



**City of St. Helena
Regular City Council Meeting
Tuesday, July 27, 2021 @ 6:00 PM
Published: Thursday, July 22, 2021 5:42 PM**

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.

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.

In the event a quorum of the City Council loses electrical power or suffers an internet connection outage that is not corrected within 10 minutes, the meeting will automatically be adjourned. Any items noticed as public hearings will be continued to the next regularly scheduled evening meeting of the City Council. Any other items on the agenda that the Council has not taken action on will be placed on a future agenda. Please see the end of the agenda for detailed PUBLIC PARTICIPATION instructions. Spanish translation for this meeting will be offered. To access Spanish translation, you will need to join the meeting using the Zoom app from a computer, iPad or Iphone. You will see an icon on the screen that will allow you to choose Spanish translation. To learn how to use Zoom, please see the instructions below.

Please click the link below to join the meeting:

<https://us02web.zoom.us/j/83130793796>

Or One tap mobile :

US:

+16699006833,,83130793796# or +12532158782,,83130793796#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 312 626 6799 or
+1 929 205 6099 or +1 301 715 8592

Meeting ID: 839 1659 8506

International numbers available: 831 3079 3796

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Ciudad de Santa Helena Reunión Especial del Ayuntamiento 11 de mayo de 2021

@ 6:00 PM De acuerdo con las órdenes ejecutivas N-29-20, y la orientación del Departamento de Salud Pública de California sobre reuniones, se permite la participación pública virtual. Seguiremos la Orden de la siguiente manera: Los miembros del público no pueden asistir físicamente a las reuniones. La reunión del Ayuntamiento de la Ciudad se transmitirá en vivo por el Canal 28 de Comcast y en el sitio web de la Ciudad, salvo dificultades técnicas. Aquellos miembros del público que deseen participar deben hacerlo de forma virtual a través de las reuniones electrónicas de Zoom de las siguientes maneras; iniciando sesión en el enlace Zoom ubicado en la agenda de la reunión (descargue la aplicación en su computadora o dispositivo móvil) e ingrese la ID de la reunión o llamando al número ubicado en la agenda e ingrese la ID de la reunión. Se aceptarán comentarios públicos para la reunión del Ayuntamiento por correo electrónico a [publiccomment@cityofsthelena.org](mailto:publiccomment@cityofsthelena.org). Todos los comentarios públicos se harán públicos y se adjuntarán a la agenda y no se leerán en voz alta. Todos los comentarios públicos que se reciban después de las 4:00 PM se adjuntarán a la agenda al día siguiente.

En el evento que el Ayuntamiento pierda la energía eléctrica o sufra un corte de conexión de internet que no pueda ser corregido en 10 minutos, la reunión se terminará automáticamente. Todos los artículos notificados como audiencias públicas continuarán a la próxima reunión regular programada del Concejo Municipal. Cualquier otro tema en la agenda sobre el que el Consejo no haya tomado acción se incluirá en una futura agenda.

Consulte el final de la agenda para obtener instrucciones detalladas de PARTICIPACIÓN PÚBLICA. Se ofrecerá traducción al español para esta reunión. Para acceder a la traducción al español, deberá unirse a la reunión utilizando la aplicación Zoom desde una computadora, iPad o iPhone. Verá un icono en la pantalla que le permitirá elegir la traducción al español. Para aprender a utilizar Zoom, consulte las instrucciones a continuación.

TENGA EN CUENTA: Cualquier persona que desee hablar sobre un tema en la agenda o hacer un comentario en la sección de "comentario público" de la agenda puede hacerlo, pero por favor observe el límite de tiempo de cuarto minutos.

Habrá traducción en español durante la junta

Haga clic en el enlace a continuación para participar en la reunión:

<https://us02web.zoom.us/j/83130793796>

O por iPhone one-tap:

US:

+16699006833,,83130793796# or +12532158782,,83130793796#

O por Teléfono: Marque(para mejor calidad, marque número basado en su ubicación actual):

US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 312 626 6799 or  
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ID de la Reunión: ID: 839 1659 8506

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Page

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Mayor: Geoff Ellsworth, Vice Mayor: Paul Dohring, City Council Members: Anna Chouteau, Eric Hall and Lester Hardy

4. ADOPTION OF THE AGENDA
5. 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.
  - 5.1. [Public Comment.Tom Belt](#) 15 - 18  
[Public Comment.Sandra Thompson](#)
6. 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.
7. PRESENTATIONS AND PUBLIC RECOGNITIONS
  - 7.1. Zonehaven Presentation by Cullen Dodd, Napa County Sheriff's Office Undersheriff and Leah Greenbaum, County of Napa Emergency Services Officer 19 - 28  
[Zonehaven ppt for SH](#)
8. STAFF BRIEFING
  - 8.1. None
9. 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)
  - 9.1. Consideration and proposed approval of Regular Meeting Minutes of June 22, 2021 and Special Meeting Minutes of July 13, 2021 (Minutes forthcoming) 29 - 39  
  
CEQA Determination: Not a CEQA project  
Prepared By: Cindy Tzaopoulos, City Clerk  
Recommendation:  
Adopt  
[06-22-21 Regular City Council - Minutes](#)
  - 9.2. Consideration and adoption of a Resolution: (1) Awarding the Year 2 Pavement Restoration Project, Capital Improvement Project R19-79 to Argonaut Constructors in the amount of \$804,825.75; (2) Authorizing the City Manager to execute the Construction Contract with Argonaut Constructors; (3) Authorizing the Director of Public Works to approve Change Orders not to exceed 15% of the contract amount; and (4) 41 - 48

Determining the project to be exempt from the requirements of the California Environmental Quality Act (CEQA).

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

Prepared By: Edrees Argand, Assistant Engineer

Recommendation:

Adopt a Resolution awarding the Year 2 Pavement Restoration Project, Capital Improvement Project R19-79 to Argonaut Constructors in the amount of \$804,825.75; (2) Authorizing the City Manager to execute the Construction Contract with Argonaut Constructors; (3) Authorizing the Director of Public Works to approve Change Orders not to exceed 15% of the contract amount; and (4) Determining the project to be exempt from the requirements of the California Environmental Quality Act (CEQA).

[Staff Report - Pdf](#)

- 9.3. Consideration and proposed approval of a resolution authorizing the St. Helena High School annual homecoming parade on Main Street and authorizing City staff to provide traffic control before, during, and after the parade. 49 - 65

CEQA Determination: Categorically Exempt, Section 15323

Prepared By: Chantel Delay, Administrative Assistant

Recommendation:

Staff recommends the City Council adopt the resolution authorizing the St. Helena High School annual homecoming parade on Main Street authorizing City staff to provide traffic control before, during, and after the parade during regular business hours.

[Staff Report - Pdf](#)

- 9.4. Consideration and approval of a Resolution of the City Council of the City of St. Helena setting a Public Hearing for 6:00 p.m., Tuesday, September 14, 2021 to Consider Objections to the Proposed Annexation of Territory, known as 1386 Community Drive, St. Helena, CA. 94574 (APN 009-432-025), into the St. Helena Municipal Sewer District No. 1, MSD Annexation No. 140. 67 - 76

CEQA Determination: Not a CEQA project

Prepared By: Chantel Delay, Administrative Assistant

Recommendation:

It is recommended the City Council adopt a Resolution setting a Public Hearing for 6:00 p.m. on Tuesday, September 14, 2021, to consider objections to the proposed Annexation of Territory, known as 1386 Community Drive, St. Helena, CA. 94574 (APN 009-432-025), into the St Helena Municipal Sewer District No. 1, MSD Annexation No. 140.

[Staff Report - Pdf](#)

- 9.5. Consideration and approval of a Resolution of the City Council of the City of St. Helena setting a Public Hearing for 6:00 p.m., Tuesday, September 14, 2021, to Consider Objections to the Proposed Annexation of Territory, known as 1000 Mills Lane, St Helena, CA (APN 009-070-049, 77 - 131



009-070-052, 009-070-053, and 009-070-054), into the St. Helena Municipal Sewer District No. 1, MSD Annexation No. 141.

CEQA Determination: Not a CEQA project

Prepared By: Chantel Delay, Administrative Assistant

Recommendation:

It is recommended the City Council adopt a Resolution setting a Public Hearing for 6:00 p.m. on Tuesday, September 14, 2021, to consider objections to the proposed Annexation of Territory, known as 1000 Mills Lane, St Helena, CA (APN 009-070-049, 009-070-052, 009-070-053, AND 009-070-054), into the St Helena Municipal Sewer District No. 1, MSD Annexation No. 141.

[Staff Report - Pdf](#)

- 9.6. Consideration of a resolution approving a penalty forgiveness program related to June and July 2021 water usage penalties 133 - 138

CEQA Determination: Not a CEQA project

Prepared By: Mark T. Prestwich, City Manager

Recommendation:

Approve a Resolution (1) suspending 75% of June 2021 water penalties and 50% of July 2021 water penalties with an opportunity for all customers with water penalties to receive a full waiver/reimbursement of any June and July 2021 penalties if their August 2021, September 2021, October 2021, and November 2021 water usage meets applicable conservation requirements in each of the designated months; (2) if a customer does not keep water usage below targets in August, September, October and November 2021, then any suspended amount would become payable to the City; and (3) suspended water penalties will be applied to customer accounts immediately following the month in which the target was not met.

[Staff Report - Pdf](#)

## 10. PUBLIC HEARINGS

- 10.1. Request by John Palmer (property owner) for adoption of a resolution granting Tentative Parcel Map approval to accommodate the subdivision of an existing 2.23-acre parcel into two (2) separate legal parcels, located at 1780 Dean York Lane in the Low Density Residential One Acre Minimum (LR-1A) zoning district. 139 - 162

CEQA Determination: Exempt

Prepared By: Chantal Power

Recommendation:

Staff recommends that the City Council:

1. Determine that the project is exempt from CEQA pursuant to Section 15315 (Minor Land Divisions); and,
2. Accept the required findings and approve a resolution granting tentative parcel map approval for the proposed subdivision of an existing 2.23 acre lot located at 1780 Dean York Lane.

[Staff Report - Pdf](#)

## 11. OLD BUSINESS

- 11.1. Review of urgency ordinance amending Chapter 13.04 of the Municipal Code to address the criteria for initiating phased water regulations and the conservation measures for commercial, industrial, and institutional users. 163 - 178
- CEQA Determination: Not a “project” as defined by State CEQA Guidelines Section 15378(a); Further, even if deemed a “project”, otherwise exempt from CEQA under the common sense exemption set forth in Section 15061(b)(3).
- Prepared By: April Mitts, Administrative Services Director
- Recommendation:  
Discuss and provide direction to the City Manager.
- [Staff Report - Pdf](#)  
[Public Comment.Mark Smithers and Tom Belt](#)
12. NEW BUSINESS
- 12.1. Discussion and Direction Regarding Draft City of St. Helena Water Security Framework 179 - 213
- CEQA Determination: Not a “project” as defined in Section 15378(a) subject to CEQA; further, even if deemed a “project” subject to CEQA, exempt from CEQA under the common sense exemption set forth in 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: Mark T. Prestwich, City Manager
- Recommendation:  
Review and provide direction to the City Manager.
- [Staff Report - Pdf](#)
- 12.2. Consideration and proposed approval of a resolution appointing applicants to the Active Transportation & Sustainability Committee, Parks and Recreation Commission and the Active Transportation Advisory Committee to the Napa Valley Transportation Authority 215 - 224
- CEQA Determination: Not a CEQA project
- Prepared By: Cindy Tzaopoulos, City Clerk
- Recommendation:  
Staff recommends adopting a resolution appointing applicants to Active Transportation & Sustainability Committee, Parks and Recreation Commission and the Active Transportation Advisory Committee to the Napa Valley Transportation Authority
- [Staff Report - Pdf](#)
13. ITEMS LIKELY TO BE PLACED ON THE NEXT OR FUTURE MEETING AGENDA:
- 13.1. 

|                                                                                                                                               |
|-----------------------------------------------------------------------------------------------------------------------------------------------|
| <b><u>August City Council Meetings:</u></b><br><b>8/10 (Staff reports due 7/23)</b><br><b>8/24 (Staff reports due 8/6)</b><br><b>CONSENT:</b> |
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|                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| 8/10 Consideration and Proposed Approval of a Resolution Authorizing an Agreement with Sutter Home Winery, Inc. for Alternative Measurement of Wastewater Discharge                                                                                                                                                                                                                                                     |
| <b><u>September City Council Meetings:</u></b><br><b>9/14 (Staff reports due 8/20)</b><br><b>9/28 (Staff reports due 9/10)</b>                                                                                                                                                                                                                                                                                          |
| <b><u>STAFF BRIEFING:</u></b>                                                                                                                                                                                                                                                                                                                                                                                           |
| September - Update on Waste Water Treatment Plant Upgrade Project (report every other month)                                                                                                                                                                                                                                                                                                                            |
| <b><u>PH or OLD / NEW BUSINESS:</u></b>                                                                                                                                                                                                                                                                                                                                                                                 |
| 9/14 PH Consideration and approval of a Resolution of the City Council of the City of St. Helena setting a Public Hearing for 6:00 p.m., Tuesday, September 14, 2021 to Consider Objections to the Proposed Annexation of Territory, known as 1386 Community Drive, St. Helena, CA. 94574 (APN 009-432-025), into the St. Helena Municipal Sewer District No. 1, MSD Annexation No. 140.                                |
| 9/14 PH Consideration and approval of a Resolution of the City Council of the City of St. Helena setting a Public Hearing for 6:00 p.m., Tuesday, September 14, 2021, to Consider Objections to the Proposed Annexation of Territory, known as 1000 Mills Lane, St Helena, CA (APN 009-070-049, 009-070-052, 009-070-053, and 009-070-054), into the St. Helena Municipal Sewer District No. 1, MSD Annexation No. 141. |
| 9/28 OB Review and Proposed Adoption of the City of St. Helena City Council Three Year Goals 2021-22 Workplan                                                                                                                                                                                                                                                                                                           |
| 9/14 Rosebud Lane agreement                                                                                                                                                                                                                                                                                                                                                                                             |
| 9/14 Budget update and review of add back list                                                                                                                                                                                                                                                                                                                                                                          |
| <b><u>October City Council Meetings:</u></b><br><b>10/12 (Staff reports due 9/24)</b><br><b>10/25 (Staff reports due 10/8)</b>                                                                                                                                                                                                                                                                                          |
| <b><u>Presentation</u></b>                                                                                                                                                                                                                                                                                                                                                                                              |
| October – Sexual Violence Awareness Proclamation                                                                                                                                                                                                                                                                                                                                                                        |

14. ADJOURNMENT

The next Regular City Council meeting is scheduled for August 10, 2021, at 6:00 p.m.

I do hereby certify that a copy of the foregoing agenda was posted on the City website on July 22, 2021.



Cindy Tzafopoulos, City Clerk

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

## CHALLENGING DECISIONS OF CITY ENTITIES

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

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

## SUPPLEMENTAL MATERIAL RECEIVED AFTER THE POSTING OF THE AGENDA

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

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

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

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

### How to Watch or Listen to Council Meetings:

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

4. Listen only by calling the Zoom number listed on the Council Agenda

#### **Watch Council Meeting by Joining the Zoom Meeting:**

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

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](https://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](mailto: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](mailto: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.

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En cumplimiento de la Ley de Estadounidenses con Discapacidades, si necesita asistencia especial para participar en esta reunión, llame a la Oficina del Secretaría de la Ciudad (707) 967-2792. La notificación 72 horas antes de la reunión, como lo requiere la Sección 202 de la Ley de Estadounidenses con Discapacidades, permitirá a la Ciudad hacer arreglos razonables para garantizar la accesibilidad a esta reunión.

LA CIUDAD DE ST. HELENA ALIENTA LA PARTICIPACIÓN PÚBLICA EN LÍNEA EN REUNIONES VIRTUALES DEL CONSEJO DE LA CIUDAD

St. Helena, CA– La Ciudad de St. Helena está comprometida con la participación pública en el gobierno de la Ciudad de manera que sea consistente con la guía proporcionada por el Oficial de Salud Pública del Condado de Napa y la Orden Ejecutiva N-25-20 del Gobernador Newsom. Estas pautas se relacionan con el distanciamiento social y están destinadas a proteger a todos al limitar la propagación de COVID-19 en nuestra comunidad. En cumplimiento de estas pautas, el Ayuntamiento de St. Helena organizará una Reunión del Consejo Virtual sobre Zoom; Una herramienta de teleconferencia gratuita que permite a los usuarios mirar y / o llamar a la reunión desde sus computadoras o teléfonos. Esta reunión estará abierta al público y permite comentarios públicos en vivo. La reunión también se grabará, se transmitirá en vivo y se publicará en el sitio web de la Ciudad después de la clausura de la reunión si se presentan dificultades técnicas: <https://sthelena.civicweb.net/Portal/>

El enlace web de ZOOM, la identificación de la reunión y el número de teléfono se enumerarán en la parte superior de la Agenda de la reunión del Ayuntamiento. Se le pedirá que ingrese la ID de la reunión, pero no habrá contraseña ni ID de participante.

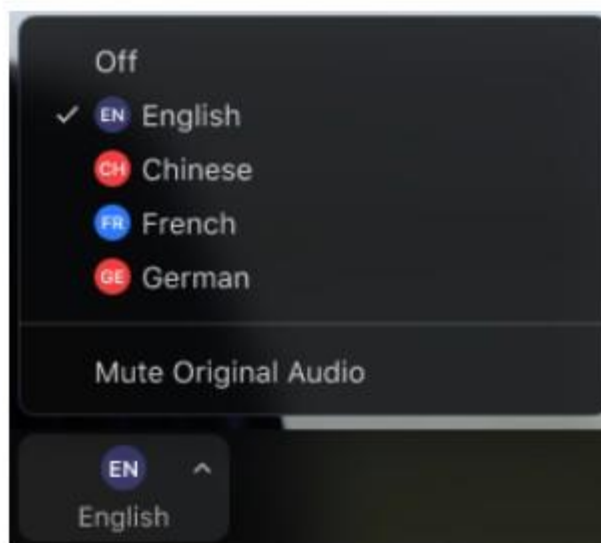
Cómo escuchar la interpretación de un idioma



1. En los controles de la reunión o el seminario web, haga clic en **Interpre**



2. Haga clic en el idioma que desee escuchar.



3. (Opcional) Para escuchar solo el idioma interpretado, haga clic en **Siler**



1. En los controles de la reunión, toque ... Más.



2. Toque **Interpretación de idiomas**.

3. Toque el idioma que desee escuchar.



4. (Opcional) Toque el botón de alternancia **Silenciar audio original**.



5. Haga clic en **Finalizado**.

Cómo ver o escuchar las reuniones del Consejo:

1. Veala a través del canal 28 de Comcast
2. Vea el video de transmisión en vivo en el sitio web de la ciudad
3. Mire y escuche en Zoom.us haciendo clic en el enlace en la Agenda del Consejo
4. Escuche llamando al número de Zoom listado en la Agenda del Consejo

Vea la reunión del Consejo uniéndose a la reunión Zoom:

1. **Por computadora, tableta o teléfono:**
 - a. Antes de unirse a la reunión virtual del Ayuntamiento, le recomendamos que descargue la aplicación Zoom. Para registrarse en su propia cuenta gratuita, visite zoom.us/signup e ingrese su dirección de correo electrónico. Recibirá un correo electrónico de Zoom (no-reply@zoom.us) . En este correo electrónico, haga clic en Activar cuenta.
 - b. Si ha iniciado sesión en su cuenta, ingrese la ID de la reunión que figura en la Agenda del Ayuntamiento. Si no ha creado una cuenta, vaya a: <https://zoom.us/join> e ingrese la ID de la reunión

- c. Seleccione si desea conectar audio y / o video y toque Unirse a la reunión. re. Para obtener instrucciones específicas para su dispositivo, vaya a: <https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>

2. Escuche solo por teléfono:

- a. **Marque** el número que figura en la Agenda del Consejo.
- b. Cuando se le solicite, ingrese la **ID de la reunión** provista en la parte superior de la Agenda de la reunión del Concejo Municipal **y presione #. No se requiere una identificación de participación.**
- c. Para desconectarse de la reunión, cuelgue el teléfono

Formas de proporcionar comentarios públicos:

Mientras asiste a la reunión virtual del Ayuntamiento, el público tendrá la oportunidad de proporcionar comentarios públicos en vivo durante el Foro Público y después de cada tema de la agenda. Cuando sea el momento apropiado para comentarios públicos, el Alcalde abrirá verbalmente los comentarios públicos. En este momento, cada individuo tiene permitido 4 minutos parahablar.

1. Envíe un comentario público por adelantado a publiccomment@cityofsthelena.org

La forma más fácil de proporcionar comentarios públicos es enviar su comentario público por correo electrónico. Los comentarios públicos pueden enviarse por correo electrónico a publiccomment@cityofsthelena.org. Incluya en la línea de asunto "COMENTARIO AL CONSEJO y el PUNTO DEL PROGRAMA". Cualquier comentario público debe presentarse a más tardar 2 horas antes de la reunión programada y se incluirá como un archivo adjunto a la agenda. Todos los comentarios públicos se harán públicos y se adjuntarán al artículo de la agenda y no se leerán en voz alta. Todos los comentarios públicos que se reciban después de las 4:00 PM se adjuntarán a la agenda al día siguiente.

- 2. Proporcione comentarios a través de la reunión Zoom desde una computadora, tableta o teléfono inteligente

Esta opción permite que el público asista virtualmente a la reunión como un "asistente" silenciado sin capacidades de video o pantalla compartida. Podrá ver y escuchar a los participantes en la reunión, pero no podrán escucharlo hasta que el anfitrión de permiso.

Si desea proporcionar comentarios públicos durante un elemento específico de la agenda o durante un foro público, puede usar la función "levantar la mano" ubicada en el panel de control en la parte inferior de la pantalla. El icono es una pequeña mano azul. En Windows también puede usar el atajo de teclado Alt + Y para subir o bajar la mano. En Mac también puedes usar el atajo de teclado Alt + Y para subir o bajar la mano.

Se le notificará al anfitrión que ha levantado la mano y se lo colocará en fila con todas las solicitudes entrantes

Cuando sea su turno de hablar, se le notificará que el anfitrión le ha dado permiso de hablar. Para ser retirado de la fila, simplemente haga clic de nuevo el botón "levantar la mano".

3. Llame a la reunión de ZOOM desde un teléfono fijo o móvil solamente

Esta opción le permite al miembro del público la oportunidad de participar verbalmente en comentarios públicos.

Si desea hablar durante el tiempo de comentarios públicos, marque * 9 en su teléfono.

Se le notificará al anfitrión que le gustaría hablar y se colocará en fila con todas las solicitudes entrantes.

Cuando sea su turno de hablar, se le notificará que el anfitrión le ha dado permiso de hablar. Puede presionar * 9 nuevamente si desea ser eliminado de la fila.

