. Ayes: All. Noes: None. Abstain: None.

B. Green Building Regulations: The group reviewed the subcommittee's research on green building regulations and agreed to make a presentation to the City Council and seek direction from the Council on potential new regulations the Council may wish to adopt. The staff liaison will request an agenda item be placed on the City Council's agenda in January. M/S: Gonzales/Moore. Ayes: All. Noes: None. Abstain: None.

C. Plastic Bag Ban. This item was not discussed.]

5) ADJOURNMENT: The meeting was adjourned at [Time].

The next regularly scheduled [Committee] meeting will be held on [Date, location and time].

SUBMITTED BY:

Committee Standards of Conduct

Appointment to a City of St. Helena committee provides a unique opportunity for service to the community and leadership in the community. These positions carry an obligation of ethical conduct and personal integrity that will foster public respect, confidence and trust.

The Standards of Conduct are adopted to provide guidance to committee members to assist in fully understanding the role and responsibility of the position.

Responsibilities of Committee Service

In carrying out the responsibilities, committee members shall:

- A. Perform their responsibilities in a manner that is efficient, courteous, responsive and impartial, providing fair and uniform treatment of all person and issues;
- B. Seek the overall public good in all decisions;
- C. Foster effective, courteous and cooperative working relations with fellow members of the committee, the City Council, City staff, and the public;
- D. Serve as a communicator between the community and the City Council and City staff, and facilitate expression of citizen views;
- E. Abide by all applicable Conflict of Interest laws, policies and regulations; Disclose possible conflicts of interest and not participate in any official decision which could materially affect the member's financial or personal interest, nor attempt to influence the vote on any such manner;
- F. Avoid any action which could be construed by an objective person to create the appearance of using public office for personal gain, including use of City stationery or other City resources to obtain or promote personal business, giving preferential treatment to any person or group, or impeding governmental responsiveness or efficiency;
- G. Identify personal opinions and recommendations, avoiding any implication that they are those of the committee unless such position has been duly voted; and
- H. Refuse gifts, service or any promise of future benefit that could be construed to compromise independence of judgment or action as a public official.

Committee Behavioral Norms

- A. Committee members are encouraged to share their opinions throughout the deliberative process including the rationale that led to their position.
- B. The committee will allow sufficient time during meetings so members do not feel rushed and have time to digest what is said and form their own opinion.
- C. Committee members will listen respectfully to each other and the public, and will respond to comments respectfully, avoiding verbal attacks.
- D. The committee will stay positive and productive even when members disagree, demonstrating leadership characteristics appropriate for appointed leaders of the community.
- E. All members will be given an equal opportunity to speak up and discuss the issues.

- F. Committee members will refrain from negative body language in response to comments by committee members or the public.
- G. The Chairperson will start the discussion with a different committee member for each agenda item.
- H. When committee action is contemplated, the Chairperson will ensure that all committee members have had a chance to ask questions and make comments prior to entertaining any motion.
- I. Any committee member who notices disruptive behavior may call "Points of Order" and the Chairperson will address the behavior.

Committee/Staff Relationships and Conduct

- A. Committee members shall recognize that the primary functions of staff liaisons are to execute actions taken by the committee and keep the committee informed.
- B. Each committee member must recognize that only the full committee has power to accept, reject, amend, influence, or otherwise guide and direct staff actions, decisions, recommendations, workloads and schedules, departmental priorities, and the official conduct of City business. Individual committee members shall make no attempt to pressure or influence staff decisions, recommendations, workloads and schedules, and departmental priorities without the prior knowledge and approval of the committee as a whole.
- C. Individual committee members shall not intrude into functions which are the responsibility of staff including, but not limited to, staff decision-making, staff recommendations, work schedules, and other day to day management/administrative operations.
- D. Staff is obligated to take guidance and direction only from the committee as a whole or from the appropriate management superiors as may be the case. Staff is directed to reject any attempts by individual committee members to unduly influence or otherwise pressure them into making, changing or otherwise suppressing staff decisions or recommendations, or changing departmental work schedules and priorities. Staff shall report such attempts to influence them in confidence to their management superiors, who may inform the committee as a whole of such attempts.
- E. Committee members shall make every effort to avoid surprising the staff during public meetings. If there is an issue or a question a committee member has on an agenda item or a matter the committee member intends to bring up at the meeting, that member should contact staff prior to the meeting to alert them to the issue and state the question or concern.
- F. Requests by committee members for information or assistance shall be responded to provided that, in the judgment of their management superior, such requests are not of a magnitude, either in terms of workload or policy, which would require that it more appropriately be assigned to staff through the collective direction of the committee. In terms of making the judgment, the following guidelines shall be considered: 1) the request should be specific and limited in scope so that staff can respond without altering other priorities and with only minimal delay to other assignments; 2) the request should only impose a "one time" rather than on-going work requirement; and 3) the response to the request should not require more than one staff person working on the issue in excess of one to two hours.
- G. When staff response to a committee member's request involves written material which may be of interest to other committee members, the staff liaison will provide copies to all committee members. In deciding items of interest, the staff liaison will consider whether the information is significant, new or otherwise not available to the committee.

CITY OF ST. HELENA

RESOLUTION No. 2020-__

**Authorizing the Parks and Recreation Commission
Chairperson to serve an additional year as Chairperson**

RECITALS

- A. Whereas the City of St Helena Protocol for Committees, Commissions and Boards (approved by City Council Resolution 2014-45), states, "Annually, a committee will select a chairperson and vice chairperson. No member may serve more than two consecutive years as chair, unless unanimously agreed upon by the Committee in a sealed vote and approved by the City Council."; and
- B. Whereas on August 31, 2020, the Parks and Recreation Commission nominated and elected Matthew Demchuk to be the commission chair for another year; and
- C. Whereas Matthew Demchuk's service as the Chairperson of the Parks and Recreation Commission exceeds the two consecutive years; and
- D. Whereas there were no other nominations for the position of Chairperson and the votes for Matthew Demchuk to serve as the Chairperson of the Parks and Recreation Commission were unanimous.

RESOLUTION

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

- 1. Makes the exception to authorize the Parks and Recreation Commission Chairperson to serve an additional year, ending June 2021.

Approved at a Regular Meeting of the St. Helena City Council on September 22, 2020
by the following vote:

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

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzaopoulos, City Clerk



Report to the City Council
Regular City Council - 22 Sep 2020

Agenda Section: OLD BUSINESS

Subject: Consideration and proposed approval of a resolution: (1) approving temporary street closure of Hunt Avenue from Main Street to Railroad Avenue for a pop-up park program to help with COVID-19 business recovery; (2) approving the use of up to \$20,000 of the funds designated for the Small Business Sustainability Loan Program to help with start-up costs of the pop-up park program; Consideration and proposed introduction, waive reading and adoption of an Urgency Ordinance to allow the temporary consumption of beer or wine in the area of Hunt that has been temporarily closed between Main Street and Railroad Avenue.