Cindy Tzaopoulos

From: TOM BELT <tmbelt@comcast.net>
Sent: Friday, July 23, 2021 1:52 PM
To: Ellsworth, Geoff; Paul Dohring; Anna Chouteau; Eric Hall; Lester Hardy
Cc: April Mitts; Cindy Tzaopoulos
Subject: [External] Water Billing in St. Helena Needs Change

Dear St. Helena City Council Members,

St. Helena's City Council has asked water customers to work together to conserve water during the current emergency. Considering the penalties we're facing, I think the city should also be trying its best to help us stay on top of our water consumption and help us from incurring penalties.

I was told my water meter would be read on the last weekday of every month. During the last meter reading, my meter was read sometime on June 28th, two days before Wednesday June 30th. In an effort to remain in compliance with the city's water restrictions, I recommend the following improvements be made to the city's water billing system:

1. Provide accurate days when our meter readings will be taken. If it takes more than one day to collect the readings, assign quadrants in the city so each customers knows geographically what day their water meter will be read.

2. When the meter is read, include the actual meter reading down to the actual fractional consumption. Rounding off to the nearest whole unit is not satisfactory when penalties are being levied. I know one customer who received a penalty of \$2.59 in June. If the city can round off our bills to the nearest penny, it should be able to tell us the exact usage at the time of the reading.

3. Using units instead of gallons is causing many water customers confusion. Employing consumption in gallons rather than whole units would be very helpful to all of us.

The above recommendations would be beneficial even if water customers employ a Flume App. to keep track of their water consumption. I'm sure almost everyone is trying to use the maximum amount of water in their monthly allotments without accruing penalties. Taking these steps will help us in staying within our water allotments and take pride in our conservation efforts.

Thank you,
 Tom and Margot Belt

By copy of this to the city clerk, I request this letter be included with the July 27th city council meeting under public comment.

Comment to the Members of the St Helena City Council
July 27, 2021
Sandra Thompson
1457 South Whitehall Lane

Council Members:

This has been, without question, a difficult 18 months for the hospitality industry and those who work in our community to make it the pillar of Napa Valley. Lost wages, reduced hours, furloughs. Many are still struggling to get back on their feet both emotionally and financially.

And yet, this body did not receive a proper readout from its liaison of the Upper Valley Waste Management Board's intention to review, hear and approve an 18% rate increase for Upper Valley Waste Services (UVDS). An 18% increase is a very material expenditure for many St Helena residents. Council Member Anna Chouteau failed to brief the Council and her constituency before voting to approve this increase at the last oversight Board meeting. This is a neglect of her duty to the residents of this municipality and a failure to perform proper oversight.

To summarize:

On June 22 at the final Council meeting before her vote to hike rates, Ms. Chouteau was asked if she had any reports to make through Council Member comment on the meeting agenda. Anna stated, "Nothing to report." An increase to all rate payers over the next three years seems to be very material reporting as the Council's official liaison to the oversight board on which she serves, the Upper Valley Waste Management Board. At this Board's meeting on June 28, Ms. Chouteau made the motion to approve and then promptly voted for the increase. But found no reason at all to report the justification for the increase,

state her intention to support the increase or get input from other Council Members prior to the vote.

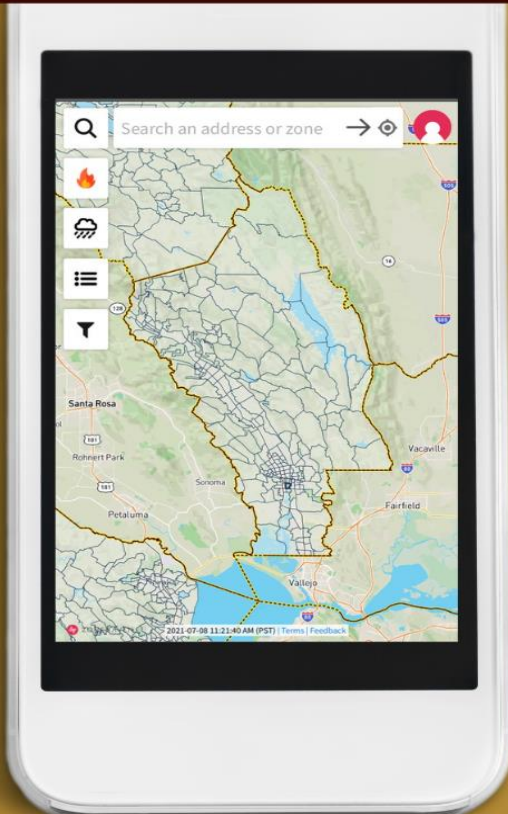
Merely “Nothing to Report.”

Now Ms. Chouteau wants our support to be the next County Supervisor representing our District. Is this the obligation and transparency the Council Member will swear to in her aspired role?

I wouldn't count on it. But she appeared happy to be included in a photo on a recent UVDS promotional flyer sent to rate payers. Perhaps her obligation and allegiance are to someone else?

Additionally, this body should adopt former procedures for Council Member reports from the bodies and committees they serve as part of their Council assignments. Every public board I have served on has a well-oiled process for ensuring the constituency they serve has the information they need to make informed decisions. You owe it to your St Helena residents.

Thank you.



ZONEHAVEN

EVACUATION MAPS ARE LIVE FOR **NAPA COUNTY**

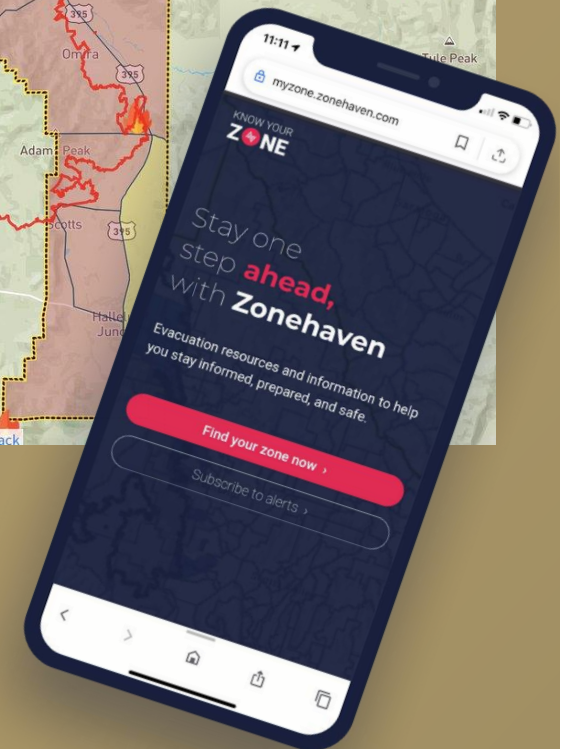
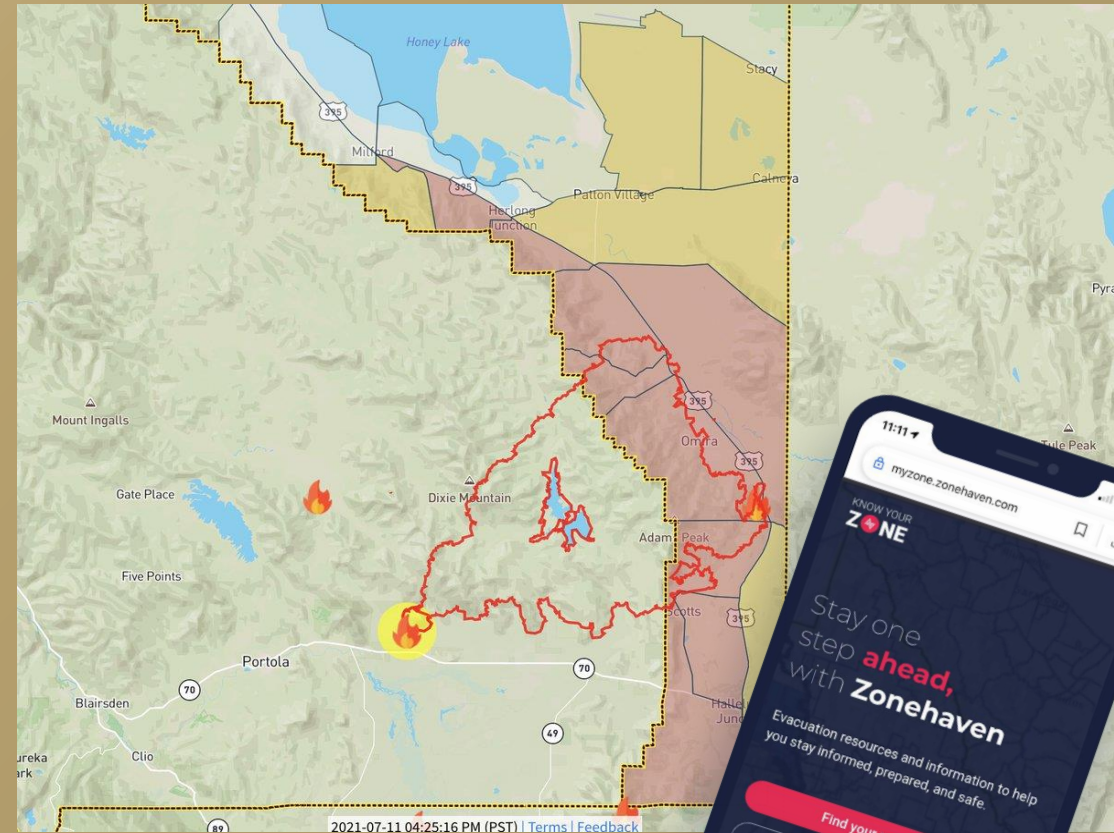
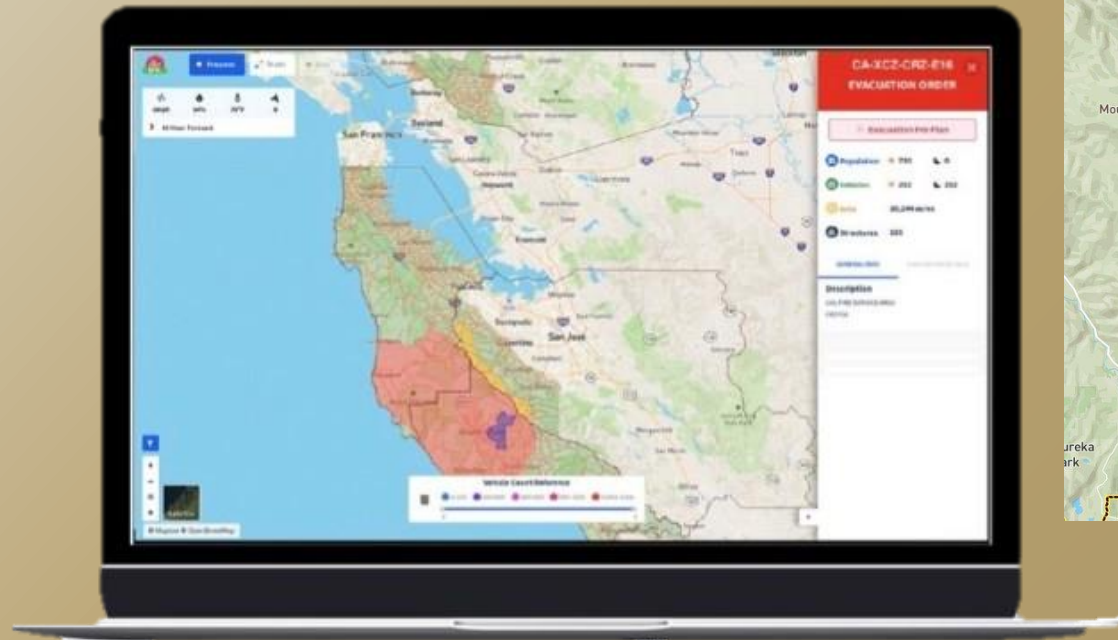
Find your evacuation zone and
learn more at community.zonehaven.com

#knowyourzone #readynapacounty



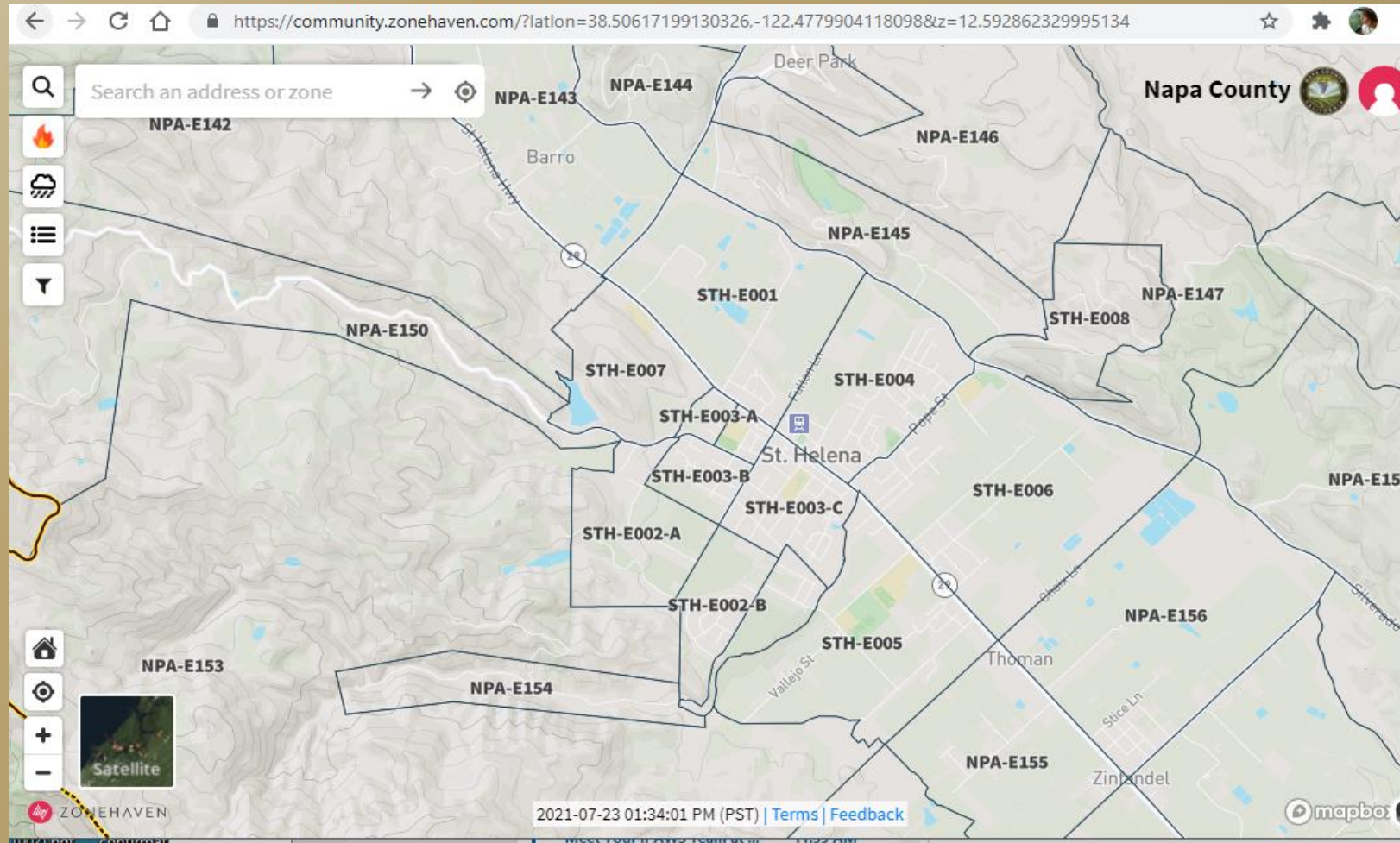
KNOW YOUR
Z  **NE**

What is Zonehaven?



Napa County Sheriff's Office PSA:
<https://www.facebook.com/NapaCountySO/posts/10160074528687216>

What is Zonehaven?



How evacuations were done before:

Ad-Hoc evacuations
typically decided and created at each incident



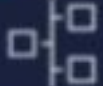
 **On-the fly plan**  **Time consuming**  **New people**

Photo Credits: CAL FIRE

How will evacuation efforts be different for the public with Zonehaven?



Email, Web & Mobile App Message:

Email, Web & Mobile App Subject

Evacuation Order issued for areas around Lake Hennessey

Email, Web & Mobile App Body

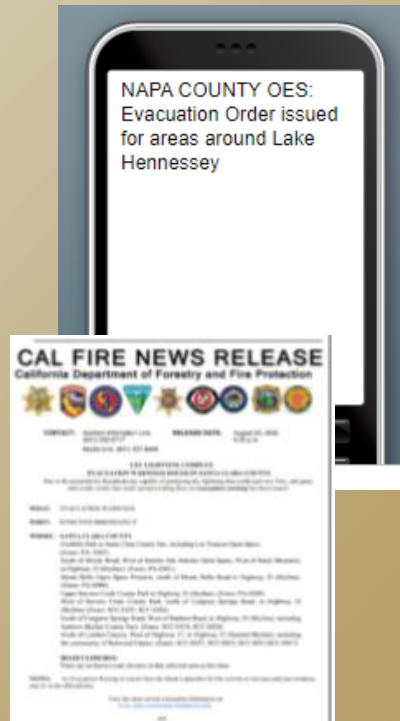
 [Preview](#)

An Evacuation Order has been issued for areas around Lake Hennessey, including the following Evacuation Zones:

- NPA-E163: This zone is bounded by Lake Hennessey to the east and Sage Canyon Road 128 to the south.
- NPA-E164: This zone is located to the southeast of Sage Canyon Road 128
- NPA-E165: This zone is located to the east of Chiles Pope Valley Road, Safe Canyon Road, passing

body p

- Still using Nixle, press releases, social media, hi-lo sirens, in-person notification (when possible), and other methods to alert the public of evacuations.
- But now people can view evacuation maps in real time at community.zonehaven.com



Know Your Zone Campaign:



#KNOWYOURZONE

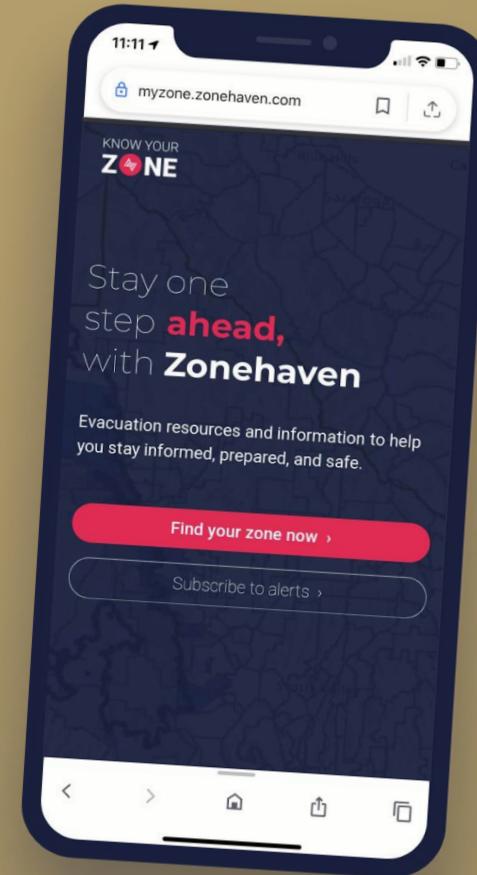
FIND YOUR EVACUATION ZONE

Napa County & its municipalities have established pre-determined evacuation zones. Authorities will use Zone Numbers in emergency alerts, press releases, and on social media to notify residents about which areas are under evacuation warning or order during emergencies

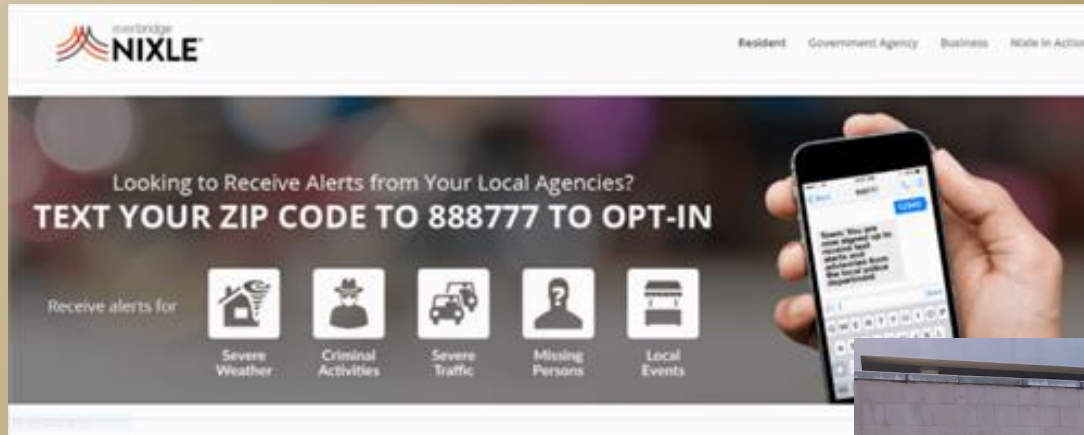
MY ZONE NUMBER:

1. Visit community.zonehaven.com to see Napa County's evacuation map
2. Type your address in the search bar
3. ← Write down your Zone Number
4. Sign up for Nixle, stay alert during emergencies, and #knowYOURzone

NAPA COUNTY **ZONEHAVEN**



How else can the public be prepared for evacuation efforts during emergencies?



How else can the public be prepared for evacuation efforts during emergencies?

Understand evacuation terminology:

EVACUATION WARNING

- Potential threat to life and/or property.
- Those who require additional time to evacuate, and those with pets and livestock should leave now.



EVACUATION ORDER

- Immediate threat to life.
- This is a lawful order to leave now.
- The area is lawfully closed to public access.



EMERGENCY: 9-1-1

Napa County Sheriff (Non-Emergency): 1-707-253-4440
 City/Town Police (Non-emergency): 1-707-299-1464
 Napa County Fire (Non-Emergency): 1-800-222-1222
 Poison Control (In the U.S.):
 Doctor:
 Pharmacy:

Home Address:

KNOW YOUR ZONE:

EVACUATION CHECKLIST:

READY NAPA COUNTY CALIFORNIA



#KNOWYOURZONE

FIND YOUR EVACUATION ZONE

Napa County & its municipalities have established pre-determined evacuation zones. Authorities will use Zone Numbers in emergency alerts, press releases, and on social media to notify residents about which areas are under evacuation warning or order during emergencies

MY ZONE NUMBER:

1. Visit community.zonehaven.com to see Napa County's evacuation map
 2. Type your address in the search bar
 3. Write down your Zone Number
 4. Sign up for Nixle, stay alert during emergencies, and #knowYOURzone

READY NAPA COUNTY CALIFORNIA

ZONEHAVEN
 Know your path to safety



I'm **prepared.**

KNOW YOUR
Z  **NE**
myzone.zonehaven.com

My Zone Number

MINUTES
City of St. Helena
Regular City Council Meeting
Tuesday, June 22, 2021 @ 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 Lester Hardy, and Council Member Eric Hall

Absent: None

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. ADOPTION OF THE AGENDA**

City Clerk Cindy Tzaopoulos noted item 12.2 will not be heard due to the applicant withdrawing his water exception appeal request.