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

Prepared By: Martin Beltran, Management Analyst

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

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

Beginning in March 2020, federal, state, and local emergency declarations were made as a result of the threat of COVID-19. Subsequent declarations included shelter at home orders for most of the country. On June 5, 2020, the Napa County Public Health Officer revised the shelter at home order to allow outdoor dining with safety measures and other restrictions to ensure social distancing. Currently, restaurants and other food facilities that were previously licensed to provide sit-down food service may now provide outdoor, sit-down meals by working with local agencies to ensure compliance with local laws, regulations, and permitting requirements. Restaurants must also comply with County and State safety measures, such as sanitation protocols and the spacing of

tables to provide proper social distancing. With limited outdoor seating resulting in loss of revenue, many businesses have adjusted their business model to provide curbside pickup, take out, and/or delivery service alternatives. In response to these recent changes in the health order, many nearby cities are re-imagining how to use their public spaces to support outdoor dining while providing a safe and comfortable environment to enjoy.

The City continues to work with businesses on how to best support a successful reopening within Napa County health and local orders. As part of conversations regarding Downtown's economic recovery, City staff shared the concept of temporarily closing Hunt Avenue from Main Street (Highway 29) to Railroad Avenue in interest of providing a space for outdoor dining, the sale of goods, and potential venue for safe social gathering and community building to assist with COVID-19 compliance. The concept was first introduced at a business forum attended by the Chamber of Commerce, local businesses, and City staff. Businesses present had a favorable response and expressed the need for this to happen as soon as possible. City staff have contacted businesses with store fronts on Hunt Avenue, including Safeway, and have received largely positive support for a temporary closure.

While some sectors are allowed partial indoor operations, the capacity is limited. Additional space, if approved, would be intended to further assist the economic recovery for Downtown St. Helena.

The City Council discussed the concept of a pop-up park program via temporary closure of Hunt Avenue at their meeting of September 8, 2020. Direction was provided to further describe characteristics and logistics of such a closure, including enhanced sanitation practices.

DISCUSSION

The City believes that a key to economic recovery for Downtown St. Helena is to increase foot traffic, expand business opportunity, and create an inviting public space for locals and visitors, similar to what many other cities have done. City staff, working with local merchants and the Chamber of Commerce, have developed a concept of a pop-up park program. Because of its proximity to Main Street, the proposed area for the pop-up park program is on Hunt Avenue, which is an east/west connector, between Main Street and Railroad Avenue. The proposed area will serve as public access to Main Street businesses and allow for additional outdoor space, increased foot traffic on Hunt Avenue, and a place to safely relax to keep people downtown longer. The proposal for the proposed partial street closure is based on input from directly affected businesses, and considers a balance of needs, including vehicle, bike, and pedestrian circulation.

Seating & Amenities

A pop-up park will be provide seating for groups of two and four. Ensuring adequate physical distancing is met, the space will be able to accommodate 25 - 35 individuals seated. Seating will be provided through a combination of benches, chairs with backs, and backless bar height stools. Potted plants and trees will be placed throughout the

space for green-scape. In addition, overhead shade will be placed throughout the area providing protection from sun and provide noise reduction. A concept site plan and conceptual street elevations are provided as attachments to this report. Please note that the purpose of the images are to provide examples of how the space may be utilized by the public.

Utilizing partnerships with local designers and organizations, public art will be a priority to enhance the character of Hunt Avenue. A combination of lighting, ground paint, and other installations will bring energy and entertainment to the pop-up park.

Sanitation & Cleanliness

The City of St. Helena plans to have City staff perform a morning cleaning of the tables, sidewalks, and streets. City contracted cleaning company, Frank's Janitorial, will be hired to perform the same cleaning in the evening. Upon opening, a combination of Chamber of Commerce staff, City staff, and volunteers will staff the space Thursday through Saturday between the hours of 11:00 am - 3:00 pm. City staff will monitor the usage of the pop up park and expand its staffed hours, and days as needed in partnership with the Chamber of Commerce. Staff will ensure cleanliness of the space during those hours and track usage.

Additionally, the City will provide a hand-washing station and sanitation products for patrons to "self-sanitize" tables before and after use. Each table will have interchangeable signage to show if the table has been sanitized or not. Hunt Avenue merchant, Erosion Wine Co., has also offered for staff to assist in the cleanliness of the space during operating hours noon - 7:00 pm, seven days a week.

Garbage and recycling will be picked up each morning, with City staff doing an afternoon check around 2:30 pm.

Consumption of Alcohol

To assist businesses that are experiencing, and will continue to experience, severe negative economic impacts due to the COVID-19 pandemic, it is recommended that City Council adopt an urgency ordinance allowing the consumption of beer and wine between the hours of noon – 9:00 pm in the temporary pop-up park located on Hunt Ave, between Main Street and Railroad Avenue. Appropriate signage will be posted and the Police Department will include Hunt Ave in their patrol route.

Signage

Self-sanitation protocols will be posted, along with COVID-19 daily health reminders, "wash your hands, wear a mask, and watch your distance." Additional signage will be posted regarding the consumption of alcohol to be limited to noon to 9:00 pm. With assistance from the Chamber of Commerce, business listings and maps will be shared in message boards to support local merchants.

Parking

The Hunt Avenue pop-up park program will temporarily remove 12 on-street parking spaces along Hunt Avenue to provide public space and/or businesses the flexibility to temporarily expand their business operations into the on-street parking areas. The City plans to stripe four side by side parking spaces on the east end of the closure, one of which will include a handicap accessible parking space with a five foot access aisle. The St. Helena Chamber of Commerce will provide four parking spaces located on the southeast end of Railroad Avenue to assist with the loss of parking on Hunt Avenue. Therefore, the net loss would be reduced to four on-street parking spaces, instead of 12.

Timing

With the adoption of a resolution, City staff will purchase necessary supplies to install the temporary pop up-park. It is anticipated that installation will take up to two weeks following approval. To prepare for inclement weather, City staff will also look into options of providing a temporary structure if businesses desire for Hunt Avenue to remain closed for the winter months (November and December). If desired, City staff will work with the Chamber of Commerce in providing a winter experience on Hunt Ave that could increase foot traffic downtown.

Evaluation

City staff will re-evaluate the pop-up park with City Council approximately four to six weeks after installation. While the pop-up park is operational, staff plans to conduct regular outreach with businesses and conduct a post operation survey to determine the success of the street activation. A comment box for the public may also be installed to get feedback as an additional means of outreach. This feedback will be shared with the City Council.

In an effort to expedite implementation of this program, staff is recommending the City Council adopt a resolution approving temporary street closure of Hunt Avenue from Main Street to Railroad Avenue as well as an urgency ordinance to authorize beer and wine during limited hours. Following the City Council's direction, staff would partner with the Chamber of Commerce to coordinate with all involved parties to implement the pop-up park.