Council Member Anna Chouteau moved to adopt the agenda. The motion was seconded by Council Member Lester Hardy and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, Council Member Lester Hardy, and Council Member Eric Hall

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

- 5. PUBLIC FORUM:**

Leslie Stanton, Ehrin Armstrong and Leslie Velasco addressed the City Council.

- 6. REPORTS BY STAFF AND CITY COUNCIL, FUTURE AGENDA ITEMS, and AB 1234 REPORTS:**

Reports were made by staff and the City Council.

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Council Member Hall requested a special City Council meeting workshop to discuss business recovery and revenue sources and Mayor Ellsworth agreed.

7. PRESENTATIONS AND PUBLIC RECOGNITIONS

- 7.1 Proclamation Celebrating the Fiftieth Anniversary of the Lugo Park Subdivision
(~~Proclamation forthcoming~~ Provided 6/19/21)

The Proclamation was presented to Rosaura Segura and Lalo Gutierrez.

- 7.2 Annual Housing Services Report by Andrea Clark, City of Napa Affordable Housing Representative

8. STAFF BRIEFING

- 8.1 None

9. 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)

- 9.1 Consideration and proposed approval of Regular Meeting Minutes of June 8, 2021
- 9.2 Consideration and proposed approval of a Resolution approving a one-year agreement with MarinIT to provide Information Technology services for an amount not-to-exceed \$170,082.38 for FY 2021-22

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Recommendation:

Staff recommends City Council approve the attached Resolution.

- 9.3 Consideration and proposed approval of a resolution establishing designation of City's agents by title to obtain Federal and/or State financial assistance through the California Office of Emergency Services (Cal OES) under the California Disaster Assistance Act.

CEQA Determination: Not a CEQA project

Prepared By: Mandy Kellogg, Finance Manager

Recommendation:

Staff recommends City Council approve the resolution establishing designation of City's agents by title to obtain Federal and/or State financial assistance through the California Office of Emergency Services.

- 9.4 Consideration and approval of a Resolution Establishing Appropriation Limits for Fiscal Year 2021-22 and the Selection of Current Year Adjustment Factors

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CEQA Determination: Not a CEQA project
Prepared By: Mandy Kellogg, Finance Manager

Recommendation:

Staff recommends the City Council of the City of St. Helena adopt a Resolution establishing an appropriation limit for Fiscal Year 2021-22.

- 9.5 Consideration and proposed adoption of a resolution adopting a list of project for Fiscal Year 2021-22 funded by SB1: The Road Repair and Accountability Act of 2017

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

Prepared By: Mandy Kellogg, Finance Manager

Recommendation:

Adopt a resolution adopting a list of projects for fiscal year 2021-22 funded by SB1: The Road Repair and Accountability Act of 2017.

- 9.6 Consideration and proposed approval of a resolution approving Amendment #3 to STH Contract: FY2019-013 with Dash Data, Inc for document imaging and quality control services for an additional \$12,662.11 for a total not to exceed amount of \$162,662.11

CEQA Determination: Not a CEQA project

Prepared By: Cindy Tzafopoulos, City Clerk

Recommendation:

Staff recommends City Council approve the attached Resolution.

- 9.7 Consideration and proposed approval of a resolution: (1) approving temporary closure of Oak Avenue, Adams Street, Tainter Street, and the Oak Avenue City Parking Lot, for the October 16, 2021, Hometown Harvest Festival festivities, (2) authorizing possession of open alcoholic beverages on those public streets, and (3) approving the waiving of the encroachment fee.

CEQA Determination: Not a CEQA project

Prepared By: Andre Pichly, Parks & Recreation Director

Recommendation:

Staff recommends the City Council of the City of St. Helena adopt the attached Resolution.

- 9.8 Consideration and proposed approval of a Resolution approving: (1) Marketing and Promotional Services Agreement in the amount not-to-exceed \$220,500 between the City of St. Helena and the St. Helena Chamber of Commerce for FY 2021-22 and (2) Business Recovery Marketing Agreement in an amount not-to-exceed \$100,000 between the City of St. Helena and the St. Helena Chamber of Commerce for FY 2021-22.

CEQA Determination: Not a CEQA project

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Prepared By: April Mitts, Finance Director

Recommendation:

Staff recommends City Council adopt the attached resolution approving the two agreements.

- 9.9 Authorizing a resolution approving a Professional Services Agreement to provide CDBG Business Lending, Over-the-Counter Grant Application Assistance, and Related Consulting Services with Community Development Services (CDS) in an amount not-to-exceed of \$57,500.

CEQA Determination: Exempt

Prepared By: Mandy Kellogg, Finance Manager

Recommendation:

Staff recommends approval of the attached Resolution.

- 9.10 Consideration and Proposed Approval of a Resolution Authorizing Amendment No. 4 to the City Manager's Employment Agreement; and, in accordance with the requirement of California Code Section 54953(c)(3), providing an oral report summarizing the recommended final action for the City Manager contract amendment beginning July 1, 2021 that provides for: (1) a one-year contract extension to June 30, 2025, (2) entitlement to floating or personal convenience holidays as authorized by the Council for Departments Heads as set forth in the Unrepresented Compensation Program effective Calendar Year 2021 and beyond, and (3) amending deferred compensation benefit as follows: City will match employee contribution per pay period of up to 4% of base salary provided the employee makes a simultaneous per pay period contribution of at least 5% of base salary. (Staff report forthcoming Provided 6/19/21)

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Recommendation:

Vice Mayor Dohring and Council Member Hall recommend City Council approve Amendment No. 4 to the Employment Agreement between the City of St. Helena and City Manager Mark Prestwich.

No public comment was received.

Vice Mayor Paul Dohring moved to approve Consent items 9.1 through 9.10. The motion was seconded by Council Member Lester Hardy and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, Council Member Lester Hardy, and Council Member Eric Hall

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

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10. PUBLIC HEARINGS

10.1 None

11. OLD BUSINESS

11.1 Consideration and Proposed Approval of a Resolution Adopting the FY 2021-22 Budget (~~Staff report forthcoming~~ Provided 6/19/21)

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Recommendation:

Staff recommends approval of a resolution adopting the City of St. Helena FY 2021-22 Budget.

Finance Director April Mitts reported on this item.

No public comment was received.

Vice Mayor Paul Dohring moved to approve a resolution adopting the City of St. Helena FY 2021-22 Budget. The motion was seconded by Council Member Anna Chouteau and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, Council Member Lester Hardy, and Council Member Eric Hall

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

11.2 Discussion and direction of the R18-81 Downtown Improvement Project (~~Staff report forthcoming~~ Provided 6/19/21)

CEQA Determination: Class 2 Categorical Exemption under Section 15302 of CEQA; Class 3 Categorical Exemption under Section 15303 of CEQA; and 15061 (b)(3), common sense exemption of CEQA

Prepared By: John Wanger, Interim City Engineer

Recommendation:

Provide direction to staff on funding, project schedule.

No public comment was received.

Interim City Engineer John Wanger reported that once the right-of-way issues are resolved, there will be sections of the sidewalk that are outside of the existing right-of-way. In order to ensure that transitions to doorways and alcoves are properly constructed, Temporary Construction Easements (TCE's)

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will need to be acquired from various properties. Caltrans has a very specific process that must be adhered to when acquiring easements or right-of-way for federally funded projects. The consultant for the project (BKF) included a task in the overall scope of work to prepare up to 20 legal descriptions and plats; however, due to the right-of-way issues discovered, preparation of these documents cannot begin until the issues are resolved. Once the right-of-way issues are resolved and BKF prepares the documents, the City will need to retain the services of a right-of-way agent that has been Caltrans certified to complete the appraisal and acquisition process. As this process will extend beyond the deadline when authorization paperwork must be filed, it was the consensus of the City Council to direct staff to request a one-year extension from NVT/MTC/Caltrans for this project.

12. NEW BUSINESS

- 12.1 Consideration and proposed approval of a resolution appointing applicants to the Active Transportation & Sustainability Committee, Planning Commission, Parks and Recreation Commission, and Library Board of Trustees and consider leaving the recruitment open for the unfilled terms of office until filled.

CEQA Determination: Not a CEQA project

Prepared By: Cindy Tzafopoulos, City Clerk

Recommendation:

Staff recommends adopting a resolution appointing applicants to the following committees:

Active Transportation Sustainability Committee

Library Board of Trustees

Planning Commission

Parks & Recreation Committee

Mayor Ellsworth called for a break at 7:45 p.m. and reconvened the meeting at 8:00 p.m.

City Clerk Cindy Tzafopoulos reported on this item.

Nancy Dervin addressed the City Council.

Mayor Geoff Ellsworth moved to appoint John Ponte to the Planning Commission. The motion was seconded by Council Member Lester Hardy and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, Council Member Lester Hardy, and Council Member Eric Hall

NOES: None

ABSENT: None

ABSTAIN: None

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RECUSE: None

Mayor Geoff Ellsworth moved to appoint Christopher Warner to the Planning Commission. The motion was seconded by Vice Mayor Paul Dohring and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth and Vice Mayor Paul Dohring

NOES: Council Member Anna Chouteau, Council Member Lester Hardy, and Council Member Eric Hall

ABSENT: None

ABSTAIN: None

RECUSE: None

The motion failed due to the lack of votes.

Mayor Geoff Ellsworth moved to appoint Marika Rothfeld to the Planning Commission. The motion was seconded by Vice Mayor Dohring and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, Council Member Lester Hardy, and Council Member Eric Hall

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

Mayor Geoff Ellsworth moved to appoint Jeff Farmer to the Active Transportation & Sustainability Committee. The motion was seconded by Council Member Lester Hardy and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, Council Member Lester Hardy, and Council Member Eric Hall

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

Mayor Geoff Ellsworth moved to appoint Terra Sampson to the Active Transportation & Sustainability Committee. The motion was seconded by Vice Mayor Dohring and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth and Vice Mayor Paul Dohring

NOES: Council Member Anna Chouteau, Council Member Lester Hardy, and Council Member Eric Hall

ABSENT: None

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ABSTAIN: None
RECUSE: None

The motion failed due to the lack of votes.

Mayor Geoff Ellsworth moved to appoint John Zimmerman to the Active Transportation & Sustainability Committee. The motion was seconded by Vice Mayor Paul Dohring and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, Council Member Lester Hardy, and Council Member Eric Hall
NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: None

Mayor Geoff Ellsworth moved to appoint Terra Sampson to the Active Transportation & Sustainability Committee alternate position. The motion was seconded by Council Member Chouteau and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, Council Member Lester Hardy, and Council Member Eric Hall
NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: None

Mayor Geoff Ellsworth moved to appoint David Slaby to the Library Board of Trustees. The motion was seconded by Council Member Chouteau and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, Council Member Lester Hardy, and Council Member Eric Hall
NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: None

Mayor Geoff Ellsworth moved to appoint Lin Weber to the Library Board of Trustees. The motion was seconded by Council Member Chouteau and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, Council Member Lester Hardy, and Council Member Eric Hall

Regular City Council
June 22, 2021

NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: None

Mayor Geoff Ellsworth moved to appoint Janet Myers to the Library Board of Trustees. The motion was seconded by Vice Mayor Dohring and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, Council Member Lester Hardy, and Council Member Eric Hall
NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: None

Mayor Geoff Ellsworth moved to appoint Terry Wood to the Library Board of Trustees to the vacant position expiring June 30, 2022. The motion was seconded by Council Member Chouteau and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, Council Member Lester Hardy, and Council Member Eric Hall
NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: None

Mayor Geoff Ellsworth moved to appoint Matthew Demchuk to the Parks & Recreation Commission. The motion was seconded by Council Member Hardy and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, Council Member Lester Hardy, and Council Member Eric Hall
NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: None

Mayor Geoff Ellsworth moved to appoint Rebekah Stoltz Weeman to the Parks & Recreation Commission. The motion was seconded by Vice Mayor Dohring and on roll call carried by the following vote:

AYES: Mayor Geoff Ellsworth, Vice Mayor Paul Dohring, Council Member Anna Chouteau, Council Member Lester Hardy, and Council Member Eric Hall

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NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: None

12.2 This item was not heard.

~~*NEW ITEM 6/18/21~~

~~Consideration of an Appeal of the Water Advisory Board's Denial of a Water Allocation Exception Application from Tom Belt~~

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Finance Director

Recommendation:

Discuss and provide direction for the appeal of the Water Advisory Board's denial of a water allocation exception application from Tom Belt.

12.3 Discussion and consideration of conducting hybrid, virtual and/or in-person City Council and Boards, Commissions, and Committee meetings.

CEQA Determination: Not a CEQA project

Prepared By: Cindy Tzaopoulos, City Clerk

Recommendation:

Discuss and provide direction.

City Clerk Cindy Tzaopoulos reported on this item.

No public comment was received.

It was the consensus of the City Council to continue virtual meetings and revisit this item at the August 10, 2021 regular City Council meeting.

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

13.1	<table><tr><td>July City Council Meetings: 7/13 CANCELLED 7/27 (Staff reports due 7/9)</td></tr><tr><td>STAFF BRIEFING: 7/27 Update on Waste Water Treatment Plant Upgrade Project (report every other month)</td></tr><tr><td>PH or OLD / NEW BUSINESS: 7/27 Rosebud Lane agreement 7/27 Review Urgency ordinance amending chapter 13.04 and adopted penalty structure</td></tr></table>	July City Council Meetings: 7/13 CANCELLED 7/27 (Staff reports due 7/9)	STAFF BRIEFING: 7/27 Update on Waste Water Treatment Plant Upgrade Project (report every other month)	PH or OLD / NEW BUSINESS: 7/27 Rosebud Lane agreement 7/27 Review Urgency ordinance amending chapter 13.04 and adopted penalty structure
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STAFF BRIEFING: 7/27 Update on Waste Water Treatment Plant Upgrade Project (report every other month)				
PH or OLD / NEW BUSINESS: 7/27 Rosebud Lane agreement 7/27 Review Urgency ordinance amending chapter 13.04 and adopted penalty structure				

Regular City Council
June 22, 2021

14. ADJOURNMENT

Mayor Ellsworth adjourned the meeting at 8:32 p.m.

The regular City Council meeting minutes of June 22, 2021 were adopted at the regular City Council meeting of July 27, 2021.

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzaopoulos, City Clerk



Report to the City Council
Regular City Council - 27 Jul 2021

Agenda Section: CONSENT ITEMS

Subject: Consideration and adoption of a Resolution: (1) Awarding the Year 2 Pavement Restoration Project, Capital Improvement Project R19-79 to Argonaut Constructors in the amount of \$804,825.75; (2) Authorizing the City Manager to execute the Construction Contract with Argonaut Constructors; (3) Authorizing the Director of Public Works to approve Change Orders not to exceed 15% of the contract amount; and (4) Determining the project to be exempt from the requirements of the California Environmental Quality Act (CEQA).

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

Prepared By: Edrees Argand, Assistant Engineer

Reviewed By: Mark Rincon-Ibarra, Public Works Director and City Engineer

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

The City of St. Helena is responsible for the maintenance of public streets within the City limits. On May 8, 2018, City Council adopted the Capital Improvement Program (CIP) which included the Pavement Restoration Project, Capital Improvement Project R19-79. The R19-79 Year 1 Pavement Restoration project was completed in 2019. The R19-79 Year 2 Pavement Restoration Project includes maintenance of existing streets, consisting of constructing full-depth asphalt concrete repairs, pavement grinding, asphalt concrete overlays, traffic striping, crosswalk markings, sidewalk replacement, valley gutters replacement, curb and gutter repairs, ADA curb ramp upgrades, and installing signage when applicable, which does not expand or increase the existing street capacity. The intent of the project is to improve the condition of critical streets within the City of St. Helena and improve pedestrian and planned bicycle facilities when feasible.

DISCUSSION

The project plans for the work was approved by the Director of Public Works pursuant to authority conferred by St. Helena City Council on May 27, 2021.

The Notice to Contractors was also published in the St. Helena Star and Napa Valley Register.

On Friday, July 9, 2021 at 2 PM, 4 bids were uploaded electronically to the BPXpress planroom which were read aloud via an online Zoom meeting. The bids were as follows:

Company	Total
Argonaut Constructors of Santa Rosa	\$804,825.75
Team Ghilotti, Inc. of Petaluma	\$834,141.07
Ghilotti Bros., Inc. of San Rafael	\$845,975.10
Granite Construction of Ukiah	\$901,706.70

A detailed bid tabulation is included as Attachment 2. Argonaut Constructors is the lowest responsible, responsive bid, and holds a valid Class A General Contractor's License No. 171432 in the State of California, with no enforcement actions listed. Their license expires on 12/31/2021. Argonaut Constructors' bid is below the engineer's estimate (without contingency) of \$939,479.00.

The Project Plans and Manual remain available for review at the Public Works Department located at 1572 Railroad Avenue and at www.blueprintexpress.com/sthelenahelena, but will be removed from the site once the project is awarded.

FISCAL IMPACT

The annual Pavement Restoration Project, CIP Project No. R19-79 is included in the May 2021 adopted five-year Capital Improvement Program (Attachment 3). A summary of anticipated expenditures for Year 2 are presented below.

R19-79 Year 2 Pavement Restoration Estimated Project Costs	
Survey, Design, Engineering (includes Year 1 Pavement design costs)	\$90,000.00
Estimated Construction Costs	\$804,825.75
Construction Contingency (15%)	\$120,723.86
Estimated Construction Management & Inspection	<u>\$100,000.00</u>
Estimated Total Project Cost	\$1,115,549.61

The FY 2021-22 CIP paving budget identified a total project cost of \$1,193,000. City funds budgeted for this project include General Funds- Measure T/RMRA MOE, Gas Tax, Gas Tax -RMRA/SB1, Measure T, and Street Capital Improvement - Grant OBAG II.

RECOMMENDED ACTION

Adopt a Resolution awarding the Year 2 Pavement Restoration Project, Capital Improvement Project R19-79 to Argonaut Constructors in the amount of \$804,825.75; (2) Authorizing the City Manager to execute the Construction Contract with Argonaut Constructors; (3) Authorizing the Director of Public Works to approve Change Orders not to exceed 15% of the contract amount; and (4) Determining the project to be exempt from the requirements of the California Environmental Quality Act (CEQA).

ATTACHMENTS

[Attachment 1: R19-79 Year 2 Resolution](#)

[Attachment 2: R19-79 Year 2 Bid Tabulation](#)

[Attachment 3: CIP R19-79 Budget FY 2021-22](#)

CITY OF ST. HELENA

RESOLUTION NO. 2021-

**Awarding the Year 2 of the
Pavement Restoration Project,
Capital Improvement Project
R19-79 to Argonaut
Constructors in the amount of
\$804,825.75, (2) Authorizing the
City Manager to execute the
Construction Contract with
Argonaut Constructors, (3)
Authorizing the Director of
Public Works to approve
Change Orders not to exceed
15% of the contract amount;
and (4) Determining the project
to be exempt from the
requirements of the California
Environmental Quality Act
(CEQA).**

RECITALS

- A. The project plans for the work were approved by the Director of Public Works pursuant to authority by St. Helena City Council on May 27, 2021; and
- B. Pursuant to St. Helena Municipal Code Chapter 3.04; Article 3 Public Works Projects; Section 3.04.220 on June 11, 2021 a notice inviting bids was posted and mailed to contractors inviting bids for the R19-79 Year 2 Pavement Restoration Project; and
- C. On July 9, 2021, four (4) bids were received and opened in accordance with applicable law; and
- D. The lowest responsive and responsible bidder for the Project was Argonaut Constructors, of Santa Rosa, CA in the amount of \$804,825.75; and
- E. City staff has determined that Argonaut Constructors' bid satisfies the bidding requirements for the project; and

- F. City staff has verified that Argonaut Constructors possesses a valid Contractor's License, Class A, number 171432 that qualifies Argonaut Constructors to complete the project; and
- G. The Year 2 Pavement Restoration, Project R19-79 has been found to be exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301(c) of Title 14 of the California Code of Regulations as it consists of minor alterations of existing street and sidewalk facilities, as the project involves no expansion of an existing use.

RESOLUTION

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

1. Awarding the R19-79 Year 2 Pavement Restoration Project to Argonaut Constructors in the amount of \$804,825.75; and
2. Authorizing the City Manager to execute a construction contract in the amount of \$804,825.75 with Argonaut Constructors for R19-79 Year 2 Pavement Restoration Project; and
3. Authorizing the Director of Public Works to approve change orders not to exceed 15% of the contract account; and
4. The Year 2 Pavement Restoration, Project R19-79 is found to be exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301(c) of Title 14 of the California Code of Regulations as it consists of minor alterations of existing street and sidewalk facilities, as the project involves no expansion of an existing use.

Approved at a Regular Meeting of the St. Helena City Council on July 27, 2021 by the following vote:

Mayor Ellsworth: _____

Vice Mayor Dohring: _____

Councilmember Chouteau: _____

Councilmember Hall: _____

Councilmember Hardy: _____

APPROVED: ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzafopoulous, City Clerk

City of St. Helena

Bid Tabulation

2020 Pavement Restoration Improvements City Project No. R19-79

Bid Opening: Friday, July 9, 2021

				Engineer's Estimate		Argonaut Constructors		Team Ghilotti		Ghilotti Brothers, Inc.		Granite Construction	
Item No.	Item Description	Estimated Quantity	Unit of Measure	Unit Cost	Item Total	Unit Cost	Item Total	Unit Cost	Item Total	Unit Cost	Item Total	Unit Cost	Item Total
1	Mobilization	1	LS	\$ 80,000.00	\$80,000.00	\$75,000.00	\$75,000.00	\$38,522.02	\$38,522.02	\$31,000.00	\$31,000.00	\$76,250.00	\$76,250.00
2	Traffic & Pedestrian Traffic Control & Construction Area Signs	1	LS	\$ 30,000.00	\$30,000.00	\$46,000.00	\$46,000.00	\$15,977.00	\$15,977.00	\$30,000.00	\$30,000.00	\$57,000.00	\$57,000.00
3	Stormwater Pollution Prevention	1	LS	\$ 10,000.00	\$10,000.00	\$5,000.00	\$5,000.00	\$8,100.00	\$8,100.00	\$5,000.00	\$5,000.00	\$2,250.00	\$2,250.00
4	Adjust Existing Manholes to Grade	14	EA	\$ 1,200.00	\$16,800.00	\$900.00	\$12,600.00	\$1,107.00	\$15,498.00	\$1,400.00	\$19,600.00	\$900.00	\$12,600.00
5	Adjust Existing Water Meter to Grade	5	EA	\$ 800.00	\$4,000.00	\$900.00	\$4,500.00	\$685.00	\$3,425.00	\$210.00	\$1,050.00	\$900.00	\$4,500.00
6	Adjust Existing Water Valve to Grade	25	EA	\$ 800.00	\$20,000.00	\$650.00	\$16,250.00	\$685.00	\$17,125.00	\$940.00	\$23,500.00	\$650.00	\$16,250.00
7	Adjust Existing Survey Monument to Grade	16	EA	\$ 800.00	\$12,800.00	\$650.00	\$10,400.00	\$685.00	\$10,960.00	\$940.00	\$15,040.00	\$650.00	\$10,400.00
8	Thermoplastic Striping - Various Types	1	LS	\$ 6,500.00	\$6,500.00	\$2,500.00	\$2,500.00	\$2,900.00	\$2,900.00	\$2,500.00	\$2,500.00	\$1,700.00	\$1,700.00
9	Thermoplastic Pavement Markings (Words and Symbols)	1	LS	\$ 8,000.00	\$8,000.00	\$2,500.00	\$2,500.00	\$4,400.00	\$4,400.00	\$2,500.00	\$2,500.00	\$2,700.00	\$2,700.00
10	Raised Pavement Marker, Blue Reflective	9	EA	\$ 50.00	\$450.00	\$25.00	\$225.00	\$65.00	\$585.00	\$25.00	\$225.00	\$45.00	\$405.00
11	Construct Caltrans Case "A" Curb Ramp	3	EA	\$ 8,000.00	\$24,000.00	\$9,200.00	\$27,600.00	\$10,000.00	\$30,000.00	\$9,800.00	\$29,400.00	\$10,100.00	\$30,300.00
12	Construct Caltrans Case "C" Curb Ramp	14	EA	\$ 8,000.00	\$112,000.00	\$9,500.00	\$133,000.00	\$10,200.00	\$142,800.00	\$6,000.00	\$84,000.00	\$10,100.00	\$141,400.00
13	Cross Gutter	2,185	SF	\$ 35.00	\$76,475.00	\$26.00	\$56,810.00	\$35.00	\$76,475.00	\$47.61	\$104,027.85	\$35.50	\$77,567.50
14	Sidewalk	225	SF	\$ 60.00	\$13,500.00	\$34.00	\$7,650.00	\$33.25	\$7,481.25	\$36.12	\$8,127.00	\$23.50	\$5,287.50
15	Curb and Gutter	45	LF	\$ 125.00	\$5,625.00	\$97.00	\$4,365.00	\$111.00	\$4,995.00	\$175.00	\$7,875.00	\$190.00	\$8,550.00
16	Edge Grinding	9,375	LF	\$ 3.00	\$28,125.00	\$4.25	\$39,843.75	\$2.00	\$18,750.00	\$3.35	\$31,406.25	\$2.10	\$19,687.50
17	2.0" HMA Overlay	392	TON	\$ 165.00	\$64,680.00	\$114.00	\$44,688.00	\$115.00	\$45,080.00	\$151.00	\$59,192.00	\$142.00	\$55,664.00
18	2.5" HMA Overlay	2,155	TON	\$ 160.00	\$344,800.00	\$114.00	\$245,670.00	\$131.00	\$282,305.00	\$151.00	\$325,405.00	\$142.00	\$306,010.00
19	HMA Base Repair Dig-Out Repairs	500	SY	\$ 85.00	\$42,500.00	\$62.00	\$31,000.00	\$143.00	\$71,500.00	\$44.00	\$22,000.00	\$64.00	\$32,000.00
20	Pavement Reinforcement Fabric	19,612	SY	\$ 2.00	\$39,224.00	\$2.00	\$39,224.00	\$1.90	\$37,262.80	\$2.25	\$44,127.00	\$2.10	\$41,185.20
					\$939,479.00		\$804,825.75		\$834,141.07		\$845,975.10		\$901,706.70

Pavement Restoration FY 19 Design/FY 22 Construction

Project No: R19-79

Category: Streets

Project Location: St. Helena, CA 94574

Responsible Department:



PROJECT PURPOSE & DESCRIPTION: Rehabilitate streets throughout the City with various surface treatments (i.e. slurry seal, micro-surface, and overlay). Curb ramp upgrades may be part of projects as needed. Council approved a five-year list of streets on February 13, 2018.

Construction for Year 2 paving deferred to FY 22.

EXPENDITURE ACCOUNTS:

Fund: 741 **Dept:** 5014

EXPENDITURES								PROJECT TOTAL
	Total YTD 05/11/21		2021-22	2022-23	2023-24	2024-25	2025-26	
3110 - Design	120,939		5,000					125,939
3150 - Construction Management	48,126		155,000					203,126
3160 - Construction Contract	837,389		939,000					1,776,389
3170 - Contingency			94,000					94,000
EXPENDITURE TOTALS	1,006,454		1,193,000					2,199,454
FUNDING SOURCES								
101-General Fund - Measure T/RMRA MOE	410,188		300,000					710,188
230-Gas Tax			150,000					150,000
230-Gas Tax - RMRA/SB1			300,000					300,000
240-Measure T	564,455		443,000					1,007,455
741-Streets Capital Improvement - Grant OBAG II	31,811							31,811
FUNDING TOTALS	1,006,454		1,193,000					2,199,454



Report to the City Council
Regular City Council - 27 Jul 2021

Agenda Section: CONSENT ITEMS

Subject: Consideration and proposed approval of a resolution authorizing the St. Helena High School annual homecoming parade on Main Street and authorizing City staff to provide traffic control before, during, and after the parade.

CEQA Determination: Categorically Exempt, Section 15323

Prepared By: Chantel Delay, Administrative Assistant

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

The St. Helena High School annual homecoming parade on Main Street is a long-standing tradition.

DISCUSSION

The St. Helena High School requests approval from the City Council to hold its annual homecoming parade on Main Street. The parade will take place on Friday, November 5, 2021, from 2:10 pm to 2:30 pm, starting at Sunshine Market parking lot, Main Street and Mitchell Drive, and ending with a rally at Lyman Park.

The Police Department also participates by controlling/detouring traffic during the parade festivities.

The St. Helena Unified School District is required to obtain an encroachment permit from Caltrans for the route traveled on Hwy 29.

FISCAL IMPACT

There is no fiscal impact associated with this report. The City will provide staff to assist with pre-planning, setup, and tear down of “no parking” and traffic control, and traffic control during the event. This will require approximately 15 hours of Public Works Department staff time and approximately four hours from Police Department staff, which will occur during regular business hours and all expenses associated are included in the FY22 Operating Budget.

RECOMMENDED ACTION

Staff recommends the City Council adopt the resolution authorizing the St. Helena High School annual homecoming parade on Main Street authorizing City staff to provide traffic control before, during, and after the parade during regular business hours.

ATTACHMENTS

[Attachment 1: Resolution](#)

[Attachment 2: PW2106-013 Encroachment Permit](#)

CITY OF ST. HELENA

RESOLUTION NO. 2021-

Authorizing the St. Helena High School annual homecoming parade on Main Street and authorizing City staff to provide traffic control before, during, and after the parade

RECITALS

- A. St. Helena High School has requested authorization to conduct their annual Homecoming Parade on Main Street on Friday, November 5, 2021, from 2:10 p.m. until 2:30 p.m.
- B. The parade shall start at the Sunshine Market Parking Lot and proceed up Main Street to Lyman Park.
- C. City staff is able to provide the necessary controlling and detouring of traffic on Highway 29, Railroad Avenue, and the parade route.
- D. Section 21101(e) of the California Vehicle Code provides the local authorities may, by resolutions, temporarily close a portion of any street for celebrations, parades, local special events, and other purposes when, in the opinion of local authorities having jurisdiction or a public officer or employee that the local authority designated by resolution, the closing is necessary for the safety and protection of persons who are to use that portion of the street during the temporary closing.

RESOLUTION

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

- 1. The City Council hereby approves the St. Helena High School request for a Homecoming Parade on Main Street on Friday, November 5, 2021, from 2:10 pm to 2:30 pm.
- 2. The City Council finds that the benefits derived from authorizing the St. Helena High School Homecoming Parade starting from Sunshine Market Parking Lot on Main Street and ending at Lyman Park outweigh the anticipated inconvenience to the businesses and citizens generally.
- 3. City staff is directed to provide necessary traffic control for the safety and protection of persons who are to use the portion of Main Street during the Homecoming Parade.

Approved at a Regular Meeting of the St. Helena City Council on July 27, 2021, by the following vote:

Mayor Ellsworth: _____

Vice Mayor Dohring: _____

Councilmember Chouteau: _____

Councilmember Hardy: _____

Councilmember Hall: _____

APPROVED: ATTEST:

Geoff Ellsworth, Mayor Cindy Tzaopoulos, City Clerk

ENCROACHMENT PERMIT APPLICATION

Public Works Department
1572 Railroad Ave.
St. Helena, CA 94574
(707) 968-2658



SHHS 1401 Grayson Avenue

OFFICE USE ONLY

Encroachment Permit #: PW2106-013

Building Permit #: N/A

Expiration Date: 6/22/2022

For Additional Information, or Forms and Documents Please Visit the Public Works Website @ <http://www.cityofstheleena.org/publicworks>

Property and Work Description

Site Address: Downtown St. Helena, starting at Mitchell Dr / Main St, ending at Pine St / Lyman Park

Related Building Permit Number _____ Work Description: St. Helena High School 2021 Homecoming Parade

DIAGRAM OF PROPOSED WORK *attach additional sheet if necessary*

Estimated Start Date Fri 11/05/21Estimated Completion Date Fri 11/05/21

Property Owner I

Owner Name: St. Helena High School. Contacts: Ben Scinto, Principal; Diana Carr, Principal's SecretaryAddress: 1401 Grayson AvenueCity: St. Helena State: CA Zip: 94574Email: dcarr@sthelenaunified.org Phone #: (707) 967-2740Contractor/Applicant *All communication from our office will be made to this person via email*Company Name: same as above Contact Name: _____

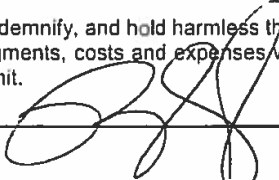
Contractor License #: _____ Expires: _____

City of St. Helena Business License #: _____ Expires: _____

Address: _____

City: _____ State: _____ Zip: _____

Email: _____ Phone #: _____

Applicant Check Off List Permit fees are due at the time of application and are NON REFUNDABLE .	
<i>Incomplete submittals will not be accepted. Encroachment Permit applications are reviewed on a weekly basis. Please allow up to TWO (2) weeks for approval.</i>	
<u>Check Off Major</u>	<u>Check Off Minor</u>
\$500.00 fee paid	\$200.00 fee paid
Proof of Insurance Coverage	Proof of Insurance Coverage <i>to be provided early</i>
Copy of Civil Plans for Related Building Permit	Copy of Civil Plans for Related Building Permit <i>July 2021</i>
Traffic Control Plans	Traffic Control Plans
Site Plans	Site Plans
USA Tag #	
Conditions: <u>Have a pre-event meeting with SHHS principal and Public Works staff for review of routes, etc.</u>	
Standards Attached: _____	
Street Supervisor Approval Signature: 	Date: <u>6-17-21</u>
Water Supervisor Approval Signature: _____	Date: _____
Minimum Insurance Requirements Major Permit 2 Million, Minor Permit 1 Million Each Line	
<i>Special Circumstances May Arise Which Could Cause Changes to These Guidelines</i>	
Attach Certificate of Insurance (COI) and Endorsements	
The language in the Description section (bottom middle) must state the following: "The City of St. Helena, its agents, officers, officials, employees and volunteers" are named as additionally insured."	
Workers Comp	
Liability	
Auto	
Umbrella (optional)	
Disclosure Statement	
NOTICE: This application will expire in 180 days from the date of submission if the permit is not pursued in good faith. The permit will expire if work is not started in 180 days or if work is abandoned for more than 180 days. A request for an extension of time must be submitted, in writing, to the Public Works Department within 180 days of issuance, or 180 days from the last approvable inspection.	
Permit fees are due at the time of application and are NON REFUNDABLE .	
Incomplete submittals will not be accepted.	
I CERTIFY THAT IN THE PERFORMANCE OF THE WORK FOR WHICH THE PERMIT IS ISSUED WILL ADHERE TO THE CITY OF ST. HELENA CITY STANDARDS.	
I (We) agree to save, indemnify, and hold harmless the City of St. Helena, its Agents, Officers, Officials, Employees, and Volunteers against judgments, costs and expenses which may in any way accrue against said City in consequence of the granting of this permit.	
Signature: 	Date: <u>6/14/2021</u>
☒ Owner ☐ Contractor	

GENERAL PERMIT REGULATIONS

NOTE: ALL REQUIRED DOCUMENTS MUST BE SUBMITTED PRIOR TO APPROVAL

1. Work done under this Permit shall be in accordance with the City Standards of the Department of Public Works, State of California, Division of Highways, the Municipal Code and specifications and the provisions enumerated herein.
2. Applicants must obtain all other permits required by other public or private agencies or individuals necessary in order to perform the intended work. If this provision is not complied with, this Permit/Contract shall be null and void.
3. Authorizations for any installation granted by virtue of this permit/contract are revocable at any time.
4. Maintenance of the encroachment is strictly the responsibility of the Permittee.
5. Should construction, reconstruction or maintenance work on the highway be required, any installation authorized by this Permit shall, upon order of the Director of Public Works, be promptly removed or relocated by and at the expense of the Permittee.
6. The Permittee shall provide, erect and maintain all warning signs, lights, barriers or other devices necessary for the protection of the public.
7. During work on city streets at least one 12-foot wide traffic lane shall be open at all times unless otherwise specifically authorized.
8. Existing drainage conditions must be provided for in every instance. Nothing contained herein shall be construed as relieving the Permittee of responsibility.
9. There shall be a minimum of thirty (30) inches of cover over all pipes or conduits installed except as may be specifically authorized by the Permit.
10. Permittee shall notify the Department of Public Works three (3) days prior to the commencement of any work authorized by this Permit.
11. Insurance is required as set forth in the attached document.
12. The Permittee shall obtain a special permission from the Public Works Director if working or operating machinery outside the standard construction hours of 8:00 AM to 5:00 PM, or Sundays and Holidays.

DESCRIPTION		ACCOUNT	QTY	PAID
PermitTRAK				\$200.00
PW2106-013 Address: 1401 Grayson Ave Apn: 009350015				\$200.00
PUBLIC WORKS PERMITS				\$200.00
ENCROACHMENT MINOR		101-3384	0	\$200.00
TOTAL FEES PAID BY RECEIPT: 00234296				\$200.00

Date Paid: Tuesday, June 22, 2021

Paid By: ST. HELENA HIGH SCHOOL

Cashier: CD

Pay Method: CHECK 10464

Printed: Tuesday, June 22, 2021 12:48 PM

1 of 1

CRW CYETRAAC



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

6/28/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER ABD Insurance & Financial Services, Inc. 1435 N McDowell Blvd Ste 320 Petaluma, CA 94954 WWW.TheABDteam.com		CONTACT NAME: Cert Request PHONE (A/C, No, Ext): 650-488-8565 FAX (A/C, No): E-MAIL ADDRESS: TechCertRequest@theabdteam.com	
INSURED North Bay Schools Insurance Authority St. Helena Unified School District c/o 380A Chadbourne Road Fairfield CA 94534		INSURER(S) AFFORDING COVERAGE INSURER A: Safety National Casualty Corporation INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC # 15105	

COVERAGES		CERTIFICATE NUMBER: 62579723		REVISION NUMBER:		
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.						
INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☐ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC OTHER:					EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	☐ UMBRELLA LIAB ☐ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N/A	SP4064681	7/1/2021	7/1/2022	☒ PER STATUTE ☐ OTH-ER 750,000SIR E L EACH ACCIDENT \$1,000,000 E L DISEASE - EA EMPLOYEE \$1,000,000 E L DISEASE - POLICY LIMIT \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Re: St. Helena High School Homecoming Parade down Main Street. Evidence of coverage.

CERTIFICATE HOLDER City of St. Helena Attn: Public Works 1480 Main Street St. Helena, CA 94574	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Rod Sockolov
---	---

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ACORD 25 (2016/03)

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62579723 | 21-22 WC | Erica Audine | 6/28/2021 5:41:33 PM (PDT) | Page 1 of 1

CERTIFICATE OF COVERAGEISSUE DATE (MM/DD/YYYY)
6/29/2021

MEMORANDUM NUMBER:				
AGENT / BROKER: 650-488-8565 ABD Insurance & Financial Services, Inc. 1435 N McDowell Blvd Ste 320 Petaluma, CA 94954		COVERAGE PROVIDER: Bay Area Schools Insurance Cooperative(BASIC) A California Joint Powers Authority 1750 Creekside Oaks Dr., Suite 200 Sacramento CA 95833		
NAMED COVERED MEMBER: North Bay Schools Insurance Authority Travis Unified School District c/o 380A Chadbourne Road Fairfield CA 94534				
THE REFERENCED MEMORANDUM OF COVERAGE(S) ("MOC") AND/OR INSURANCE POLICY(IES) EXTEND INDEMNITY PROTECTION TO THE NAMED COVERED MEMBER, IN KEEPING WITH THE TERMS AND CONDITIONS OF THE COVERAGE AGREEMENTS/ POLICIES, FOR THE EFFECTIVE COVERAGE DATES, AND WITH THE STATED COVERAGE LIMITS. COVERAGE PROVIDED BY MOC'S IS EXTENDED PURSUANT TO THE RIGHTS AND LIMITATIONS OF CALIFORNIA GOV'T CODE§ 990 & 6500, ET SEQ.				
THIS CERTIFICATE CONFERS NO RIGHT, BENEFIT, OR INTEREST IN THE REFERENCED MEMORANDUM(S) OF COVERAGE OR INSURANCE POLICY(IES), NOR DOES IT AMEND, MODIFY, ENLARGE OR ALTER THE COVERAGE AFFORDED BY SUCH DOCUMENTS. IF THE CERTIFICATE HOLDER IS CONTRACTUALLY ENTITLED TO BE NAMED AS AN ADDITIONAL COVERED MEMBER ("ACM") UNDER ANY COVERAGE AGREEMENT OR POLICY, THE CONTRACT IMPOSING THE OBLIGATION MUST BE PROVIDED TO THE NAMED COVERED MEMBER LISTED ABOVE FOR REVIEW AND APPROVAL BEFORE SUCH AN ENDORSEMENT WILL BE ISSUED; ACM COVERAGE IS NOT AUTOMATICALLY GRANTED.				
TYPE OF COVERAGE	MOC / POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS & SIR (MOC does not contain an aggregate limit.)
GENERAL LIABILITY EMPLOYMENT PRACTICES EDUCATORS' LEGAL LIABILITY PRODUCTS LIABILITY COMPLETED OPERATIONS LIABILITY ERRORS AND OMISSIONS _____ _____ _____	21MOELC	7/1/2021	7/1/2022	LIMIT: \$ 1,000,000 SIR: \$ 1,000,000
AUTOMOBILE LIABILITY ALL OWNED, HIRED, LEASED, AND BORROWED AUTOS _____ _____	21MOELC	7/1/2021	7/1/2022	LIMIT: \$ 1,000,000 SIR: \$ 1,000,000
DESCRIPTION OF OPERATIONS / EVENTS / LOCATIONS/ VEHICLES (additional remarks schedule may be attached if more space is needed): Re: St. Helena High School Homencoming Parade down Main Street The City of St. Helena, its Officials, Agents, Officers, Employees and Volunteers are named as additional covered member under the general liability and auto liability per the attached endorsements only with regard to this event. Auto Liability applies to St. Helena Unified School District Vehicles only. Primary Wording included.				
CERTIFICATE HOLDER:		CANCELLATION OF COVERAGE:		
City of St. Helena Attn: Public Works 1480 Main Street St. Helena, CA 94574		If any of the coverages described herein be cancelled before their expiration dates, notice will be delivered in accordance with policy provisions.  AUTHORIZED REPRESENTATIVE:		

CERTIFICATE OF COVERAGE - MOC (05/2020)

21MOELC

POLICY NUMBER:

**THIS ENDORSEMENT CHANGES THE MEMORANDUM OF COVERAGE.
PLEASE READ IT CAREFULLY.**

DESIGNATED COVERED MEMBER - AUTOMOBILE

This endorsement modifies coverage provided under the following:

AUTOMOBILE LIABILITY COVERAGE

With respect to coverage provided by this endorsement, the provisions of the Memorandum of Coverage apply unless modified by this endorsement.

This endorsement identifies person(s) or organization(s) who are "covered members" under the definition of a covered member. This endorsement does not alter coverage provided in the Memorandum of Coverage.

This endorsement changes the policy effective on the inception date of the policy unless another date is indicated below.

Named Covered Member:

SCHEDULE

Name of Person(s) or Organization(s):

Re: St. Helena High School Homecoming Parade down Main Street The City of St. Helena, its Officials, Agents, Officers, Employees and Volunteers are named as additional covered member under the general liability and auto liability per the attached endorsements only with regard to this event. Auto Liability applies to St. Helena Unified School District Vehicles only. Primary Wording included.

(If no entry appears above, information required to complete this endorsement will be shown in the Declarations as applicable to the endorsement.)

Each person or organization shown in the Schedule is a "covered member" for Liability Coverage, but only to the extent that person or organization qualifies as a "covered member" under the definition of a Covered Member Provision contained in **Section III** of the Memorandum of Coverage.

POLICY NUMBER: 21MOELC

**THIS ENDORSEMENT CHANGES THE MEMORANDUM OF COVERAGE.
PLEASE READ IT CAREFULLY.**

**ADDITIONAL COVERED MEMBER-DESIGNATED
PERSON OR ORGANIZATION**

This endorsement modifies coverage provided under the following:

GENERAL LIABILITY

SCHEDULE

Name of Additional Covered Person(s) or Organization(s)
Re: St. Helena High School Homecoming Parade down Main Street The City of St. Helena, its Officials, Agents, Officers, Employees and Volunteers are named as additional covered member under the general liability and auto liability per the attached endorsements only with regard to this event. Auto Liability applies to St. Helena Unified School District Vehicles only. Primary Wording included.
COVERAGE IS PRIMARY. ANY OTHER COVERAGE MAINTAINED BY THE ADDTL COVERED MEMBER SHALL BE EXCESS ONLY & NOT CONTRIBUTING WITH THIS COVERAGE
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

Section III-- The Definition of a Covered Member is amended to include as an additional covered member the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

- A. In the performance of your ongoing operations, or
- B. In connection with your premises owned by or rented to you.