FISCAL IMPACT

There is no fiscal impact with the approval to close Hunt Avenue between Main Street and Railroad Avenue and there will be minor costs incurred for staff time for closures and additional time for maintenance. In 2019-20, City Council authorized up to \$300,000 as part of the Small Business Sustainability Loan Program for Small Businesses who have suffered losses as a result of COVID-19. In August 2020, the program was expanded to include critical service providers; however, there is still an available balance of \$120,000 in this program. Because the pop-up park program on Hunt Avenue is for the direct benefit of the local business economy, staff recommends utilizing up to \$20,000 of these designated funds to fund the initial costs to implement the program.

RECOMMENDED ACTION

Approve resolution: (1) approving temporary street closure of Hunt Avenue from Main Street to Railroad Avenue for a pop-up park program to help with COVID-19 business recovery; (2) approving the use of up to \$20,000 of the funds designated for the Small Business Sustainability Loan Program to help with start-up costs of the pop-up park program; and (3) Adopt the urgency ordinance by title only and waive further reading by a 4/5 vote.

ATTACHMENTS

[Resolution - Hunt Avenue Street Closure Pop-Up Park Program](#)

[LWC Hunt St Rendering-01](#)

[LWC Hunt St Rendering-02](#)

[LWC Hunt St Rendering-03](#)

[LWC Hunt St Rendering-04](#)

[COSH Draft Urgency Ordinance Alcohol Consumption-c2 \(002\)](#)

RESOLUTION NO. _____

**CONSIDERATION AND PROPOSED APPROVAL OF A
RESOLUTION: (1) APPROVING TEMPORARY STREET
CLOSURE OF HUNT AVENUE FROM MAIN STREET TO
RAILROAD AVENUE FOR A POP-UP PARK PROGRAM
TO HELP WITH COVID-19 BUSINESS RECOVERY; AND
(2) APPROVING THE USE OF UP TO \$20,000 OF THE
FUNDS DESIGNATED FOR THE SMALL BUSINESS
SUSTAINABILITY LOAN PROGRAM TO HELP WITH THE
START-UP COSTS OF THE POP-UP PARK PROGRAM**

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

WHEREAS, the City of St. Helena, declared a local emergency, the County of Napa 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 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 financial hardships experienced by St. Helena businesses due to the mandatory shut down is unprecedented; and

WHEREAS, On June 5, the Napa County health officer revised the shelter at home order to allow outdoor dining with safety measures and other restrictions to ensure social distancing; and

WHEREAS, City Council further finds the temporary street closure of Hunt Avenue from Main Street to Railroad Avenue can help economic recovery for Downtown St. Helena; and

WHEREAS, in FY 2019-20 City Council authorized the use of up to \$300,000 to create the Small Business Sustainability Loan Program and, to-date, there is \$120,000 available for this program; and

WHEREAS, because the pop-up park program on Hunt Avenue is for the direct benefit of the local business economy, City Council authorizes use of up to \$20,000 of the Small Business Sustainability Business Loan Program funds to help cover the initial costs to implement the Hunt Avenue pop-up park program.

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

Section 1. The City Council hereby approves the temporary street closure of Hunt Avenue from Main Street to Railroad Avenue.

Section 2. The City Council hereby approves the use of up to \$20,000 of the Small Business Sustainability Business Loan Program to help cover the initial costs to implement the Hunt Avenue pop-up park program.

APPROVED at a special meeting of the St. Helena City Council on September 22, 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 Tzaopoulos, City Clerk

Bird's Eye View



Eye-level looking towards Main



Eye-level looking from the Main intersection



Plan View



ORDINANCE NO. ____

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ST. HELENA ALLOWING FOR THE TEMPORARY CONSUMPTION OF BEER OR WINE IN THE AREA OF HUNT AVENUE THAT HAS BEEN TEMPORARILY CLOSED BETWEEN MAIN STREET TO RAILROAD AVENUE, DURING SPECIFIED TIMES TO HELP ADDRESS THE ECONOMIC IMPACTS TO BUSINESSES RELATED TO COVID-19

WHEREAS, in response to the COVID-19 pandemic and global health crisis, the City of St. Helena, the County of Napa, the Governor of the State of California, and the President of the United States have all proclaimed a state of emergency; and

WHEREAS, on March 18, 2020, the Napa County Health Officer issued a shelter at home order requiring individuals to isolate in their places of residence, except as needed for the performance of essential activities; and

WHEREAS, on March 19, 2020, the Governor issued Executive Order N-33-20, ordering all State of California residents to shelter at home or at their place of residence, except as needed to ensure continuity of operations in essential critical infrastructure sectors and additional sectors as directed by the State Public Health Officer; and

WHEREAS, since that time, many retail establishments and restaurants in the City have been entirely shut down or engaged in only limited operations; and

WHEREAS, in mid-May 2020, the Governor and the State Department of Public Health published guidance, including social distancing requirements, regarding the opening of certain businesses subject to stages established by the State; and

WHEREAS, on June 5, 2020, the Napa County Health Officer revised the shelter at home order to allow outdoor dining with safety measures and other restrictions to ensure social distancing; and

WHEREAS, on August 28, 2020, the State introduced its Blueprint for a Safer Economy, a four-tier framework by which counties are measured for loosening and tightening restrictions on social activities and business operations. Napa County was placed in Tier 2, or red status for “substantial” risk; and

WHEREAS, on September 8, 2020, to help address some of the negative economic impacts related to COVID-19 on local businesses, the City Council adopted a resolution approving the temporary street closure of Hunt Avenue from Main Street to Railroad Avenue to assist the economic recovery in Downtown St. Helena by providing a space for outdoor dining, the sale of goods, and a potential venue for safe social gathering and community building to assist with COVID-19 compliance; and

WHEREAS, the City has an important governmental interest in maintaining a thriving business community and protecting the health, safety, and economic welfare of its citizens and businesses; and

WHEREAS, even as certain shelter in place restrictions begin to ease, many local businesses will continue to be affected by social distancing requirements; and

WHEREAS, businesses allowed to reopen will be subject to health and safety guidelines to minimize the risk of spread of COVID-19, such as increased physical distance between tables, required use of face coverings by staff, frequent cleaning of high touch surfaces, suspended use of shared food items such as condiment bottles and reusable menus, and similar restrictions; and

WHEREAS, the State Department of Public Health's guidelines for restaurants specifically recommend prioritizing outdoor seating and curbside pickup to minimize cross flow of customers in enclosed environments, and guidelines for other industries contain similar recommendations and requirements; and

WHEREAS, businesses that provide food, beer and wine to their patrons in the downtown area of the City are an integral part of the economy and community of St. Helena, and are a significant source of jobs, tax revenue and essential services for the community; and

WHEREAS, business closures will negatively impact the local economy by laying off employees and ceasing to provide services to residents of the City, will negatively impact local health by reducing the number of commercial spaces available to provide essential services while maintaining social distancing, and will decrease tax revenues available to the City to respond to COVID-19 and other public health and safety concerns; and