**CITY OF ST. HELENA
NAPA COUNTY, CALIFORNIA
ENCROACHMENT PERMIT/CONTRACT
APPLICATION FOR CITY STREETS**

PERMIT # _____

**TO: DEPARTMENT OF PUBLIC WORKS
1480 MAIN STREET
ST. HELENA, CA 94574**

PERMITTEE: St. Helena High School; Benjamin L. Scinto, Principal
(Property Owner or Contractor)

ADDRESS: 1401 Grayson Avenue, St. Helena, CA 94574
(Address, City, State & Zip)

PHONE: (707) 967-2748

JOB LOCATON: Pope Street / Mitchell Street to Pine Street (Lyman Park)

I (or we) hereby apply for an encroachment permit to carry out the following work:
St. Helena High School Homecoming Parade 2021

Estimated Start Date Fri 11/05/2021 Estimated Completion Date Fri 11/05/2021

DIAGRAM OF LOCATION OF PROPOSED WORK

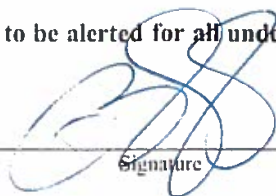
Attach diagram on separate sheet(s) if necessary

Permittee agrees to comply with all ordinances, regulations, specifications and conditions which may apply or be required as a condition of this Permit/Contract. (See insurance requirements and general and special conditions pages).

Permittee shall indemnify, defend and hold harmless The City of St. Helena and its agents, officers, officials employees and volunteers in interest from and against all claims, damages, losses and expenses including attorney fees arising out of or in connection with work performed under this Permit/Contract, except where caused by the sole negligence or willful misconduct of The City of St. Helena. This obligation of Permittee to indemnify, defend and hold harmless shall continue in effect after the completion of the project authorized under this Permit/Contract.

*State Law required U.S.A. to be alerted for all underground work two (2) working days prior to start date

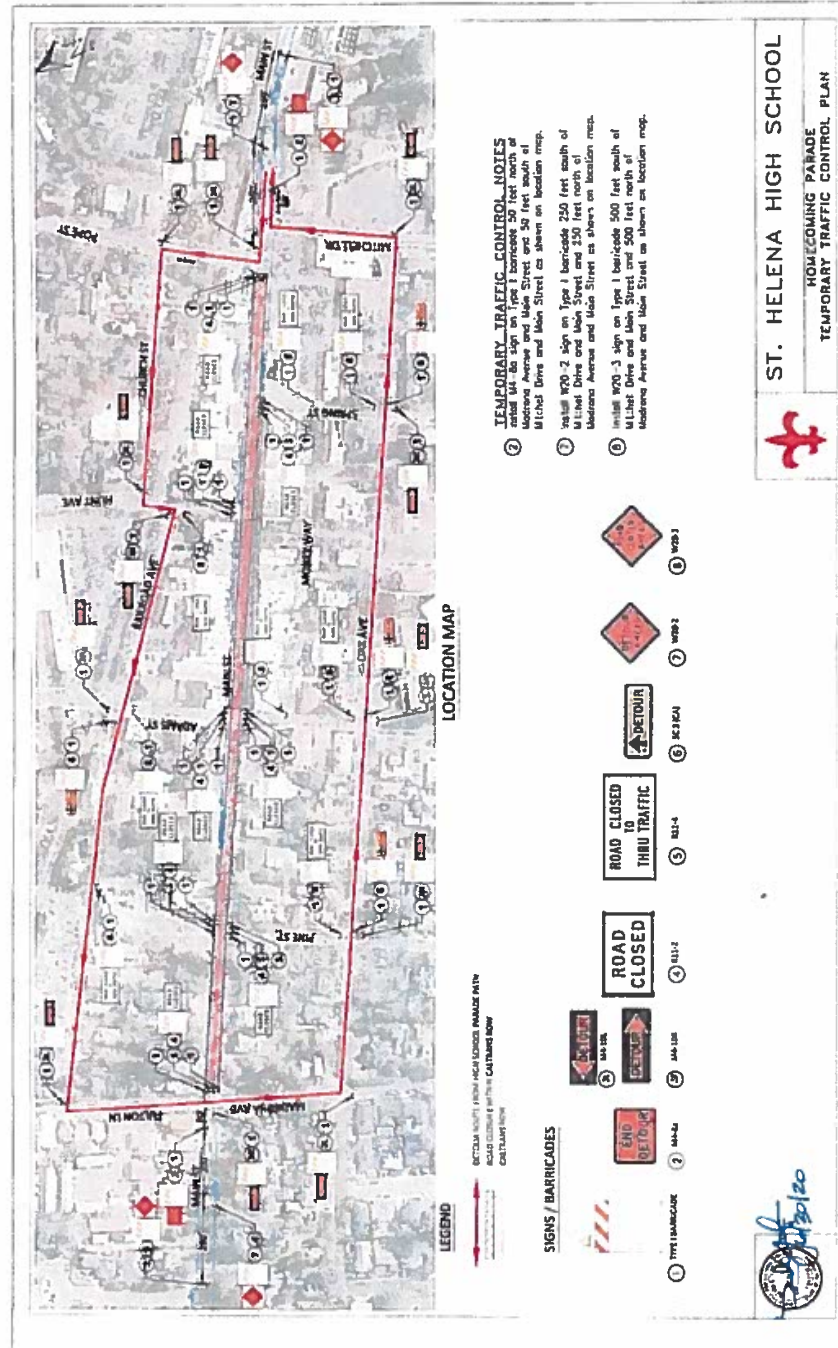
**Authorized
Representative**


Signature

PRINCIPAL
Title

14 JUNE 2021
Date

APPROVED BY: _____
Public Works Staff Date

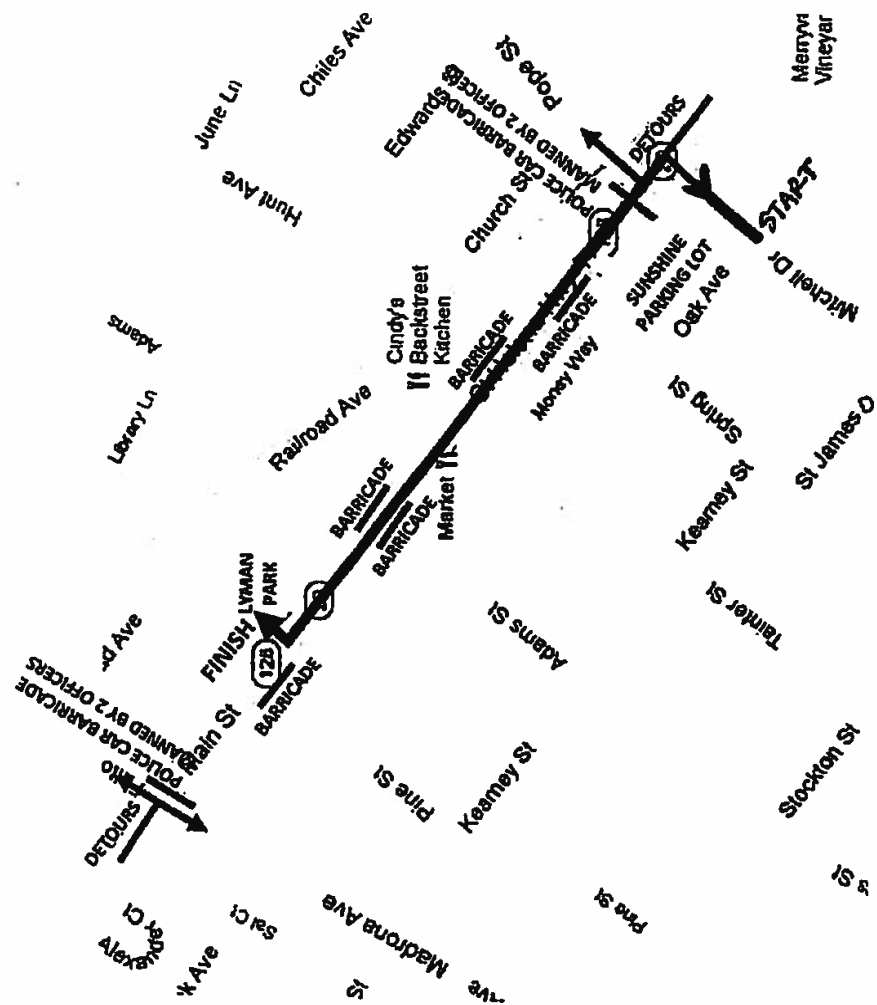


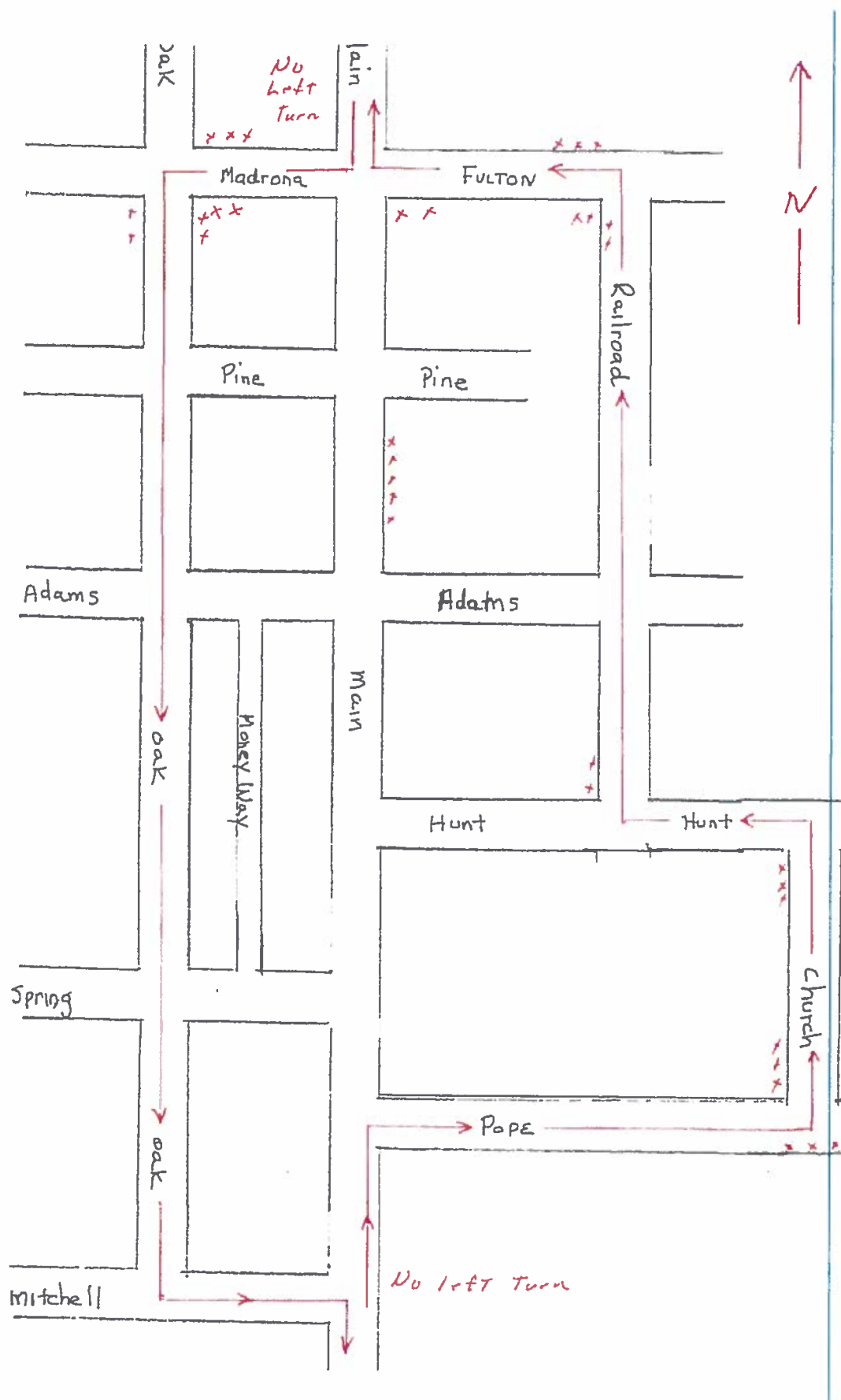
ST. HELENA HIGH SCHOOL: HOMECOMING PARADE

1401 Grayson Avenue

St. Helena, CA 94574

707 967-2740







June 14, 2021

St. Helena City Council
1480 Main Street
St. Helena, California 94574

Dear Council Members:

The student government of St. Helena High School would like to hold our homecoming parade on Main Street on Friday, November 5, 2021, ending with a rally at Lyman Park.

Our first step in applying for permission to hold this parade is a resolution from the St. Helena City Council. This resolution should state the name of the organization, the date and time of the parade, the starting and ending points of the parade, and a statement that our local police department will do any necessary controlling or detouring of traffic on Highway 29.

The resolution requesting permission must be addressed to:

Permit Section, District 04
Cal Trans
P.O. Box 126
Napa, California 94558

The St. Helena High School Student Body would most appreciate if the City Council would pass such a resolution at their next meeting, as further approval must be obtained from the Napa Office of Highway Patrol and the Napa Office of Cal Trans.

Sincerely,

A handwritten signature in black ink, appearing to be "BLS", written over a horizontal line.

Benjamin L. Scinto
Principal

1. Organization: St. Helena High School
2. Date: Friday, November 5, 2021
3. Time: 2:10 pm to 2:30 pm
4. Starting point: Main and Mitchell and Sunshine parking lot
Ending Point: Lyman Park

ST. HELENA HIGH SCHOOL – HOME OF THE SAINTS
*2015 CA Gold Ribbon School, 2015 & 2016 US News & World Report America's Best High School Silver Ranking,
2015 AP Honor Roll Recipient*
1401 GRAYSON AVENUE, ST. HELENA, CA 94574 – (P) 707.967.2740, (F) 707.967.2735



Report to the City Council
Regular City Council - 27 Jul 2021

Agenda Section: CONSENT ITEMS

Subject: Consideration and approval of a Resolution of the City Council of the City of St. Helena setting a Public Hearing for 6:00 p.m., Tuesday, September 14, 2021 to Consider Objections to the Proposed Annexation of Territory, known as 1386 Community Drive, St. Helena, CA. 94574 (APN 009-432-025), into the St. Helena Municipal Sewer District No. 1, MSD Annexation No. 140.

CEQA Determination: Not a CEQA project

Prepared By: Chantel Delay, Administrative Assistant

Reviewed By: Mark Rincon-Ibarra, Public Works Director and City Engineer

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

Albert Warmerdam and Lori Clancy, owners of 1386 Community Drive, St. Helena, CA. 94574, Napa County Assessor Parcel Number (APN) 009-432-025("Property"), applied to be annexed into the St. Helena Municipal Sewer District No. 1 ("District"), MSD Annexation No. 140. A location map and description for the property is shown in Attachment 2. City Council approval of the annexation is the formal administrative process to change the property's tax rate area code from septic to sanitary sewer for tax purposes.

DISCUSSION

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

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

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

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

Accordingly, if the City Council adopts the enclosed resolution (Attachment 1) on July 27th, the 1st publication of the public hearing notice cannot be any sooner than 30 days thereafter and the notice must be published once a week for two successive weeks. Thus, to comply with the publication requirements, the public hearing to consider objections to the proposed annexation is proposed to be set for Tuesday, September 14, 2021, and staff will cause the first notice to be published on August 19th and the second notice on August 26th.

Also, per Section 4610.5, copies of the resolution shall also be posted in three public places within the area to be annexed not earlier than the 60th day or later than the 30th day prior to the hearing. Not earlier than 60 days nor later than 30 days prior to the hearing, a copy of the resolution shall also be mailed, postage prepaid, to each person to whom land in the area to be annexed is assessed as such owner is shown on the last equalized county assessment roll, at the address as shown upon the roll, and to each person who has any interest in any land within the area to be annexed whose name and address and a designation of the land in which they are interested is on file in the office of the City Clerk.

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

of the District and is subject to all the liabilities and entitled to all the benefits of the District (See Section 4648).

If the City Council approves the resolution following the public hearing on September 14, 2021, City staff will then process the annexation with Napa County and the State Board of Equalization to change the tax rate area code for the property. Staff will work with the applicant to obtain required encroachment and building permits.

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

FISCAL IMPACT

There is no fiscal impact associated with this report. The Applicant is responsible to construct the sewer lateral and connect to the house; pay annexation, connection, impact fees, and any applicable Building Department fees.

RECOMMENDED ACTION

It is recommended the City Council adopt a Resolution setting a Public Hearing for 6:00 p.m. on Tuesday, September 14, 2021, to consider objections to the proposed Annexation of Territory, known as 1386 Community Drive, St. Helena, CA. 94574 (APN 009-432-025), into the St Helena Municipal Sewer District No. 1, MSD Annexation No. 140.

ATTACHMENTS

[Attachment 1: Resolution 1386 Community Drive](#)

[Attachment 2: Map and Legal Description](#)

[Attachment 3: Sewer Annexation Application](#)

[Attachment 4: Receipt for Sewer Annexation and Impact Fees](#)

RESOLUTION NO. 2021-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ST. HELENA SETTING A HEARING FOR 6:00 P.M., TUESDAY, SEPTEMBER 14, 2021, TO CONSIDER OBJECTIONS TO THE PROPOSED ANNEXATION OF TERRITORY, KNOWN AS 1386 COMMUNITY DRIVE, ST HELENA, CA. 94574 (APN 009-432-025), INTO THE ST HELENA MUNICIPAL SEWER DISTRICT NO. 1, MSD ANNEXATION NO. 140

RECITALS

- A. The owner of 1386 Community Drive, St Helena, CA (APN 009-432-025-000) ("Property") has requested annexation into the St. Helena Municipal Sewer District No. 1 ("District"); and
- B. The legal description and boundary for the Property to be annexed is described in the attached Exhibit A – Annexation Description; and
- C. The proposed annexation is hereby designated as MSD Annexation No. 140.

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

1. The Property, as legally described and depicted in Exhibit A – Annexation Description, will benefit from the proposed annexation into the District; and
2. A hearing to consider any objections to the proposed annexation of the Property into the District is hereby set for Tuesday, September 14, 2021, commencing virtually using Zoom at 6:00 p.m. or as soon thereafter as the matter can be heard. 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; and
3. The City Clerk shall cause a certified copy of this Resolution, together with the names of the members of the City Council voting for and against it, to be published once a week for at least two successive weeks in a newspaper of general circulation printed and published in the city, and the first publication shall not be more than 60 nor less than 30 days prior to the date fixed for the hearing in accordance with Health and Safety Code Section 4310; and
4. The City Clerk shall cause a certified copy of this Resolution to be posted in three public places within the area to be annexed not earlier than the 60th day or later than the 30th day prior to the hearing in accordance with Health and Safety Code Section 4310.5; and
5. The City Clerk shall cause a certified copy of this Resolution to be mailed, postage prepaid, to each person to whom land in the area to be annexed is assessed as such owner is shown on the last equalized county assessment roll, at the address as

shown upon the roll, and to each person who has any interest in any land within the area to be annexed whose name and address and a designation of the land in which they are interested is on file in the office of the city clerk in accordance with Health and Safety Code Section 4310.5.

Approved at a Regular Meeting of the St. Helena City Council held on Tuesday, July 27, 2021 by the following vote:

Mayor Ellsworth: _____
Vice Mayor Dohring: _____
Councilmember Chouteau: _____
Councilmember Hall: _____
Councilmember Hardy: _____

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor
Clerk

Cindy Tzaopoulos, City

EXHIBIT "A"

Lands of Albert G. Warmerdam & Lori L. Clancy

Real Property situated in the City of St. Helena, County of Napa, State of California, being a portion of Ranch Carne Humana, and being that certain tract of land described in the Grant Deed to Albert G. Warmerdam & Lori L. Clancy in Grant Deed Document number 2015-0016920, recorded on July 1, 2015 in the Office of the Napa County Recorder. For Assessment purposes the Parcel is described as follows: the Commencing at the most Northerly corner of LOT 2 as shown on the map of record in Book 7 RM at Page 4, Napa County Records; thence North 47° 58' 00" East 75.00 feet to the Point of Beginning; thence along the following six (6) courses:

Course ((A)), North 47° 58' East 38.00 Feet, thence
 Course ((B)), South 40° 15' East 90 Feet, thence
 Course ((C)), South 40° 15' East 18.00 Feet, thence
 Course ((D)), South 47° 58' West 38.00 Feet, thence
 Course ((E)), North 47° 58' West 18.00 Feet, thence
 Course ((F)), North 40° 15' East 90.00 Feet, to the aforementioned Point of Beginning.

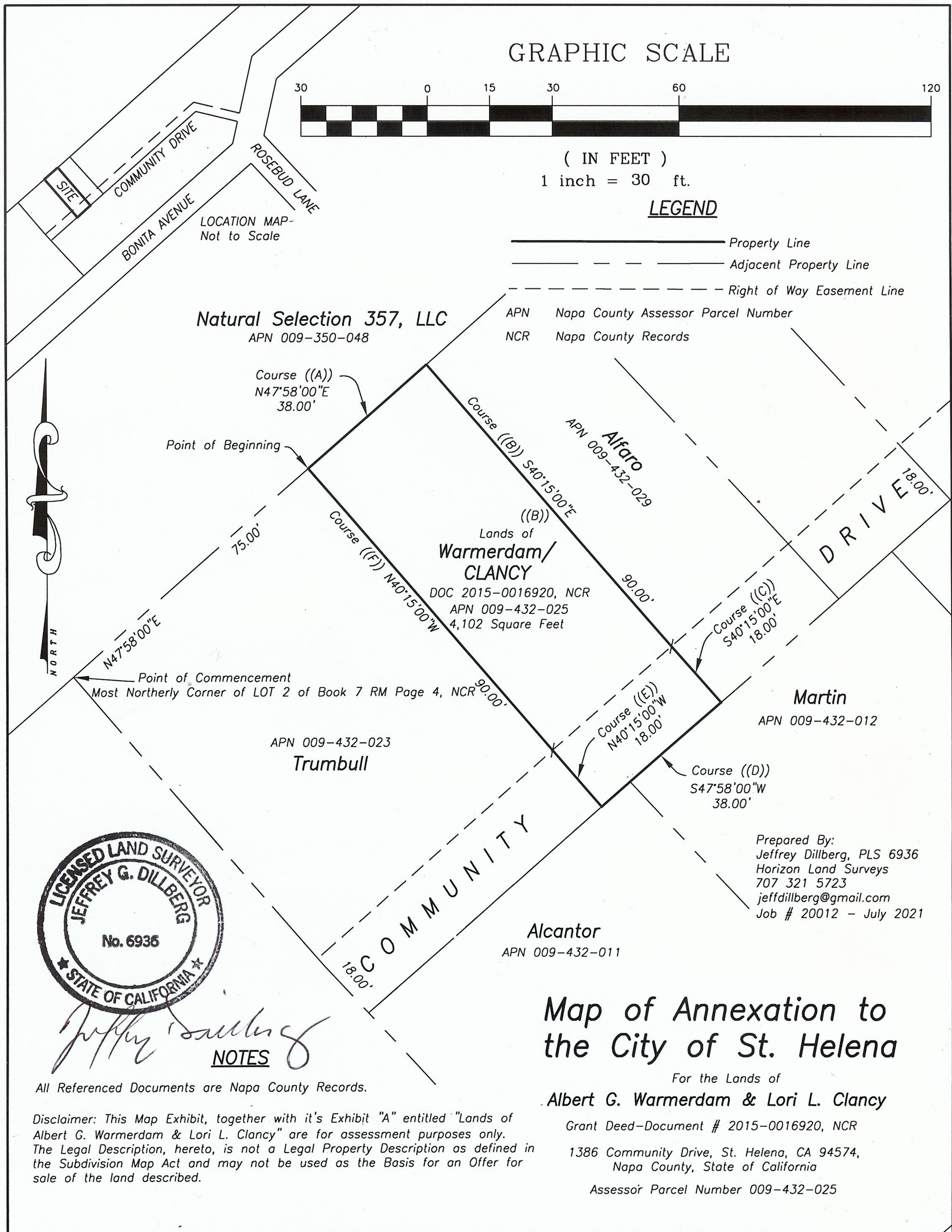
Containing 4,102 Square Feet, more or less.

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



Jeffrey Dillberg, PLS 6936

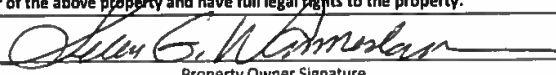
A handwritten signature in cursive script, appearing to read "Jeffrey Dillberg", written over the printed name.





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

Application for Sewer Annexation and/or Connection

APPLICANT INFORMATION			
Applicant(s) Name ALBERT G. WARMERDAM			Phone (510) 504-0172 (PRIMARY)
Applicant(s) Street Address 1138 ORCHARD ROAD	City LAFAYETTE	State CA	Zip 94549
Property Owner Name ALBERT G. WARMERDAM			Phone (510) 504-0042 (ALTERNATE)
PROPERTY INFORMATION			
Property Address seeking sewer annexation 1386 COMMUNITY DRIVE		City ST. HELENA	State CA
		Zip 94574	
Assessor's Parcel No (APN) 009-432-025	Dwelling Square Footage 803	Existing Land Use SINGLE FAMILY RESIDENTIAL	
Subsequent Development Plans, if any, and Timing ANNEXATION INTO THE CITY SEWER			
REQUIRED SIGNATURE			
I hereby certify that this application and all other documents submitted are true and correct to the best of my knowledge and belief. I also certify that I am the owner of the above property and have full legal rights to the property.			
 Property Owner Signature		6/14/21 Date	
*** FOR OFFICE USE ONLY ***			
Application Received By		Date Application Received	
Present Zoning		General Plan Designation	
Application Checklist	Date Completed	Fee Calculation Worksheet	
St. Helena Application for Sewer Annexation		Sewer Connection Application Fee (St. Helena)	\$900
Statement of Boundary Change Application: BOE		Annexation Process (St. Helena)	\$2000
Fees submitted		Connection Fee Inspection (St. Helena)	\$400
Staff Report/Resolution Drafted		Sewer Impact Fee (St. Helena)	
City Council Approved		State Board of Equalization (BOE) Fee	
Legal Description and Map		Napa County Mapping Flat Fee	\$162
Confirm Tax Area Rate		Total Due at Application	
Submission to BOE		Sewer Impact Fee: \$ _____ * X _____ (Habitable SF)	
Submission to Napa County Auditor		(18/19) *PER SF \$.51 SFR \$.77 MFR \$.51 Office \$.69 Industrial \$1.02 Com/Retail \$1.01 Lodging	
Submission to Napa County Assessor's office			
Napa County Tax Rate Area Change Received		Total Collected with Application	
Grading Permits Approved		Pending Amount Due	
Encroachment Permits Approved		Fees to other agencies:	
Finance Notified		State Board of Equalization Fee (Check # _____)	
Date Service Began		Napa County Mapping Flat Fee (Check # _____) \$162.00	

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

Updated 09/2018

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

Date: 06/15/2021 Time: 10:33 AM
Receipt No. 00234059

Account:CR 3,719.12

Sewer Connection Inspect	400.00
Sewer Impact Fees	419.12
Sewer Connection App Fee	900.00
Sewer Annexation Fees	2,000.00

Total	3,719.12
Check 1600	3,719.12
Cash	0.00

Total	3,719.12
Change	0.00

Bal Forward:

Al & Lori Warmerdam/Clancy
Customer #: 015952
4361 Technology Dr. Ste. C

Livermore, CA 94551

Cashier: JenniferW
Station: CITYHALL-VPN-03



Report to the City Council
Regular City Council - 27 Jul 2021

Agenda Section: CONSENT ITEMS

Subject: Consideration and approval of a Resolution of the City Council of the City of St. Helena setting a Public Hearing for 6:00 p.m., Tuesday, September 14, 2021, to Consider Objections to the Proposed Annexation of Territory, known as 1000 Mills Lane, St Helena, CA (APN 009-070-049, 009-070-052, 009-070-053, and 009-070-054), into the St. Helena Municipal Sewer District No. 1, MSD Annexation No. 141.

CEQA Determination: Not a CEQA project

Prepared By: Chantel Delay, Administrative Assistant

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

LMR Destinations LLC, owners of 1000 Mills Lane, St Helena, CA, Napa County Assessor Parcel Number (APN) 009-070-049, 009-070-052, 009-070-053, and 009-070-054 ("Property"), have applied to be annexed into the St. Helena Municipal Sewer District No. 1 ("District"), MSD Annexation No. 141. A location map and description for the property is shown in Attachment 2. City Council approval of the annexation is the formal administrative process to change the property's tax rate area code from septic to sanitary sewer for tax purposes.

On September 14, 2020, and September 17, 2020, the Planning Commission held a noticed public hearing for Resolution PC2020-009, PC2020-010, and PC2020-011, Use Permit, Design Review, Lot Line Adjustment, Lot Merger, Variance, and Water Agreement for the Farmstead at Long Meadow Ranch Project of 1000 Mills Lane.

On October 13, 2020, the City Council held a noticed public hearing for Resolution No. 2020-100, Use Permit, Design Review, Lot Line Adjustment, Lot Merger, Variance, Water

Agreement, and Development Agreement for the Farmstead at Long Meadow Ranch Project (PL20-002) of 1000 Mills Lane conditioning the property owner to annex into the City of St. Helena Municipal Sewer District No. 1. Per the City of St. Helena Municipal Code Sections 13.020.040 and 13.020.070, the property owner is required to annex into the City of St. Helena Municipal Sewer District No. 1, pay all annexation, connection, and impact fees prior to building their project.

DISCUSSION

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

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

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

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

Accordingly, if the City Council adopts the enclosed resolution (Attachment 1) on July 27th, the 1st publication of the hearing notice cannot be any sooner than 30 days thereafter and the notice must be published once a week for two successive weeks. Thus, to comply with the publication requirements, the hearing to consider objections to the proposed annexation is proposed to be set for Tuesday, September 14, 2021, and staff will cause the first notice to be published on August 19th and the second notice on August 26th.

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

equalized county assessment roll, at the address as shown upon the roll, and to each person who has any interest in any land within the area to be annexed whose name and address and a designation of the land in which they are interested is on file in the office of the City Clerk.

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

If the City Council approves the resolution following the hearing on September 14, 2021, City staff will then process the annexation with Napa County and the State Board of Equalization to change the tax rate area code for the property. Staff will work with the applicant to obtain required encroachment and building permits.

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

FISCAL IMPACT

There is no fiscal impact associated with this report. The Applicant is responsible to construct the sewer lateral and connect to the house; pay annexation, connection, impact fees, and any applicable Building Department fees.

RECOMMENDED ACTION

It is recommended the City Council adopt a Resolution setting a Public Hearing for 6:00 p.m. on Tuesday, September 14, 2021, to consider objections to the proposed Annexation of Territory, known as 1000 Mills Lane, St Helena, CA (APN 009-070-049, 009-070-052, 009-070-053, AND 009-070-054), into the St Helena Municipal Sewer District No. 1, MSD Annexation No. 141.

ATTACHMENTS

[Attachment 1: Resolution 1000 Mills Lane \(Farmstead\)](#)

[Attachment 2: Map and Legal Description](#)

[Attachment 3: Sewer Annexation Application](#)

[Attachment 4: Receipt Sewer Annexation and Impact Fees](#)

[Attachment 5: Planning Commission Resolution PC2020-009](#)

[Attachment 6: Planning Commission Resolution PC2020-010](#)

[Attachment 7: Resolution No. 2020-100](#)

RESOLUTION NO. 2021-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ST. HELENA SETTING A HEARING FOR 6:00 P.M., TUESDAY, JULY 27, 2021, TO CONSIDER OBJECTIONS TO THE PROPOSED ANNEXATION OF TERRITORY, KNOWN AS 1000 MILLS LANE, ST HELENA, CA. 94574 (APN 009-070-049, 009-070-052, 009-070-053, AND 009-070-054) INTO THE ST HELENA MUNICIPAL SEWER DISTRICT NO. 1, MSD ANNEXATION NO. 141

RECITALS

- A. The owner of 1000 Mills Lane, St Helena, CA (APN 009-070-049, 009-070-052, 009-070-053, AND 009-070-054) ("Property") has requested annexation into the St. Helena Municipal Sewer District No. 1 ("District"); and
- B. The legal description and boundary for the Property to be annexed is described in the attached Exhibit A – Annexation Description; and
- C. The proposed annexation is hereby designated as MSD Annexation No. 141.

RESOLUTION

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

- 1. The Property, as legally described and depicted in Exhibit A – Annexation Description, will benefit from the proposed annexation into the District; and
- 2. A hearing to consider any objections to the proposed annexation of the Property into the District is hereby set for Tuesday, July 27, 2021, commencing virtually using Zoom at 6:00 p.m. or as soon thereafter as the matter can be heard. 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; and
- 3. The City Clerk shall cause a certified copy of this Resolution, together with the names of the members of the City Council voting for and against it, to be published once a week for at least two successive weeks in a newspaper of general circulation printed and published in the city, and the first publication shall

not be more than 60 nor less than 30 days prior to the date fixed for the hearing in accordance with Health and Safety Code Section 4310; and

4. The City Clerk shall cause a certified copy of this Resolution to be posted in three public places within the area to be annexed not earlier than the 60th day or later than the 30th day prior to the hearing in accordance with Health and Safety Code Section 4310.5; and
5. The City Clerk shall cause a certified copy of this Resolution to be mailed, postage prepaid, to each person to whom land in the area to be annexed is assessed as such owner is shown on the last equalized county assessment roll, at the address as shown upon the roll, and to each person who has any interest in any land within the area to be annexed whose name and address and a designation of the land in which they are interested is on file in the office of the city clerk in accordance with Health and Safety Code Section 4310.5.

Approved at a Regular Meeting of the St. Helena City Council held on Tuesday, July 27, 2021 by the following vote:

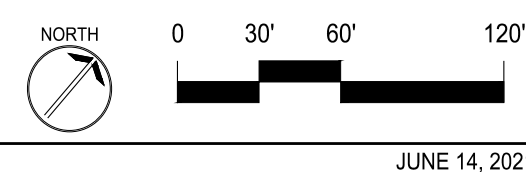
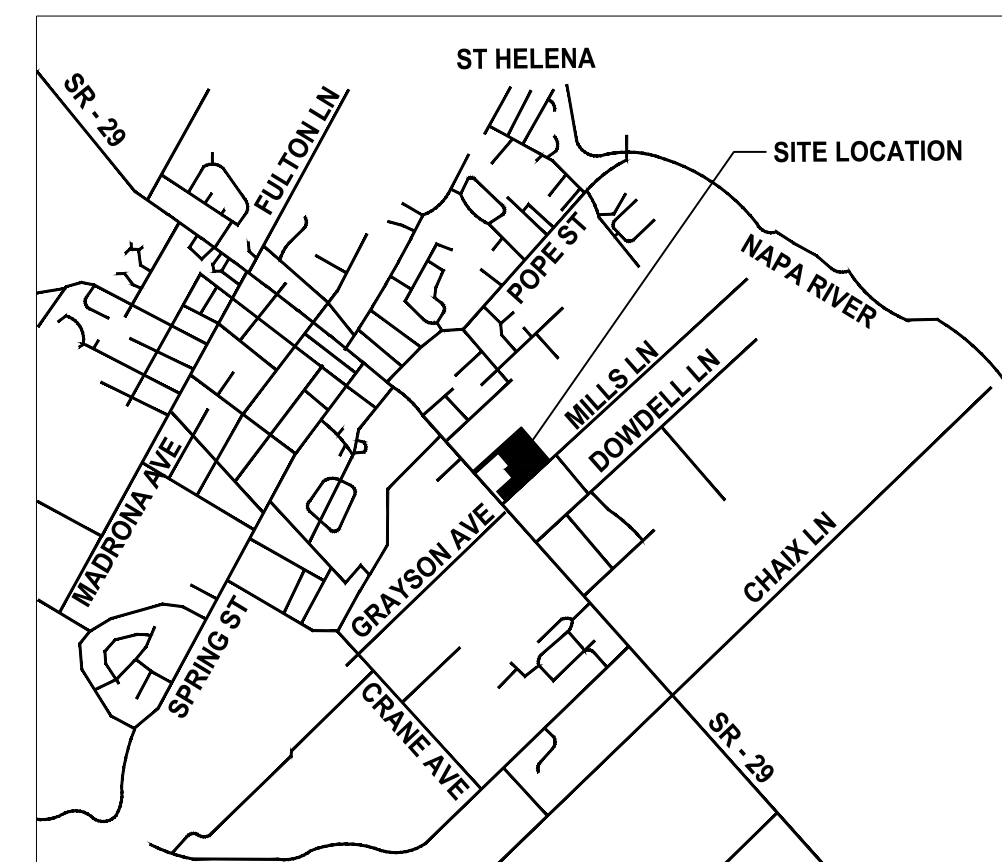
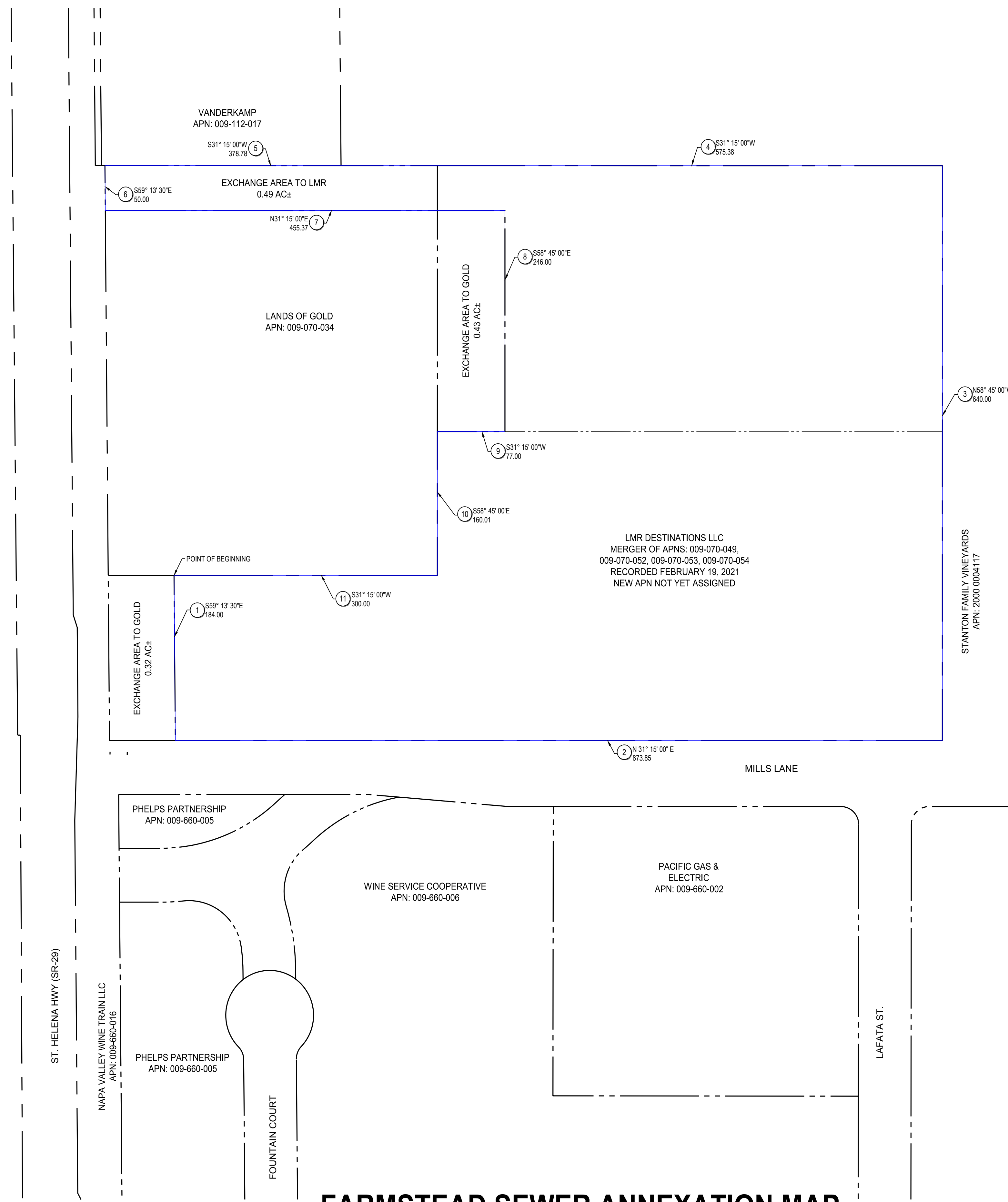
Mayor Ellsworth:	_____
Vice Mayor Dohring:	_____
Councilmember Chouteau:	_____
Councilmember Hall:	_____
Councilmember Hardy:	_____

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzaopoulos, City Clerk



GEOGRAPHIC DESCRIPTION

Annexation to St. of St. Helena Municipal District #1
ANNEXATION NO. XXXX-XX

All that real property situate in the City of St Helena, County of Napa, State of California, being a portion of the lands described in the Grant Deed to David A. Gold and Katherine A. Gold, Trustees of the David A. Gold and Katherine A. Gold Living Trust recorded November 3, 2002 as instrument number 2002-0044827 in the Official Records of Napa County and also being portions of Parcel One, Parcel Two, Parcel Three and Parcel Four as shown on the map entitled, "Parcel Map of the Lands of Carl Doumani" recorded March 18, 2009 and filed in Book 26 of Parcel Maps, at Pages 22 and 23 of Official Records of Napa County, said portions being more particularly described as a whole as follows:

Beginning at a point on the northwest line of Parcel Two as shown on the map entitled, "Parcel Map of the Lands of Carl Doumani" recorded March 18, 2009 and filed in Book 26 of Parcel Maps, at Pages 22 and 23 of Official Records of Napa County, said point being North 31°15'00" East 75.00 feet along said northwest line from the most western corner of said Parcel Two and thence leaving said northwest line and running along a line which runs parallel with, and lies 75.00 feet northerly of the southwest line of said Parcel Two;

Thence, (1) South 59°13'30" East 184.00 feet to the intersection with the southeast line of said Parcel Two;

Thence, (2) North 31°15'00" East 873.85 feet to the most eastern corner of said Parcel One,

Thence, (3) North 58°45'00" West 640.00 feet,

Thence, (4) South 31°15'00" West 575.38 feet to the most western corner thereof, said western corner also being the most northern corner of said lands of Gold,

Thence, (5) South 31°15'00" West 378.78 feet to the most western corner thereof,

Thence, (6) South 59°13'30" East 50.00 feet,

Thence, (7) North 31°15'00" East 455.37 feet,

Thence, (8) South 58°45'00" East 246.00 feet,

Thence, (9) South 31°15'00" West 77.00 feet,

Thence, (10) South 58°45'00" East 160.01 feet,

Thence, (11) South 31°15'00" West 300.00 feet to the **Point of Beginning** and containing **9.70** acres of land more or less.

The Basis of Bearings of this description is the map entitled, "Parcel Map of the Lands of Carl Doumani" recorded March 18, 2009 and filed in Book 26 of Parcel Maps, at Pages 22 and 23 of Official Records of Napa County

End of Description



CITY OF ST. HELENA

DEPARTMENT OF PUBLIC WORKS

1572 RAILROAD AVENUE
ST. HELENA, CA .
94574
707-968-2658

Sewer Annexation and/or Connection Application Packet and Instructions

The City of St. Helena Municipal Sewer District No. 1 is considered a “community sanitary sewer” which is a sanitary sewer system owned and operated by the City of St. Helena. The municipal sewer district is not defined by a geographical boundary or city limit line it is simply those properties that are connected to the public system and are considered users of the system. A property located within the city limits does not necessarily imply that the property has been annexed to the sewer district. A Tax Rate Area (TRA) on the Assessor’s Tax Roll will indicate if the property is in or out of the district. A TRA 3002 indicates the property is located within the sewer district, a TRA 3000 indicates it is not part of the sewer district.

Any project, property or person wishing to connect the municipal sewer district and become a user of the system is required to be annexed into the district if the property generating the wastewater is not already a part of the district as indicated by TRA 3000.

Procedures for Annexation into the Municipal Sewer District No. 1 are as follows:

1. To process the application process **ALL** of the following items must be completed and submitted to the St. Helena Public Works Director:
 - Application
 - St. Helena Application Fee, Process Fee and Connection Fee
 - Board of Equalization (BOE): Statement of Boundary Change Form
 - Board of Equalization Fee

For more information of the BOE requirements please visit:
<https://www.boe.ca.gov/proptaxes/pdf/jurboundaryreq.pdf> and
<https://www.boe.ca.gov/proptaxes/pdf/400ta.pdf>

 - Napa County Mapping Flat Fee
2. Upon receipt of the application forms and appropriate fees, staff will review packet and determine if the proposed application meets the annexation requirements, and notify the applicant of determination.
3. Complete application meeting all annexation requirements will then be submitted for City Council review.
 - If the annexation is **denied** by City Council, applicant shall be refunded the State Board of Equalization Fee and the Napa County Mapping Fee.
 - If the annexation is **approved** by City Council, the applicant shall submit a written geographic description of the project area and map (both hard copy and digital format) depicting the projected area prepared by a Licensed Land Surveyor per BOE guidelines.
4. Upon receipt of the required geographic description of the project area and map, staff will prepare and submit the required information and fees to the State Board of Equalization and Napa County.

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5. Prior to user physically connecting to the City's sewer system:

- Staff shall confirm with the applicant that the annexation proceedings are complete and all fees have been paid
- Prior to backfill of the trench at the connection point both Building and Public Works Staff will inspect applicable work and connections before final approval is given to applicant

FY 2020/2021	
City Sewer Annexation Fees (Resolution 2012-21)	
Sewer Connection Application Fee	\$900
Annexation Process	\$2,000
Connection Fee Inspection	\$400
City Sewer Impact Fees (per habitable square foot) Municipal Code § 3.32.080	
Single Family Residential	\$.45
Multi-family Residential	\$.66
Office	\$.44
Industrial	\$.59
Commercial/Retail	\$.88
Lodging	\$.87
$\$(\text{type of building}) \times (\text{Habitable SF}) = \text{Sewer Impact Fee}$	
State Board of Equalization (BOE) Fee (Acreage Per Single Annexation)	
Less than 1 acre	\$300
1.00 – 5.99 (most St. Helena properties)	\$350
6.00 – 10.99	\$500
11.00 – 20.99	\$800
21.00 – 50.99	\$1,200
51.00 – 100.99	\$1,500
Greater than 101 acres	Refer to BOE
Napa County Mapping Flat Fee	\$162
TOTAL TO BE PAID WITH APPLICATION SUBMITTAL	\$

See "Sewer Annexation Fee Breakout" in folder 09

Additional Costs	
Construction cost of sewer line from curb to home	Home owner pays independently
Cost to abandon the existing septic system	Home owner pays independently
Geographic description/map by licensed surveyor	Home owner pays independently
Monthly Sewer Service	Home owner pays independently

If you have additional questions please contact the Public Works Department at 707-968-2658.