WHEREAS, in order to protect the health and safety of the City, while fostering economic well-being of the City's citizens and businesses, the City wishes to further assist both essential and non-essential businesses in remaining open, or re-opening when lawfully permitted to do so; and

WHEREAS, as local restaurants and retail establishments are permitted to re-open pursuant to State and County orders, laws, and/or guidance, the City wishes to utilize Hunt Avenue, between Main Street to Railroad Avenue, in a manner that would allow for the consumption of beer and wine in this area, in compliance with social distancing requirements, and in an effort to protect the health and safety of the citizens of St. Helena; and

WHEREAS, St. Helena Municipal Code Section 12.32.040 generally allows for the possession, consumption, sale, or delivery of beer or wine in public parks, with certain exceptions, but prohibits the possession, consumption, sale or delivery of other forms of alcohol; and

WHEREAS, to assist businesses that are experiencing, and will continue to experience, severe negative economic impacts due to the COVID-19 pandemic, the City desires to allow for possession and consumption of beer and wine in the portion of Hunt Avenue subject to the temporary closure, similar to the requirements for City parks as set forth in Section 12.32.040, to help facilitate the return to operations for those

businesses that sell and serve beer and wine, which allowance is consistent with the City's treatment of the closed area as a "pop up park"; and

WHEREAS, Government Code section 8634 authorizes the City Council during a local emergency to promulgate orders and regulations necessary to provide for the protection of life and property; and

WHEREAS, the City, pursuant to the police powers delegated to it by the State Constitution, has the authority to enact laws that promote the public health, safety, and general welfare of its residents; and

WHEREAS, pursuant to California Government Code section 36937, the City may adopt an urgency ordinance if it is for the immediate preservation of the public peace, health or safety; and

WHEREAS, the Urgency Ordinance is designed to promote economic business stability and prevent business closures during the COVID-19 pandemic by allowing the temporary consumption of beer or wine with certain time restrictions in the area of Hunt Avenue that is subject to temporary closure, between Main Street to Railroad Avenue, to enable business operations in a manner that complies with social distancing orders and protocols, thereby serving the public peace, health, safety, and public welfare; and

WHEREAS, an urgency ordinance that is effective immediately is necessary to avoid the immediate threat to public peace, health, and safety as failure to adopt this urgency ordinance could result in the avoidable closure of local businesses.

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

Section 1. Findings and Need for Ordinance.

The City Council hereby finds and declares that this Urgency Ordinance is necessary to promote economic business stability and prevent business closures during the COVID-19 pandemic by allowing the temporary consumption of beer or wine within specified times in the temporarily closed area of Hunt Avenue, between Main Street to Railroad Avenue, to enable business operations in a manner that complies with social distancing orders and protocols, thereby serving the public peace, health, safety, and public welfare. The recitals above are each incorporated by reference and adopted as findings by the City Council.

Section 2. Consumption of Alcoholic Beverages in Hunt Avenue, Between Main Street to Railroad Avenue.

The consumption of beer or wine purchased from businesses within the boundaries of the Central Business (CB) zoning district is allowed in the temporarily closed area of Hunt Avenue, between Main Street to Railroad Avenue, between the hours of noon through nine p.m. of any day.

Section 3. City Temporary Signage in the Public Right-of-Way.

Notwithstanding St. Helena Municipal Code Section 17.148.030, the City is permitted to provide temporary signage in the public right-of-way within the temporarily closed area of Hunt Avenue, between Main Street to Railroad Avenue, for purposes of ensuring compliance with social distancing requirements, other requirements intended to limit the spread of COVID-19 and restrictions related to the consumption of beer or wine as set forth in this Ordinance.

Section 4. Term.

This Ordinance shall go into effect immediately upon adoption by the City Council and shall remain in full force and effect the earlier of the reopening of Hunt Avenue from Main Street to Railroad Avenue or November 30, 2020, at which point this Ordinance shall expire unless otherwise amended by subsequent action of the City Council.

Section 5. Urgency Finding.

The City Council hereby finds, determines, and declares that this Ordinance is necessary to the immediate preservation of the public peace, health, or safety, because there is an urgent need to facilitate business operations impacted by COVID-19 to support economic development, prevent layoffs, and maintain tax revenue in the City. Therefore, the City Council further finds, determines, and declares that this Ordinance takes effect immediately upon adoption by a four-fifths vote of the City Council pursuant to the authority conferred upon it by Government Code section 36937.

Section 6. City Clerk.

The City Clerk shall certify as to the adoption of this Ordinance and shall cause it to be published in a newspaper of general circulation within fifteen (15) days of the adoption and shall post a certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with California Government Code Section 36933.

Section 7. Severability.

If any provision of this Ordinance or its application to any person or circumstance is held to be invalid, such invalidity has no effect on the other provisions or applications of the Ordinance that can be given effect without the invalid provision or application, and to this extent, the provisions of this Ordinance are severable. The City Council declares that it would have adopted this Ordinance irrespective of the invalidity of any portion thereof.

Section 8. CEQA.

The City Council finds that the adoption and implementation of this Ordinance is exempt from environmental review pursuant to the California Environmental Quality Act ("CEQA") Guidelines Section 15061(b)(3), the common sense exemption that CEQA

applies only to projects that have the potential for causing a significant effect on the environment. The proposed project is temporary and does not allow for or encourage any new land uses or more development than is already anticipated under the City's 2040 General Plan and can be seen with certainty that there is no possibility that the project in question may have a significant effect on the environment.

THE FOREGOING ORDINANCE was adopted as an urgency ordinance by a four-fifths vote at a regular meeting of the St. Helena City Council on the 22nd day of September, 2020, by the following vote:

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

APPROVED:

Geoff Ellsworth, Mayor

ATTEST:

CITY OF ST. HELENA

Cindy Tzafoopoulos, City Clerk

I, CINDY TZAFPOULOS, CITY CLERK of the City of St. Helena, California, do hereby certify that the foregoing Urgency Ordinance was approved by a four-fifths vote at a regular meeting of the City Council on the 22nd day of September, 2020, by the following vote:

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

RESOLUTION NO. _____

**CONSIDERATION AND PROPOSED APPROVAL OF A
RESOLUTION: (1) APPROVING TEMPORARY STREET
CLOSURE OF HUNT AVENUE FROM MAIN STREET TO
RAILROAD AVENUE FOR A POP-UP PARK PROGRAM
TO HELP WITH COVID-19 BUSINESS RECOVERY; AND
(2) APPROVING THE USE OF UP TO \$20,000 OF THE
FUNDS DESIGNATED FOR THE SMALL BUSINESS
SUSTAINABILITY LOAN PROGRAM TO HELP WITH THE
START-UP COSTS OF THE POP-UP PARK PROGRAM**

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

WHEREAS, the City of St. Helena, declared a local emergency, the County of Napa 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 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 financial hardships experienced by St. Helena businesses due to the mandatory shut down is unprecedented; and

WHEREAS, On June 5, the Napa County health officer revised the shelter at home order to allow outdoor dining with safety measures and other restrictions to ensure social distancing; and

WHEREAS, City Council further finds the temporary street closure of Hunt Avenue from Main Street to Railroad Avenue can help economic recovery for Downtown St. Helena; and

WHEREAS, in FY 2019-20 City Council authorized the use of up to \$300,000 to create the Small Business Sustainability Loan Program and, to-date, there is \$120,000 available for this program; and

WHEREAS, because the pop-up park program on Hunt Avenue is for the direct benefit of the local business economy, City Council authorizes use of up to \$20,000 of the Small Business Sustainability Business Loan Program funds to help cover the initial costs to implement the Hunt Avenue pop-up park program.