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

Application for Sewer Annexation and/or Connection

APPLICANT INFORMATION			
Applicant(s) Name LMR Destinations LLC / Sherwood Design Engineers (Mike Hastings)			Phone (415) 677-7300
Applicant(s) Street Address PO Box 477	City Rutherford	State CA	Zip 94573
Property Owner Name LMR Destinations LLC / Ted Hall			Phone
PROPERTY INFORMATION			
Property Address seeking sewer annexation 1000 Mills Lane		City St. Helena	State CA
Assessor's Parcel No (APN) 009-070-049, -052, -053, -054	Dwelling Square Footage Commercial Resort (See Building Permit Documents)	Existing Land Use Pasture	
Subsequent Development Plans, if any, and Timing Commercial Resort to begin construction in the fall of 2021, with target completion date of February, 2023.			
REQUIRED SIGNATURE			
I hereby certify that this application and all other documents submitted are true and correct to the best of my knowledge and belief. I also certify that I am the owner of the above property and have full legal rights to the property.			
Designed by: <u>Ted W. Hall</u>		6/15/2021	
Property Owner Signature		Date	
*** FOR OFFICE USE ONLY ***			
Application Received By		Date Application Received	
Present Zoning		General Plan Designation	
Application Checklist	Date Completed	Fee Calculation Worksheet	
St. Helena Application for Sewer Annexation		Sewer Connection Application Fee (St. Helena)	\$900
Statement of Boundary Change Application: BOE		Annexation Process (St. Helena)	\$2000
Fees submitted		Connection Fee Inspection (St. Helena)	\$400
Staff Report/Resolution Drafted		Sewer Impact Fee (St. Helena)	
City Council Approved		State Board of Equalization (BOE) Fee	
Legal Description and Map		Napa County Mapping Flat Fee	\$162
Confirm Tax Area Rate		Total Due at Application	
Submission to BOE		Sewer Impact Fee: \$ _____ * X _____ (Habitable SF)	
Submission to Napa County Auditor		(18/19) *PER SF \$.51 SFR \$.77 MFR \$.51 Office \$.69 Industrial \$1.02 Com/Retail \$1.01 Lodging	
Submission to Napa County Assessor's office			
Napa County Tax Rate Area Change Received		Total Collected with Application	
Grading Permits Approved		Pending Amount Due	
Encroachment Permits Approved		Fees to other agencies:	
Finance Notified		State Board of Equalization Fee (Check # _____)	
Date Service Began		Napa County Mapping Flat Fee (Check # _____) \$162.00	

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

Updated 09/2018

□

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

Date: 06/17/2021 Time: 10:14 AM
Receipt No. 00234217

Account:CR 3,300.00

Sewer Connecti		
on Inspect - M		
ills Lane	400.00	
Sewer Connecti		
on App Fee - M		
ills Lane	900.00	
Sewer Annexati		
on Fees - Mill		
s Lane	2,000.00	

Total		3,300.00
Check	1186	3,300.00
Cash		0.00

Total		3,300.00
Change		0.00

Bal Forward:

LMR Destinations LLC
Customer #: 018489
PO Box 477

Rutherford, CA 94573

Cashier: JenniferW
Station: CITYHALL-VPN-03

CITY OF ST. HELENA PLANNING COMMISSION

RESOLUTION NO. PC2020-009

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ST. HELENA
RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF ST. HELENA ADOPT
A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND
REPORTING PROGRAM, AND RECOMMENDING THAT THE CITY COUNCIL ADOPT
A RESOLUTION APPROVING DESIGN REVIEW AND A USE PERMIT AMENDMENT
FOR THE FARMSTEAD AT LONG MEADOW RANCH PROJECT AT 738 MAIN
STREET IN THE CITY OF ST. HELENA, CALIFORNIA**

PROPERTY OWNER: Dixie & Martin Vanderkamp

APN: 009-112-017

Recitals

1. On May 23, 2017, LMR Main Street Partners LLC submitted applications for a Use Permit Amendment and Design Review approval to memorialize all uses currently occurring on-site and to make several small additions to existing buildings at 738 Main Street in the Service Commercial district as described below:
 - A 160-seat restaurant; and
 - A wine tasting room, retail sales and offices in the historic Logan-Ives house; and
 - A covered open-air produce market; and
 - A café serving breakfast items and coffee (open from 7 a.m. to 12 p.m. with 40 outdoor seats); and
 - Various business and private social events occurring throughout the year. Events would occur between 9 am and 10 pm. Events up to 75 persons would occur daily while events of 76 to 200 persons are limited to four (4) per week. Outdoor live and recorded amplified music is included with these events; and
 - Local community events up to 6 times per year with up to 300 attendees;
 - Fitness classes including yoga and Pilates beginning at 9 a.m. (offered 2-3 times per week with up to 12 attendees); and
 - Film screenings. Films are screened four times per year, with four showings each day. Twenty to 40 attendees at each screening; and
 - A 408 sf addition to the farmer's market building for the addition of a butcher shop; and
 - A 355 sf expansion of dry storage space off the restaurant kitchen; and
 - A 510 sf expansion of storage space on the back side of the south wing events building on the southeast corner; and
 - A sound barrier approximately 4 ft. in height to an existing air-conditioning unit on the restaurant building; a sound attenuator to the exhaust outlet on the primary air conditioning unit on the restaurant building; and a sound barrier to the kitchen exhaust fan on the events building.
 - Approximately 255 ft of 8 ft fence will be installed on the east side of the property to buffer the adjacent property from noise and light.

2. Pursuant to CEQA Guidelines Sections 15072 and 15073, a Draft Mitigated Negative Declaration and included Initial Study was circulated for public review and comment from May 29, 2020 until June 29, 2020; and
3. The Initial Study/Mitigated Negative Declaration concluded that implementation of the Project could result in a number of potentially significant effects on the environment and identified mitigation measures that would reduce the significant effects to a less-than-significant level; and
4. Whenever a lead agency approves a project requiring the implementation of measures to mitigate or avoid significant effects on the environment, CEQA also requires a lead agency to adopt a Mitigation Monitoring and Reporting Program to ensure compliance with the mitigation measures during project implementation; and
5. A public notice was published in the Napa Valley Register and mailed to residents and occupants within 300 feet of the project site in compliance with state and local law; and
6. The Planning Commission of the City of St. Helena, State of California, considered the project, staff report, and all testimony, written and spoken, at a duly noticed public hearing on September 14, 2020 and September 17, 2020; and
7. Now, therefore let it be found that, the Planning Commission recommends that the City Council of the City of St. Helena adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approve a Use Permit Amendment and Design Review thereby authorizing the modifications described in the staff report and the reviewed plans based on the findings below and subject to the conditions of approval enumerated herein.

Resolution

- A. In reviewing the findings in this Resolution, the Planning Commission relied upon and hereby incorporates by reference all of the documents referenced in this Resolution and the associated staff reports, City files for this matter, correspondence, presentations and other materials.
- B. **CEQA Findings:**
 1. The Planning Commission has independently reviewed and analyzed the Initial Study/Mitigated Negative Declaration and other information in the record and has considered the information contained therein, prior to acting upon or approving the Project; and
 2. The Initial Study/Mitigated Negative Declaration prepared for the Project has been completed in compliance with CEQA and consistent with state and local guidelines implementing CEQA; and
 3. On the basis of the whole record, there is no substantial evidence that the Project as designed, conditioned, and mitigated, will have a significant effect on the environment; and
 4. The Initial Study/Mitigated Negative Declaration represents the independent judgment and analysis of the City as lead agency for the Project; and
 5. Based on the foregoing, the Planning Commission recommends that the City Council approve the Initial Study/Mitigated Negative Declaration and adopt the Mitigation Monitoring and Reporting Program for the Project.

- C. In accordance with the design review criteria identified in SHMC Section 17.164.030, in making their recommendation the Planning Commission finds that the project demonstrates the following:
1. *Consistency and compatibility with applicable elements of the general plan in that the proposed structures are consistent with the intent of applicable General Plan policies pertaining to development in the Service Commercial District.*
 2. *Compatibility of design with the immediate environment of the site in that the project has been designed to be compatible with the surrounding environment.*
 3. *Relationship of the design to the site is found to be consistent in that the project has been designed to be compatible with the site and the surrounding area.*
 4. *That the design is compatible in areas considered by the board as having a unified design or historical character in that the project has been designed to be compatible with the site and the surrounding area.*
 5. *That the design promotes harmonious transition in scale and character in areas between different designated land uses in that the project would not alter the scale or transition between different land uses inasmuch as it is surrounded by commercial and residential structures of a similar style.*
 6. *Compatibility with future construction both on and off the site in that the proposed minor additions will blend in with existing and future construction in the immediate vicinity.*
 7. *That the architectural design of structures and their materials and colors are appropriate to the function of the project in that the project has been professionally designed to suit the site and its surroundings.*
 8. *That the planning and siting of the various functions and buildings on the site create an internal sense of order and provide a desirable environment for occupants, visitors and the general community in that the improvements have been designed to be compatible with the site and its surroundings.*
 9. *That the amount and arrangement of open space and landscaping are appropriate to the design and the function of the structures in that landscaping and open space will enhance the overall appearance of the property and general vicinity.*
 10. *That access to the property and circulation systems are safe and convenient for pedestrians, cyclists and vehicles in that access to the site will remain via Charter Oak Avenue. No changes are proposed that would impact access to the site.*
 11. *That natural features are appropriately preserved and integrated with the project in that the project has been designed to be compatible with the site and its surroundings.*
 12. *That the materials, textures, colors and details of construction are an appropriate expression of its design concept and function and whether they are compatible with the adjacent and neighboring structure and functions in that the proposed siding, colors, and roofing materials are consistent with the site context and compatible with surrounding design.*
 13. *That the landscape design concept for the site, as shown by the relationship of plant masses, open space, scale, plant forms and foliage textures and colors*

create a desirable and functional environment and whether the landscape concept depicts an appropriate unity with the various buildings on the site in that project landscaping and open space will enhance the project site and its surroundings.

14. *That sustainability and climate protection are promoted through the use of green building practices such as appropriate site/architectural design, use of green building materials, energy efficient systems and water efficient landscape materials in that project related construction is required to meet all California Building Codes and City of St. Helena development standards.*

D. In accordance with SHMC Section 17.168.050, the Planning Commission recommends the following use permit findings to support the motion to recommend approval of the use permit amendment:

1. *That the proposed uses would not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community in that proposed uses are related to the existing restaurant, would largely occur indoors within existing buildings, and are subject to review and approval by the Napa County Environmental Health Department.*
2. *That the proposed uses would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties in that the proposed project is subject to City noise regulations and is not anticipated to produce frequent noise audible beyond the property line.*
3. *That the proposed use would not generate traffic noise in excess of the "normally acceptable" range identified in the General Plan as traffic related impacts have been identified in the Mitigated Negative Declaration and been determined to be less than significant.*
4. *That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection in that impacts to these services have been identified in the Mitigated Negative Declaration and been determined to be less than significant.*
5. *That the proposed uses would provide adequate ingress and egress to and from the proposed location in that ingress and egress to the project site would not change as a result of the proposed project.*
6. *That allowing the proposed uses would not conflict with the City's goal of maintaining the economic viability of a local serving economy in that the proposed project would be consistent with General Plan Update 2040 policies.*
7. *That the proposed uses would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located as the proposed project is consistent with the intent of the Service Commercial zoning district.*
8. *That the proposed uses would not be in conflict with the City's General Plan in that the project would support both a local and visitor serving component to the City's economy by providing jobs, tax revenue, and additional amenities.*
9. *That the proposed uses would not be injurious to public health, safety, or welfare in that the proposed uses are related to the existing restaurant, would largely occur*

indoors within existing buildings, and are subject to review and approval by the Napa County Environmental Health Department.

- 10. That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the City or would be in conflict with the General Plan in that this use permit amendment only applies to this property and to these specific uses.*
- 11. That, as demonstrated on a detailed plan submitted by the applicant, adequate off-street parking to accommodate the long term parking needs of employees and business owners and customers is available in that the proposed project has provided required off-street parking.*
- 12. That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed uses in that the project site can adequately be served by existing streets (Highway 29 and Charter Oak Avenue).*

Planning Department Conditions of Approval

- E. The Planning Commission recommends approval of design review and a use permit amendment for the above-described project with the following conditions of approval. The conditions noted below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.
 1. The project shall be in conformance with all city ordinances, rules, regulations and policies in effect at the time of issuance of a building permit.
 2. This approval shall be vested within one (1) year from the date of final action. A building permit application for the use allowed under this approval shall have been submitted within one (1) year from the effective date of this action or the approval shall expire, provided however that the approval may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.130, Extension of Permits and Approvals.
 3. Any request for an extension of this approval shall be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.
 4. The approvals shall not become effective until fourteen (14) calendar days after approval, providing that the action is not appealed by the City Council or any other interested party within that 14-day period.
 5. All required fees, including planning fees, development impact fees, residential in-lieu housing fees, building fees, toilet retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of a building permit. Fees shall be those in effect at the time of the issuance of the building permit.
 6. Pursuant to City Council Resolution 2003-65, the owner and applicant are informed of the following:

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

additional affordable housing. This fee must be paid prior to a certificate of occupancy being issued.

7. Compliance with all permit conditions shall occur in accordance with specific regulations but in all cases no later than prior to occupancy or initiation of use unless another time is set by law or by this approval. Occupancy or final inspection of a project may be withheld if all conditions, including payment of fees for services rendered by the City, are not met.
8. In any action or proceeding to attack, challenge, invalidate, set aside, void or annul the City's approval of applicant's Project, in whole or in part, applicant shall defend, at its own expense and without any cost to the City, and with counsel acceptable to the City, and shall fully and completely indemnify and hold the City, its agents, officers, and employees harmless from and against any and all claims, causes of action, damages, costs, attorney's fees and liability of any kind, so long as the City reasonably promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.
9. Provided they are in general compliance with this approval, minor modifications may be approved by the Planning Director.
10. Pursuant to St. Helena Municipal Code Section 17.08.110, this permit shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.
11. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The property owners or their designee shall be responsible for meeting with the Building Official, Fire Inspector and or Public Works Department to review compliance with Building Codes, Fire Codes and specific Public Works Standards including fire protection systems and any applicable accessibility standards of Title 24.
12. All conditions and requirements contained in Resolution #2009-30 remain in effect unless otherwise superseded by this approval.
13. If the property is sold or otherwise conveyed to new owners, the owner or successor in interest is required to notify the Planning Director in writing within 30 days of the change in ownership. The use permit shall then be brought before the Planning Commission for review in order for the City to assess whether operational practices that are different than what is approved in this use permit may occur and whether a use permit amendment is required.
14. Construction shall be in compliance with plans submitted and reviewed by the Planning Commission on September 14, 2020 and September 17, 2020, except as modified herein.
15. With the exception of handicapped employees, all employees shall park in the off-site supplemental lot; employees shall not park on-site or on neighboring streets.
16. Planters and tree wells must be bordered by a six-inch high concrete curb or equivalent barrier approved by the City.
17. A minimum of 20% of the subject property must remain maintained landscaping and shall be kept in a weed-free condition.

18. If the lease option for the off-site parking lot to be used for employee parking at Dowdell/McCormick is lost or the lease is otherwise terminated or expires, the applicant shall provide evidence that a parking lot with a similar number of parking spaces has been secured (and is approximately the same distance from the project site or applicant provides appropriate transportation from parking to project site).
19. During construction, the areas under construction on project site shall be adequately fenced and secured to prevent trespassing.
20. Exterior lighting shall be directed or shielded to prevent glare onto the public roadway or adjacent properties.
21. To reduce disturbance of residents in the project vicinity, construction activities which generate noise that can be heard at the property line of any parcel of real property within the City limits shall be limited to 8:00 a.m. to 5:00 p.m. Monday through Saturday. Delivery of materials/equipment and cleaning and servicing of machines/equipment shall be limited to 7:00 a.m. to 6:00 p.m. Exceptions to these time restrictions may be granted by the Public Works Director for one of the following reasons: (1) inclement weather affecting work, (2) emergency work, or (3) other work, if work and equipment will not create noise that may be unreasonably offensive to neighbors as to constitute a nuisance. The City Engineer must be notified and give approval in advance of such work. No construction activities shall occur on Sundays or federal or local holidays that generate noise that can be heard at the property line of any parcel of real property within the City limits.
22. Any seating used for the café is considered part of the 160 seat maximum not in addition to it. Café hours of operation are limited to 7:00 am to 12 pm.
23. The Farmers Market hours of operation shall be limited to daily from 10 am to 6 pm.
24. The events on the site may not exceed:
 - a. Daily events up to 75 persons;
 - b. Four (4) events per week, up to 200 persons with amplified outdoor live and recorded music;
 - c. Six (6) community events per year with up to 300 guests; and
 - d. Four (4) film screenings per year with 4 showings per day with a maximum of 40 attendees at each screening.
25. All onsite events shall be limited to the hours of 9 am to 10 pm. Fitness classes shall end by 11 am.
26. There shall be no events or community events scheduled concurrently on dates when film screenings occur. In no case shall multiple events (with persons in excess of 200 for all events totaled together) be concurrently scheduled.
27. All live and amplified music must comply with applicable City noise regulations.
28. The property shall maintain complimentary on or offsite valet parking service or a parking attendant when one or more private parties under 40 persons require parking above available onsite parking (consistent with past and existing parking operations).
29. For events with 40-200 persons, client hosts are required to use buses, vans or shuttles for transporting their guests to and from the site and the buses, vans and shuttles are required to park offsite after drop off.

30. An annual compliance review shall evaluate applicant's operations to determine compliance with all conditions of approval. City Planning and Building Director shall direct such review annually for five (5) years after approval. Any compliance issues shall be resolved either through applicant's voluntary action or, if necessary, City enforcement action consistent with St. Helena Municipal Code.
31. All noise attenuating features approved as part of the project must be installed within 120 days of building permit approval of such features.

Public Works Department Conditions of Approval

32. Approval of this project shall be subject to the requirements of, and all improvements shall be designed and constructed in accordance with, the most current version at the time of improvement plan submittal, Caltrans Standards and Specifications, the City of St. Helena Municipal Code, the St. Helena Water and Sewer Standards, the St. Helena Street, Storm Drain and Sidewalk Standards, and all current federal, state and county codes governing such improvements.
33. Prior to the issuance of a building permit, for any improvements outside the existing building envelope, a grading and drainage plan showing topographic data, all easements, infrastructure onsite and directly adjoining, and an erosion control plan shall be submitted for review and approval by the City Engineer.. If the project entails more than 50 cubic yards of soil disturbance, 10,000 square feet of disturbance area, a cut or fill of 3 feet or more, or alteration of any drainage pattern, a grading permit shall be required.
34. Improvement plans shall incorporate all grading, drainage, and utilities shown on the approved Use Permit package, those improvements agreed to in public hearings, the requirements of these conditions of approval, and those improvements required by any codes in effect at the time of plan submittal.
35. Drainage needs to be routed to prevent inundation of neighboring properties. Grading and/or site improvement plans shall show how 2-year and 10-year storm flows shall be infiltrated on site and/or diverted at the property lines to prevent inundation of neighboring properties.
36. Erosion and sediment control plans shall conform to the latest State and City codes at a minimum
37. Site plans submitted for the building permit review shall identify the location of any trees within the project area. Additionally, all existing vegetation including location, species, and sizes shall be identified and indicate what vegetation is to be protected or removed. If proposed/new landscaping involves an area greater than 500 square feet or rehabilitation of more than 2,500 square feet, the proposed landscaping shall comply with the State's Model Water Efficient Landscape Ordinance (MWELO). MWELO compliance shall be demonstrated as part of the building permit submittal.

38. Prior to issuance of a Certificate of Occupancy, any new and modified existing water laterals, meters and backflow prevention devices shall be required and constructed in accordance with the current requirements of the City of St. Helena's Water Standards and the California Department of Health Standards. Existing meter boxes located within a driveway shall be retrofitted with a traffic-rated box. New laterals shall be located perpendicular to the water main and outside any driveway/drive aisle.
39. Prior to issuance of a Certificate of Occupancy, remodels or new construction which require fire sprinklers shall install an appropriately-sized water service with appropriate backflow and meter devices. Fire system calculations shall be submitted with the Building Permits to verify fire service lateral and meter sizing. Deferred submittals are not accepted.
40. Proposed separations between public water facilities and other utilities shall meet the minimum separations as specified by the Department of Health and the City of St. Helena Public Works Standards.
41. No construction may commence until adequate access to fire water supply is available to building sites as approved by the Fire Chief.
42. Wastewater discharged is subject to all of the requirements and limitations set forth in Chapter 13.24, Wastewater Discharge, of the St. Helena Municipal Code.
43. The developer's existing onsite force main system shall provide protection from accidental discharge of prohibited materials or other wastes regulated as defined in Chapter 13.24, Wastewater Discharge, of St. Helena Municipal Code. Such facilities shall be provided and maintained at the Owner's expense.
 - a. Owner shall continuously maintain records of all daily flows for a rolling three year period. Said records shall be made available to the City for review upon request.
 - b. The City shall have the right to inspect all parts of the onsite force main system at anytime during normal business hours. Failure to take immediate corrective actions on any deficiencies found may result in enforcement actions as provided under the St. Helena Municipal Code or other applicable law.[Reserved]

44. Prior to the issuance of a Certificate of Occupancy, the Developer is required to install a wastewater flow meter measuring the total volume of wastewater leaving the project site, into the City's sewage collection infrastructure, and after installation, have the wastewater flow meter calibrated yearly. Annual wastewater flow meter calibration records are to be maintained by the project ownership and made available to City staff upon request. The style, design, manufacturer, and location of this meter must be of a form found to be acceptable by the City. The costs associated with the installation and calibration of this meter are required to be fully borne by the Developers, and the results of the flow measurement are to be utilized to determine the amount of the wastewater bills for the uses on site.
45. Prior to the issuance of a certificate of occupancy, trash areas, dumpsters and recycling containers shall be enclosed and roofed per State and County standards to prevent water run-on to the trash area and water runoff from the area, to contain litter and trash so that it is not dispersed by the wind or run-off during waste removal. In the event that wine or food is disposed in these areas, the enclosed trash area shall drain to the sanitary sewer system. An area drain connected to the sanitary sewer shall be installed in the enclosure area and a structural control such as an oil/water separator or sand filter shall be included. No other area shall drain into the trash enclosure. A sign shall be posted prohibiting the dumping of hazardous materials into the sanitary sewer.
46. Where applicable, the applicant shall be required to submit to the requirements for annual inspections of food/beverage service establishments and businesses that handle hazardous wastes for illicit stormwater discharges as required by the State National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges. The annual stormwater illicit discharge inspections are performed and invoiced by Napa County Department of Environmental Management.
47. Provide details of all proposed fencing, walls, and gates on all plans submitted for building permit review.
48. Prior to issuance of a Certificate of Occupancy, the Developer shall repair all public improvements that are damaged by the construction process in accordance with the City Water/Sewer/Street/Storm Drain/Sidewalk Standards.
49. Existing streets being cut by new utility services will require edge grinding and an A.C. overlay per City standards, extent to be determined by the Public Works Department.
50. Prior to issuance of a grading or building permit, the Developer shall be required to obtain a City encroachment permit for improvements on public right-of-way authorizing site work or construction activities on the site.
51. The Developer shall be required to obtain a Caltrans encroachment permit for improvements on and immediately adjacent to Highway 29 as necessary to complete any required offsite improvements.