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

Section 1. The City Council hereby approves the temporary street closure of Hunt Avenue from Main Street to Railroad Avenue.

Section 2. The City Council hereby approves the use of up to \$20,000 of the Small Business Sustainability Business Loan Program to help cover the initial costs to implement the Hunt Avenue pop-up park program.

APPROVED at a special meeting of the St. Helena City Council on September 22, 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 Tzaopoulos, City Clerk

Bird's Eye View



Eye-level looking towards Main



Eye-level looking from the Main intersection



Plan View



ORDINANCE NO. ____

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ST. HELENA ALLOWING FOR THE TEMPORARY CONSUMPTION OF BEER OR WINE IN THE AREA OF HUNT AVENUE THAT HAS BEEN TEMPORARILY CLOSED BETWEEN MAIN STREET TO RAILROAD AVENUE, DURING SPECIFIED TIMES TO HELP ADDRESS THE ECONOMIC IMPACTS TO BUSINESSES RELATED TO COVID-19

WHEREAS, in response to the COVID-19 pandemic and global health crisis, the City of St. Helena, the County of Napa, the Governor of the State of California, and the President of the United States have all proclaimed a state of emergency; and

WHEREAS, on March 18, 2020, the Napa County Health Officer issued a shelter at home order requiring individuals to isolate in their places of residence, except as needed for the performance of essential activities; and

WHEREAS, on March 19, 2020, the Governor issued Executive Order N-33-20, ordering all State of California residents to shelter at home or at their place of residence, except as needed to ensure continuity of operations in essential critical infrastructure sectors and additional sectors as directed by the State Public Health Officer; and

WHEREAS, since that time, many retail establishments and restaurants in the City have been entirely shut down or engaged in only limited operations; and

WHEREAS, in mid-May 2020, the Governor and the State Department of Public Health published guidance, including social distancing requirements, regarding the opening of certain businesses subject to stages established by the State; and

WHEREAS, on June 5, 2020, the Napa County Health Officer revised the shelter at home order to allow outdoor dining with safety measures and other restrictions to ensure social distancing; and

WHEREAS, on August 28, 2020, the State introduced its Blueprint for a Safer Economy, a four-tier framework by which counties are measured for loosening and tightening restrictions on social activities and business operations. Napa County was placed in Tier 2, or red status for “substantial” risk; and

WHEREAS, on September 8, 2020, to help address some of the negative economic impacts related to COVID-19 on local businesses, the City Council adopted a resolution approving the temporary street closure of Hunt Avenue from Main Street to Railroad Avenue to assist the economic recovery in Downtown St. Helena by providing a space for outdoor dining, the sale of goods, and a potential venue for safe social gathering and community building to assist with COVID-19 compliance; and

WHEREAS, the City has an important governmental interest in maintaining a thriving business community and protecting the health, safety, and economic welfare of its citizens and businesses; and

WHEREAS, even as certain shelter in place restrictions begin to ease, many local businesses will continue to be affected by social distancing requirements; and

WHEREAS, businesses allowed to reopen will be subject to health and safety guidelines to minimize the risk of spread of COVID-19, such as increased physical distance between tables, required use of face coverings by staff, frequent cleaning of high touch surfaces, suspended use of shared food items such as condiment bottles and reusable menus, and similar restrictions; and

WHEREAS, the State Department of Public Health's guidelines for restaurants specifically recommend prioritizing outdoor seating and curbside pickup to minimize cross flow of customers in enclosed environments, and guidelines for other industries contain similar recommendations and requirements; and

WHEREAS, businesses that provide food, beer and wine to their patrons in the downtown area of the City are an integral part of the economy and community of St. Helena, and are a significant source of jobs, tax revenue and essential services for the community; and

WHEREAS, business closures will negatively impact the local economy by laying off employees and ceasing to provide services to residents of the City, will negatively impact local health by reducing the number of commercial spaces available to provide essential services while maintaining social distancing, and will decrease tax revenues available to the City to respond to COVID-19 and other public health and safety concerns; and

WHEREAS, in order to protect the health and safety of the City, while fostering economic well-being of the City's citizens and businesses, the City wishes to further assist both essential and non-essential businesses in remaining open, or re-opening when lawfully permitted to do so; and

WHEREAS, as local restaurants and retail establishments are permitted to re-open pursuant to State and County orders, laws, and/or guidance, the City wishes to utilize Hunt Avenue, between Main Street to Railroad Avenue, in a manner that would allow for the consumption of beer and wine in this area, in compliance with social distancing requirements, and in an effort to protect the health and safety of the citizens of St. Helena; and

WHEREAS, St. Helena Municipal Code Section 12.32.040 generally allows for the possession, consumption, sale, or delivery of beer or wine in public parks, with certain exceptions, but prohibits the possession, consumption, sale or delivery of other forms of alcohol; and

WHEREAS, to assist businesses that are experiencing, and will continue to experience, severe negative economic impacts due to the COVID-19 pandemic, the City desires to allow for possession and consumption of beer and wine in the portion of Hunt Avenue subject to the temporary closure, similar to the requirements for City parks as set forth in Section 12.32.040, to help facilitate the return to operations for those

businesses that sell and serve beer and wine, which allowance is consistent with the City's treatment of the closed area as a "pop up park"; and

WHEREAS, Government Code section 8634 authorizes the City Council during a local emergency to promulgate orders and regulations necessary to provide for the protection of life and property; and

WHEREAS, the City, pursuant to the police powers delegated to it by the State Constitution, has the authority to enact laws that promote the public health, safety, and general welfare of its residents; and

WHEREAS, pursuant to California Government Code section 36937, the City may adopt an urgency ordinance if it is for the immediate preservation of the public peace, health or safety; and

WHEREAS, the Urgency Ordinance is designed to promote economic business stability and prevent business closures during the COVID-19 pandemic by allowing the temporary consumption of beer or wine with certain time restrictions in the area of Hunt Avenue that is subject to temporary closure, between Main Street to Railroad Avenue, to enable business operations in a manner that complies with social distancing orders and protocols, thereby serving the public peace, health, safety, and public welfare; and

WHEREAS, an urgency ordinance that is effective immediately is necessary to avoid the immediate threat to public peace, health, and safety as failure to adopt this urgency ordinance could result in the avoidable closure of local businesses.

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

Section 1. Findings and Need for Ordinance.

The City Council hereby finds and declares that this Urgency Ordinance is necessary to promote economic business stability and prevent business closures during the COVID-19 pandemic by allowing the temporary consumption of beer or wine within specified times in the temporarily closed area of Hunt Avenue, between Main Street to Railroad Avenue, to enable business operations in a manner that complies with social distancing orders and protocols, thereby serving the public peace, health, safety, and public welfare. The recitals above are each incorporated by reference and adopted as findings by the City Council.

Section 2. Consumption of Alcoholic Beverages in Hunt Avenue, Between Main Street to Railroad Avenue.

The consumption of beer or wine purchased from businesses within the boundaries of the Central Business (CB) zoning district is allowed in the temporarily closed area of Hunt Avenue, between Main Street to Railroad Avenue, between the hours of noon through nine p.m. of any day.

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Notwithstanding St. Helena Municipal Code Section 17.148.030, the City is permitted to provide temporary signage in the public right-of-way within the temporarily closed area of Hunt Avenue, between Main Street to Railroad Avenue, for purposes of ensuring compliance with social distancing requirements, other requirements intended to limit the spread of COVID-19 and restrictions related to the consumption of beer or wine as set forth in this Ordinance.

Section 4. Term.

This Ordinance shall go into effect immediately upon adoption by the City Council and shall remain in full force and effect the earlier of the reopening of Hunt Avenue from Main Street to Railroad Avenue or November 30, 2020, at which point this Ordinance shall expire unless otherwise amended by subsequent action of the City Council.

Section 5. Urgency Finding.

The City Council hereby finds, determines, and declares that this Ordinance is necessary to the immediate preservation of the public peace, health, or safety, because there is an urgent need to facilitate business operations impacted by COVID-19 to support economic development, prevent layoffs, and maintain tax revenue in the City. Therefore, the City Council further finds, determines, and declares that this Ordinance takes effect immediately upon adoption by a four-fifths vote of the City Council pursuant to the authority conferred upon it by Government Code section 36937.

Section 6. City Clerk.

The City Clerk shall certify as to the adoption of this Ordinance and shall cause it to be published in a newspaper of general circulation within fifteen (15) days of the adoption and shall post a certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with California Government Code Section 36933.

Section 7. Severability.

If any provision of this Ordinance or its application to any person or circumstance is held to be invalid, such invalidity has no effect on the other provisions or applications of the Ordinance that can be given effect without the invalid provision or application, and to this extent, the provisions of this Ordinance are severable. The City Council declares that it would have adopted this Ordinance irrespective of the invalidity of any portion thereof.

Section 8. CEQA.

The City Council finds that the adoption and implementation of this Ordinance is exempt from environmental review pursuant to the California Environmental Quality Act ("CEQA") Guidelines Section 15061(b)(3), the common sense exemption that CEQA

applies only to projects that have the potential for causing a significant effect on the environment. The proposed project is temporary and does not allow for or encourage any new land uses or more development than is already anticipated under the City's 2040 General Plan and can be seen with certainty that there is no possibility that the project in question may have a significant effect on the environment.

THE FOREGOING ORDINANCE was adopted as an urgency ordinance by a four-fifths vote at a regular meeting of the St. Helena City Council on the 22nd day of September, 2020, by the following vote:

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

APPROVED:

Geoff Ellsworth, Mayor

ATTEST:

CITY OF ST. HELENA

Cindy Tzafoopoulos, City Clerk

I, CINDY TZAFPOULOS, CITY CLERK of the City of St. Helena, California, do hereby certify that the foregoing Urgency Ordinance was approved by a four-fifths vote at a regular meeting of the City Council on the 22nd day of September, 2020, by the following vote:

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

Cindy Tzaopoulos

From: Ahren Trumble <info@sportago.com>
Sent: Friday, September 18, 2020 2:05 PM
To: Public Comment
Cc: Stephanie Iacobacci
Subject: FW: [External] Hunt Avenue Staff Report

Hello Council members, Mr. Mayor and City staff!

I wanted to weight in on a couple concerns that I have been thinking on lately in regards to the Hunt closure. Firstly, I am all for trying anything that will support business in downtown... we are all in this together and we need to continue to think outside the box! I have always liked the idea of permanently closing off Hunt and turning it into a parklet and outdoor space... the issue is, things are decidedly different right now.

- 1) I have done some exploring in Healdsburg and Sonoma recently and they have done a good job of closing off areas for outdoor dining, etc. but what their areas include that Hunt Street does not, is restaurants & bars lining those streets. I just can't quite wrap my head around who would carry take out food a block or more to sit down and eat. I may be totally wrong, but it seems most of our restaurants already have outdoor dining set ups in place.
- 2) Is there an idea on how to sanitize tables, chairs, etc after they are used? Restaurants are required to do this after every patron, but since there are no adjoining restaurants to monitor the use of tables, who would that job fall on? On that same vein, garbage & recycling as well... I would hope that everyone would be responsible for their own waste, but we all know that is not always the case.
- 3) Lastly, I have a concern on our city's messaging. If this is being encouraged as a local spot to enjoy some outside space, eat your lunch, have a meeting, etc. this is in contradiction to *Remember during COVID-19: STAY home, STOP the spread, SAVE lives.*

Anyways, just my two cents here, but I hope I am adding to a constructive conversation that will result in a very successful and safe space.

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.

From: Stephanie Iacobacci <Stephaniel@ci.st-helena.ca.us>
Sent: Thursday, September 17, 2020 3:34 PM
Cc: Stephanie Iacobacci <Stephaniel@ci.st-helena.ca.us>
Subject: Hunt Avenue Staff Report

Hello all,

I would guess that most of you, including myself, expected we would be re-opened by now and in stage 3 or 4 of the governor's original plan. The unknown has had many businesses question at what level do they invest in temporary modifications and so forth. With the state's new blueprint for economy, the next step is for the County to move from "substantial" Tier 2 to "Moderate" Tier 3. That is, if we can decrease the spread of COVID-19 within the county. We would need to meet the Tier 3 criteria for 14 consecutive days before being allowed to move into Tier 3, which allows for additional indoor activity- but not to full capacity. (i.e. 50% indoor capacity for restaurants) We have not yet hit the required criteria, and from an interview Dr. Relucio did, she claimed she does not *feel* we would be in Tier 3 until mid-October.

Per a council member's suggestion, on August 27th we ran the idea of temporarily closing Hunt Ave for a pop-up park to provide public space for both visitors and locals. We have seen this in many other cities that do not have a centrally located public space in their downtown. The space provides outdoor seating for an opportunity to enjoy take food and beverages. This could be lunch, coffee, a glass of wine, and so on. It also provides a space for people to relax and spend more time downtown which could increase their spending while on Main Street. *(Also, bike parking to encourage locals to leave their cars at home!)*

Having received positive feedback in the forum on August 27th, city staff took the idea to City Council on September 8th. City Council requested that the City develop the concept more, and address additional concerns and return on September 22nd. Attached is the staff report for this item, which will be reviewed on September 22nd, including some renderings to help create an image.

The temporary closure of Hunt Ave also serves as an experiment to see if there is a desire from both businesses and patrons for public space downtown. As phase 3 of the streetscape project discusses activating Money Way, it could help us better understand how people use public spaces, and so on. Preliminary discussions have been had to ensure the space includes some sort of art element(s), and possible live entertainment occasionally. Those conversations would continue if council approved the project.

I welcome your feedback, comment, and questions. The space is meant to support businesses, aid in increased foot traffic, and serve our community. As always you can submit comment on any City Council agenda item by emailing publiccomment@cityofsthelena.org OR by attending meetings and providing oral public comment at the meeting. It is important for council to know if businesses support, or don't support the concept.

Lastly, if the temporary closure we're approved- we would want to brand the space a bit for nice signage and promotion. If you have any suggestions for a name, please send ideas my way!

If you'd like to have a conversation about it, I'd love to connect- you can ring me at 707-339-9810 (I promise to return calls over this weekend!)

Remember, if you're not yet subscribed to City E-News, please do so:

1. Click this link: <https://www.cityofsthelena.org/newsletter/subscriptions>
2. Check the box for "St Helena News Alerts"
3. Enter your email address and click Subscribe
4. Once subscribed is clicked, you'll receive an email confirmation. Please go to that email address and confirm your email through the confirmation email sent.

Remember during COVID-19:

STAY home

STOP the spread

SAVE lives

Recuerde durante COVID-19:
QUEDESE en casa
DETENGA la propagación
SALVE vidas

Stephanie Iacobacci, CPRP

Recreation Supervisor / EOC Public Information Officer Team

City of St Helena | 1572 Railroad Ave, St Helena, CA | (707) 339-9810





September 22, 2020

Dear City Council of the City of St. Helena,

On behalf of the St. Helena Chamber of Commerce's board of directors and staff, we are in full support of the proposed Hunt Ave. Project.

As a world class destination, we are the center of hospitality for the Napa Valley and offering tourists, guests and even locals, creating a space to safely enjoy food and beverages from our local restaurants is a must for convenience in a downtown environment, during the pandemic restrictions. This will positively change the experience for guests in our downtown.

We are grateful for the city's efforts to make this happen for our downtown.

Sincerely,

A blue ink signature of Amy Carabba-Salazar, written in a cursive style.

Amy Carabba-Salazar
President & CEO

A blue ink signature of Joaquin E. Razo, written in a cursive style.

Joaquin E. Razo
Vice President & CSO

Dear Council Members,

I have been a part of the Thursday morning St. Helena Task Force meetings as a regular attendee since the beginning of the Shelter-In-Place Order. The joint efforts made by public officials, city staff, Chamber of Commerce and interested participating business owners to navigate the COVID-19 maze has been commendable considering the daunting nature of the day-to-day demands. Through the efforts of the parties involved in the task force, the Hunt Avenue Closure was born. Many other potential sites were looked at and considered, but it was deemed that in order to have the most potential benefit and positive impact, the closure of Hunt Avenue temporarily made the most sense.

It is no secret that of all impacted businesses, restaurants on a national level have been one of the most burdened financially by the Shelter-in-Place orders, and are the slowest to be able to return to "normal." The loss of jobs and revenue is staggering and something that many will not recover from. To provide a statistical snapshot of the California and National Restaurant Industry,

- Food services account for 8.3% of all employment in California, and 12% of California's sales tax revenue in 2017
- An estimated 76% of eateries are independently owned
- Independent restaurants rely far less on pickup and drive through service. Fine and casual dining have declined 85% and 65% respectively
- Nearly 65% of the revenue from local independent restaurants recirculates in the local economy
- Since the beginning of March, the leisure and hospitality industry has accounted for 38% of all jobs lost in California
- Food services and drinking places reported a 18.8% unemployment rate in August – more than double the nation's aggregate unemployment rate of 8.5%.
- Restaurants have become tourist destinations domestically and internationally. One study found that 72% of all travelers choose their destination based on food and drink offering
- The loss of economic activity due to culinary travelers is estimated to be up to \$141 billion
- Restaurants are hubs of minority employment and advancement. Sixty percent of all chefs nationwide are minorities. Minorities also make up 53% of bussers, runners, baristas, prep-cooks, dishwashers and kitchen porters. Restaurants also employ more minority employee-managers than any other industry
- Independent restaurants and bars directly employ 11 million workers nationwide. Additionally, 5 million more work in the industry's vast supply chains and rely on eating and drinking places to sustain their livelihoods

The Hunt Avenue Closure is a NECESSARY remedy to attempt to save those Main Street restaurants, eateries and tasting rooms that are most vital to St. Helena. We cannot ignore the impact of the closures of these businesses to our local economy, to sales tax income, to employment, and to the

financial lifeline of the peripheral industries that provide goods and services for them. In addition, there can only be positive benefit to other types of businesses in the Main Street corridor by having a vibrant and active gathering space in the heart of downtown St. Helena. The Hunt Avenue seating complex will provide a place for a “captive audience”, giving the adjacent businesses even more visibility than they may currently have with pass-by traffic.

Minor concerns regarding the street closure have already been addressed by the staff report. These include design, cleanliness, sanitation and maintenance concerns and potential loss of parking. City Staff, Volunteers and Business-incurred costs (mostly Erosion Wine Company) will address sanitation and cleanliness. Design is appropriate for the place and space, and due to the “temporary nature” can be easily disassembled if the project is deemed ineffective. A net loss of four parking spaces should not be even raise an eyebrow. Even in the best of times, we do not have a parking issue in St. Helena. We have a “walking issue” in St. Helena, with people wanting the convenience of “front-of-store” parking the likes of which they never get a shopping mall, a Costco, a grocery store or a movie theater. Removing parking from the Main Street corridor will only ENCOURAGE more walking and more discovery of all of the wonderful businesses available in our downtown. Businesses of all kinds will benefit from more foot traffic and less automobile traffic and congestion.

As for consumption of alcohol, the rules at the Hunt Avenue corridor will be consistent with those of other City Parks and should not be a concern. There will be considerable ability to “keep an eye” on this area for abuses due to the central location.

While my restaurant, Pizzeria Tra Vigne, is not impacted directly by the Hunt Avenue closure, as a community member I feel that closing Hunt Avenue would only enhance St. Helena and provide an absolutely necessary solution to help our downtown restaurants, cafés and tasting rooms begin to make the daunting climb out of the COVID ashes. As a community we must come together to ensure that these businesses have every advantage we can provide for them to do so. Please approve the Hunt Avenue Street Closure and begin work immediately.

Thank you,

Cynthia Ariosta
Pizzeria Tra Vigne
cynthia@pizzeriatravigne.com

P.S. I also recommend the name “Hunt Avenue Hub” for the project. By definition a Hub is “a center around which other things revolve; a focus of activity, authority, commerce, transportation, etc.

Cindy Tzaopoulos

From: Larry Heit <larry@reedsnapavalley.com>
Sent: Tuesday, September 22, 2020 3:47 PM
To: Public Comment
Subject: [External] City Council Meeting

This is a public comment from Fran and Larry Heit owners of Reeds and Cricket on Main Street in St. Helena. As long term retailers on Main Street we know firsthand the struggles businesses are going through since Covid19. We feel the closure of Hunt Street at this time may be too large a concept to accomplish and maintain. In researching this matter we have come across a new concept to us "Parklets." Many towns and cities are using this concept as an alternative to street closures. Rather than close an entire street, a predetermined number of parking spots are creatively barricaded to make a park like setting. This concept might be a good fit for Hunt Street as it would create a concise and maintainable gathering area. It would also allow through traffic used by many locals on the only downtown street without a traffic light. This would also retain most of the parking spots which are as important to retailers as seating is to restaurants. Thank you!
Fran and Larry Heit

Cindy Tzaopoulos

From: Lawrence Papale <lgpapale@papaleproperties.com>
Sent: Monday, September 21, 2020 9:52 AM
To: Cindy Tzaopoulos
Subject: [External] Hunt Street Parklet

Cindy,

Would you kindly include this email in the public comment packet for Tuesday's City Council meeting agenda item related to the temporary street closure of Hunt Avenue from Main Street to Railroad Avenue for a pop-up park?

I am the manager of Papale Properties, the owner of two of the properties along Hunt Street at 1308 Main Street and 1234 Main Street that will be affected by the closure of Hunt street for the pop-up park. Our tenants along Hunt include Reeds, Barbour Vineyards, Erosion, The Somatic Health Center and Michelle Scott Salon.

I applaud the City for taking the initiative to revitalize the downtown area by providing an area for visitors to relax while shopping and visiting St. Helena. I believe that it will be good for both the retail shops and the restaurants in town to have a respite area close to the downtown businesses.

However, I would like to have some clarification on how the sidewalks along either side of Hunt Street will be incorporated into the pop-up park and who will be responsible for any liability that may arise from their inclusion in this project? The tree roots along Hunt have been breaking the curbs along the street and pushing up the cement squares on the sidewalks for some time now to the point where it has begun to interfere with pedestrian traffic. We have attempted to maintain the sidewalks along our buildings to a certain extent by grinding down the cement were ridges appear, however this is a moving target since the tree roots continue to grow up and out putting pressure on the cement. We have been informed by City staff that we cannot touch or remove the trees. There are also overflow challenges during heavy rains where the water floods the crumbling and broken curbs onto the sidewalks.

Who is responsible for a) public sidewalks; 2) street curbs; and 3) trees along the first block of Hunt Street between Main Street and Railroad Avenue? If a pop-up park is placed on the street of this block, how will the projected increase in use of these walkways and curbs be handled given their current uneven and potentially dangerous condition?

Also, has any thought been given to bathrooms for the people who will use the pop-up park? None of the businesses along Hunt will be able to take on the responsibility of restroom facilities - especially given the fear of contamination during this time of Covid. Will there be portable rest rooms available at the end of the park where automobiles are shown parked in the diagram?

I look forward to your response and to working with you to stimulate more foot traffic and activity in downtown St Helena.

Thank you,

Lawrence Papale

Papale Properties
 The Cornerstone Building
 1308 Main Street, Suite 117
 St. Helena, CA 94574
 Tel: 707-963-1704

Cell: 707 321 5050
lgpapale@papaleproperties.com

Cindy Tzaopoulos

From: Pamela Smithers <psmithrs@comcast.net>
Sent: Friday, September 18, 2020 4:12 PM
To: Public Comment
Cc: Mark Smithers
Subject: [External] public comment on Hunt Ave project

Good afternoon Mayor Ellsworth and Council members,

Thank you for the opportunity to comment on the Hunt Avenue project.

We are firmly in favor of any efforts which help our restaurants stay alive, especially innovative ones like closing Hunt Avenue to traffic and increasing outdoor dining. In fact, let's make this a permanent change, inserting a parklet or two along here and on Main Street. We really don't have any idea how long Covid will last, and we have decent weather here practically all year long. Let's try this.

This sort of thing is happening all across America and it should happen in St Helena too, for a number of reasons.

- It helps restaurants remain viable
- It allows customers who would be at risk for covid (like me, at 65) to support our restaurants in a safe manner
- It in fact solves a sort of latent safety issue with left turn traffic onto Main St. I used to work in the Cornerstone Bldg and would turn left from Hunt onto Main to go home. Crazy making, but I would do it. It's actually a bit of a dangerous intersection. Why do we always wait for someone to be hit, or almost hit, before we can call an intersection dangerous (rhetorical question).
- It would provide outdoor dining to customers hungry for it, increase the physical area of nightlife in St Helena. The section of town south of Hunt was hopping the other night when we went for gelato. Abuzz. Why not extend this energy to Hunt?

To answer my own question, and this is a guess, albeit an educated one, but it probably comes down to removing parking complaints. I think the expectation of parking within a block of a destination needs to change. Parking a few blocks away and walking is good for people's health! We have handicapped zones for handicapped, elderly folk, but the vast majority of us could use walking a block or two to our destination. Covid has shown us this, as a population we need to get healthier!

Let's not jeopardize our restaurants, let's give locals and tourists what they are hungry for, and let's implement a Hunt Avenue out door dining experience.

Thank you for your consideration.

Pam and Mark Smithers
 31 year residents - 1819 Vallejo Street
 707-963-8081

Cindy Tzaopoulos

From: Patrick Rue <patrick@erosion.wine>
Sent: Monday, September 21, 2020 1:11 PM
To: Public Comment; Cindy Tzaopoulos
Cc: Preya Nixon; Mark Prestwich
Subject: [External] Hunt Street Temporary Park

Dear Cindy,

Would you be able to include my comments in the packet for tomorrow's City Council meeting? Thank you for your help!

Patrick

—

Dear City of St. Helena Council Members,

I am the owner of Erosion Wine Co. at 1234 Main St., located on the corner of Main St. & Hunt St. My family and I are also proud residents of St. Helena. We opened our Tap Room several weeks before the COVID-19 shut down, and unfortunately we've only been open on weekends for to go sales. Our premises is entirely indoors, and any space that may be available to us outside with an encroachment easement is very limited. As a startup business, it has been a rough start but we are committed to keep pressing forward.

I appreciate the efforts of city staff & Chamber staff in organizing this proposal for the temporary park. The park would play an important step in re-opening our business during this strange time. It would be greatly beneficial to St. Helena restaurants in providing an additional outdoor seating option. It also would add to the energy of downtown that I believe would inspire more visitors to discover what this beautiful town has to offer.

If this is approved, we will change our operating hours to 12-7pm, 7 days per week. We are happy to assist in maintaining the space during our operating hours, and pitch in wherever needed.

Thank you for your consideration.

Sincerely,
Patrick Rue
Erosion Wine Co.