52. The Developer shall be required to obtain permits necessary to complete work on the railroad right-of-way as necessary in conjunction with any required offsite improvements.

Building Department Conditions of Approval

53. A building permit is required for all onsite demolition, construction and/or change of occupancy.
54. The applicant will be required to comply with the codes adopted at the time the applicant applies for a building permit. At this time the City of St. Helena utilizes the 2019 Title 24 codes.
55. When submitting plans for a building permit, the plans shall include all documentation listed on the building permit application checklist.
56. The applicant shall provide a construction waste management plan with the building permit application.
57. The plans for construction shall include a checklist for compliance with the California Green Buildings Standards Code, mandatory measures. Provide a reference on the checklist indicating where the mandatory measures can be found on the plans.
58. When submitting plans, the title page shall include all information referenced on the building permit application checklist Title Page requirements.
59. Building Permit application materials and plans shall include any documentation pertaining to special loads applicable to the design and the specified section of the code that addresses the condition; special inspections for any systems or components requiring special inspection; requirements for seismic resistance; and a complete list of deferred submittals at time of application. Any deferral of the required submittal items shall have prior approval of the Building Official however deferral of fire sprinkler design is not allowed.
60. Properties which are on septic systems and proposing substantial renovations may require approval from the Napa County Environmental Health Department. Applicants are encouraged to engage with the County early in the building permit review process to reduce the potential for delay.

Fire Department Conditions of Approval

61. Plans submitted for building permit shall exhibit compliance with the current St. Helena Fire Code, as adopted and codified in St. Helena Municipal Code Chapter 15.36.
62. Fire sprinklers and fire hydrants shall be installed as required by Fire Code and the Fire Department.
63. One hour minimum fire resistant construction on all exterior walls within 10' of property boundary is required. Fire resistant construction of interior walls shall be determined by type of occupancy.
64. Any gates installed to control vehicular access to a property are required to be setback 30-feet from the property line and/or edge of pavement, whichever is greater. No vehicle gates may be installed without Fire Department and Public Works Department review and explicit approval.

I HEREBY CERTIFY that the City of St. Helena Planning Commission recommends that the City of St. Helena City Council approve the foregoing design review and use permit amendment applications at a regular meeting of said Planning Commission held on September 17, 2020 by the following roll call vote:

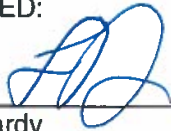
AYES: Commissioners Ponte, Hale, Anderson and Hardy

NOES: Commissioner Monnette

ABSENT: None

ABSTAIN: None

APPROVED:



Lester Hardy
Chair, Planning Commission

ATTEST:



Maya DeRosa, AICP
Planning and Building Director

CITY OF ST. HELENA PLANNING COMMISSION

RESOLUTION NO. PC2020-010

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ST. HELENA
RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF ST. HELENA ADOPT
A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND
REPORTING PROGRAM, AND RECOMMENDING THAT THE CITY COUNCIL ADOPT
A RESOLUTION APPROVING DESIGN REVIEW, A USE PERMIT, A LOT LINE
ADJUSTMENT, A LOT MERGER, A VARIANCE, AND A WATER AGREEMENT FOR
THE FARMSTEAD AT LONG MEADOW RANCH PROJECT AT 1000 MILLS LANE IN
THE CITY OF ST. HELENA, CALIFORNIA**

PROPERTY OWNER: LMR Property Acquisition Partners LLC **APN:** 009-070-49,52,53,54

Recitals

1. LMR Main Street Partners LLC has submitted applications to the City of St. Helena for a Use Permit, Design Review, Lot Line Adjustment, Lot Merger, Variance, Water Agreement and Development Agreement approval in order to construct an new 65 room hotel and associated facilities at 1000 Mills Lane in the Service Commercial and Twenty-acre Agriculture districts as described below:
 - A 9,882 sf multi-purpose building; and
 - A 3,452 sf utility and service building; and
 - A 3,114 sf spa building; and
 - A 2,652 sf pool and fitness building; and
 - Two outdoor pools, including one children's pool; and
 - Two (2) 1,000 sf agricultural barns.
2. Pursuant to CEQA Guidelines Sections 15072 and 15073, a Draft Mitigated Negative Declaration and included Initial Study was circulated for public review and comment from May 29, 2020 until June 29, 2020; and
3. The Initial Study/Mitigated Negative Declaration concluded that implementation of the Project could result in a number of potentially significant effects on the environment and identified mitigation measures that would reduce the significant effects to a less-than-significant level; and
4. Whenever a lead agency approves a project requiring the implementation of measures to mitigate or avoid significant effects on the environment, CEQA also requires a lead agency to adopt a Mitigation Monitoring and Reporting Program to ensure compliance with the mitigation measures during project implementation; and
5. A public notice was published in the Napa Valley Register and mailed to residents and occupants within 300 feet of the project site in compliance with state and local law; and
6. The Planning Commission of the City of St. Helena, State of California, considered the project, staff report, and all testimony, written and spoken, at a duly noticed public hearing on September 14, 2020 and September 17, 2020; and

7. Now, therefore let it be found that, the Planning Commission recommends that the City Council of the City of St. Helena adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approve a Use Permit, Design Review, Lot Line Adjustment, Lot Merger, Variance, and Water Agreement approving a Development Agreement thereby authorizing the modifications described in the staff report and the reviewed plans based on the findings below and subject to the conditions of approval enumerated herein.

Resolution

- A. In reviewing the findings in this Resolution, the Planning Commission relied upon and hereby incorporates by reference all of the documents referenced in this Resolution and the associated staff reports, City files for this matter, correspondence, presentations and other materials.
- B. CEQA Findings:
 1. The Planning Commission has independently reviewed and analyzed the Initial Study/Mitigated Negative Declaration and other information in the record and has considered the information contained therein, prior to acting upon or approving the Project; and
 2. The Initial Study/Mitigated Negative Declaration prepared for the Project has been completed in compliance with CEQA and consistent with state and local guidelines implementing CEQA; and
 3. On the basis of the whole record, there is no substantial evidence that the Project as designed, conditioned, and mitigated, will have a significant effect on the environment; and
 4. The Initial Study/Mitigated Negative Declaration represents the independent judgment and analysis of the City as lead agency for the Project.
 5. Based on the foregoing, the Planning Commission recommends that the City Council approve the Initial Study/Mitigated Negative Declaration and adopt the Mitigation Monitoring and Reporting Program for the Project.
- C. In accordance with the design review criteria identified in SHMC Section 17.164.030, in making their recommendation the Planning Commission finds that the project demonstrates the following:
 1. *Consistency and compatibility with applicable elements of the general plan in that the proposed structures are consistent with the intent of applicable General Plan policies pertaining to development in the Service Commercial and Agricultural Districts.*
 2. *Compatibility of design with the immediate environment of the site in that the project has been designed to be compatible with the surrounding environment.*
 3. *Relationship of the design to the site is found to be consistent in that the project has been designed to be compatible with the site and the surrounding area.*
 4. *That the design is compatible in areas considered by the board as having a unified design or historical character in that the project has been designed to be compatible with the site and the surrounding area.*

5. *That the design promotes harmonious transition in scale and character in areas between different designated land uses in that the project is of a similar scale and character to other development in the immediate area.*
 6. *Compatibility with future construction both on and off the site in that the proposed project will blend in with existing and future construction in the immediate vicinity.*
 7. *That the architectural design of structures and their materials and colors are appropriate to the function of the project in that the project has been professionally designed to suit the site and its surroundings.*
 8. *That the planning and siting of the various functions and buildings on the site create an internal sense of order and provide a desirable environment for occupants, visitors and the general community in that the improvements have been designed to be compatible with the site and its surroundings.*
 9. *That the amount and arrangement of open space and landscaping are appropriate to the design and the function of the structures in that landscaping and open space will enhance the overall appearance of the property and the immediate vicinity.*
 10. *That access to the property and circulation systems are safe and convenient for pedestrians, cyclists and vehicles in that access to the site will be provided via a realigned Mills Lane. Additional pedestrian connectivity will be provided by new sidewalks on LaFata Street and a pedestrian path connecting the property to 738 Main Street.*
 11. *That natural features are appropriately preserved and integrated with the project in that the project has been designed to be compatible with the site and its surroundings.*
 12. *That the materials, textures, colors and details of construction are an appropriate expression of its design concept and function and whether they are compatible with the adjacent and neighboring structure and functions in that the proposed siding, colors, and roofing materials are consistent with the site context and compatible with surrounding design.*
 13. *That the landscape design concept for the site, as shown by the relationship of plant masses, open space, scale, plant forms and foliage textures and colors create a desirable and functional environment and whether the landscape concept depicts an appropriate unity with the various buildings on the site in that project landscaping and open space will enhance the project site and its surroundings.*
 14. *That sustainability and climate protection are promoted through the use of green building practices such as appropriate site/architectural design, use of green building materials, energy efficient systems and water efficient landscape materials in that project related construction is required to meet all California Building Codes and City of St. Helena development standards.*
- D. In accordance with SHMC Section 17.168.050, the Planning Commission recommends the following use permit findings to support the motion to recommend approval of the use permit:
1. *That the proposed uses would not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community*

in that proposed uses are related to a new hotel and would largely occur indoors within new buildings.

- 2. That the proposed uses would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties in that the proposed project is subject to City noise regulations and is not anticipated to produce frequent noise audible beyond the property line.*
- 3. That the proposed use would not generate traffic noise in excess of the "normally acceptable" range identified in the General Plan as traffic related impacts have been identified in the Mitigated Negative Declaration and been determined to be less than significant.*
- 4. That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection in that impacts to these services have been identified in the Mitigated Negative Declaration and been determined to be less than significant.*
- 5. That the proposed uses would provide adequate ingress and egress to and from the proposed location in that ingress and egress to the project site would be provided via a realigned Mills Lane.*
- 6. That allowing the proposed uses would not conflict with the City's goal of maintaining the economic viability of a local serving economy in that the proposed project would be consistent with General Plan Update 2040 policies.*
- 7. That the proposed uses would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located as the proposed project is consistent with the intent of the Service Commercial and A-20 zoning districts.*
- 8. That the proposed uses would not be in conflict with the City's General Plan in that the project would support both a local and visitor serving component to the City's economy by providing jobs, tax revenue, and additional amenities.*
- 9. That the proposed uses would not be injurious to public health, safety, or welfare in that the proposed uses consist of a new hotel and ancillary facilities and would largely occur indoors within new buildings.*
- 10. That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the City or would be in conflict with the General Plan in that this use permit only applies to this property and to this specific use.*
- 11. That, as demonstrated on a detailed plan submitted by the applicant, adequate off-street parking to accommodate the long term parking needs of employees and business owners and customers is available in that the proposed project has provided required off-street parking.*
- 12. That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use in that the project site can adequately be served by existing streets and a realigned Mills Lane.*

E. In accordance with SHMC Section 17.172.050, the Planning Commission recommends the following findings to support the motion to recommend approval of the variance:

1. *A hardship peculiar to the property, not created by the owner, exists as this requirement doesn't follow modern operational models and creates operational inefficiencies and therefore constitutes a peculiar hardship that is appropriately addressed and may be resolved through consideration of a Variance.*
2. *Other hotels in the SC district are not burdened by this requirement, therefore, the variance is necessary for the preservation and enjoyment of substantial property rights available to other properties in the same district and vicinity; and that a variance, if granted, would not constitute a special privilege of the recipient not enjoyed by his or her neighbors.*
3. *The authorization of the variance will not be a substantial detriment to adjacent properties and will not materially impair the purpose and intent of this title or the public interest, or adversely affect the general plan.*
4. *Inasmuch as there are not a significant number of similar properties in the vicinity or zoning district, it is not reasonably practicable to formulate a general regulation for such condition or situation. In other words, there are not enough hotels to make it necessary or practical to amend the zoning code to address this peculiar situation.*
5. *An approval of this Variance to allow for a 24/7 365 day/year on-site manager opposed to requiring that a manager physically live on-site will enhance the public health, safety and welfare of the community.*

F. In accordance with the requirements of SHMC Chapter 16.08, the Planning Commission recommends that the City Council approve the lot line adjustment and lot merger as described in the staff report.

Planning Department Conditions of Approval

G. The Planning Commission recommends that the City Council approve a design review, a use permit, a variance, a lot line adjustment, a lot merger, and a water agreement, for the above-described project located at 1000 Mills Lane with the following conditions of approval. The conditions noted below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.

1. The project shall be in conformance with all city ordinances, rules, regulations and policies in effect at the time of issuance of a building permit.
2. This approval shall be vested pursuant to the development agreement, provided however that the approval may be extended under the terms of the development agreement or for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.130, Extension of Permits and Approvals.
3. Any request for an extension of this approval shall be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.
4. All required fees, unless otherwise specified in the development agreement, including planning fees, development impact fees, building fees, and St. Helena Unified School District fees shall be paid prior to issuance of a building permit except as expressly

provided herein. Fees shall be those in effect at the time of the issuance of the building permit.

5. Developer shall make a payment for the purpose of furthering the City's affordable housing goals in accordance with the requirements of Section 5.1.6 entered into by and between Developer and the City for this project. The Development Agreement requires \$1,000,000 to be paid to the City prior to issuance of the building permit, and the remaining \$2,200,000 to be paid at the earlier of (i) Transfer of the Property by Developer, other than a Permitted Transfer ("Transfer" and "Permitted Transfer" are defined in the Development Agreement); (ii) conversion of Developer's construction financing for the Project to permanent financing, or (iii) sixty (60) months after issuance of a final certificate of occupancy for the Project.
6. Compliance with all permit conditions shall occur in accordance with specific regulations but in all cases no later than prior to occupancy or initiation of use unless another time is set by law or by this approval. Occupancy or final inspection of a project may be withheld if all conditions, including payment of fees for services rendered by the City, are not met.
7. In any action or proceeding to attack, challenge, invalidate, set aside, void or annul the City's approval of applicant's Project, in whole or in part, applicant shall defend, at its own expense and without any cost to the City, and with counsel acceptable to the City, and shall fully and completely indemnify and hold the City, its agents, officers, and employees harmless from and against any and all claims, causes of action, damages, costs, attorney's fees and liability of any kind, so long as the City reasonably promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.
8. Provided they are in general compliance with this approval and the development agreement, minor modifications may be approved by the Planning and Building Director.
9. Pursuant to St. Helena Municipal Code Section 17.08.110, this permit shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.
10. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The property owners or their designee shall be responsible for meeting with the Building Official, Fire Inspector and or Public Works Department to review compliance with Building Codes, Fire Codes and specific Public Works Standards including fire protection systems and any applicable accessibility standards of Title 24.
11. Construction shall be in compliance with plans submitted and reviewed by the Planning Commission on September 14, 2020 and September 17, 2020, except as modified herein.
12. If the property is sold or otherwise conveyed to new owners, the owner or successor in interest is required to notify the Planning Director in writing within 30 days of the change in ownership. The use permit shall then be brought before the Planning Commission for review in order for the City to assess whether operational practices that are different than what is approved in this use permit may occur and whether a use permit amendment is required.

13. For attendees who are not lodging guests, 1) the chef's table and demonstration classes shall occur during off-peak hours, 2) the chef's table is limited to 20 persons per event and 3) the demonstration classes are limited to 40 persons per event.
14. The spa, fitness building, pools, and outdoor seating areas are for the use of guests only.
15. Bar and lounge activities shall comply with the City's noise ordinance.
16. All live and amplified music must comply with applicable City noise regulations.
17. With the exception of handicapped employees, all employees shall park in the off-site supplemental lot; employees shall not park on-site or on neighboring streets.
18. All guests and visitors must park on-site or at applicant provided off-site parking.
19. Planters and tree wells must be bordered by a six-inch high concrete curb or equivalent barrier approved by the City.
20. A minimum of 20% of the subject property must remain maintained landscaping and shall be kept in a weed-free condition.
21. If the lease option for the off-site parking lot to be used for employee parking at Dowdell/McCormick is lost or the lease is otherwise terminated or expires, the applicant shall provide evidence that a parking lot with a similar number of parking spaces has been secured (and is approximately the same distance from the project site or applicant provides appropriate transportation from parking to project site).
22. Prior to issuance of a Certificate of Occupancy, the applicant shall designate a Transportation Demand Management (TDM) coordinator to establish programs to ensure VMT by guests and employees are reduced, including, but not limited to, employee car and vanpooling, employer-sponsored transit passes, bicycle-sharing, showers, lockers, secure bike storage, and winery tours for guests with pickup and drop-off at the lodge.
23. Prior to issuance of a Certificate of Occupancy, the developer shall provide verification that an on-call shuttle service is available during all hours as long as there is an off-site employee parking lot.
24. Prior to issuance of a Certificate of Occupancy, the developer shall install a shelter at the off-site Dowdell Lane parking lot.
25. Prior to issuance of a grading permit, the project site shall be adequately fenced and secured to prevent trespassing.
26. Exterior lighting shall be directed or shielded to prevent glare onto the public roadway or adjacent properties.
27. Prior to issuance of a Certificate of Occupancy, the applicant shall provide two (2) courtesy bicycles per guest room.
28. To reduce disturbance of residents in the project vicinity, construction activities which generate noise that can be heard at the property line of any parcel of real property within the City limits shall be limited to 8:00 a.m. to 5:00 p.m. Monday through Saturday. Delivery of materials/equipment and cleaning and servicing of machines/equipment shall be limited to 7:00 a.m. to 6:00 p.m. Exceptions to these time restrictions may be granted by the Public Works Director for one of the following reasons: (1) inclement weather affecting work, (2) emergency work, or (3) other work, if

work and equipment will not create noise that may be unreasonably offensive to neighbors as to constitute a nuisance. The City Engineer must be notified and give approval in advance of such work. No construction activities shall occur on Sundays or federal or local holidays that generate noise that can be heard at the property line of any parcel of real property within the City limits.

Public Works Department Conditions of Approval

29. Approval of this project shall be subject to the requirements of, and all improvements shall be designed and constructed in accordance with, the most current version at the time of improvement plan submittal, Caltrans Standards and Specifications, the City of St. Helena Municipal Code, the St. Helena Water and Sewer Standards, the St. Helena Street, Storm Drain and Sidewalk Standards, and all current federal, state and county codes governing such improvements.
30. For any improvements outside the existing building envelope, a grading and drainage plan showing topographic data, all easements, infrastructure onsite and directly adjoining, and an erosion control plan shall be submitted for review and approval by the City Engineer prior to the issuance of a building permit. If the project entails more than 50 cubic yards of soil disturbance, 10,000 square feet of disturbance area, a cut or fill of 3 feet or more, or alteration of any drainage pattern, a grading permit shall be required.
31. Improvement plans shall incorporate all grading, drainage, and utilities shown on the approved Use Permit package, those improvements agreed to in public hearings, the requirements of these conditions of approval, and those improvements required by any codes in effect at the time of plan submittal.
32. Drainage needs to be routed to prevent inundation of neighboring properties. Grading and/or site improvement plans shall show how 2-year and 10-year storm flows shall be infiltrated on site and/or diverted at the property lines to prevent inundation of neighboring properties. The Developer shall submit a storm drain system design calculations for the project in accordance with City of St. Helena, Napa County and State of California codes in effect at the time of improvement plan submittal. The calculations shall include a hydrology map, hydrology and hydraulic calculations, pipe size calculations, inlet capacity calculations, and other information necessary to support the proposed design.
33. Prior to the issuance of a Certificate of Occupancy, the Developer shall install storm drain Detention system improvements as required to maintain post development 10-year runoff from the pre-development levels. The Developer shall submit storm drain detention system supporting calculations for review and approval prior to improvement plan approval.
34. Prior to the issuance of a Certificate of Occupancy, the Developer shall install detention system inlets sized to pass at minimum the 25-year flows.
35. A grading and drainage plan shall be prepared for the project that includes a design that allows for a 100-year overland release. All graded building pads shall be above the 100-year overland release elevation.
36. The grading plans provided by the Developer for review shall include the existing topography shown with contour lines labeled at one-foot intervals and extending a

minimum of 100-feet beyond the limits of the site, or sufficient distance to indicate impacts on adjacent properties.

37. Erosion and sediment control plans shall conform to the latest State and City codes at a minimum
38. Prior to the issuance of a grading permit or building permit (whichever occurs first), the project property owner shall file a Notice of Intent (NOI) with the State Water Resources Control Board and prepare a Construction Storm Water Pollution Prevention Plan (SWPPP). This is required because the overall project grading involves an area of disturbed surface soil that is greater than or equal to one acre, .
39. The Developer shall execute a City of St. Helena Water Agreement with an annual water use cap of 1,953,928 gallons per year prior to issuance of a Building Permit.
40. Due to the new water demand on the City system in the amount of 1,953,928 gallons per year, the Developer shall implement an alternative innovative method of mitigating water use as allowed under Section 13.12.030(B) of the SHMC, and approved by City Council in the Development Agreement prior to certificate of occupancy. The required offsite improvements to offset water demand as required pursuant to the Development Agreement is as follows: The Developer shall construct and install \$256,549 worth of water infrastructure (i.e., purple pipe) in Mills Lane between Highway 29 easterly to the eastern end of Mills Lane. This purple pipe is intended to connect to a future wastewater treatment facility and deliver recycled water to Crane Park's irrigation infrastructure by November 1, 2022, significantly reducing the City's use of potable water. No certificate of occupancy for the Lodging component may be issued, until either the Developer has demonstrated or City has confirmed that either: (a) the water savings from the irrigation of Crane Park with recycled water from the wastewater treatment facility offsets the Lodging component's anticipated water demand, or (b) the Developer has identified and implemented other measures calculated to save potable water in amounts equal to the Project's anticipated use of City water permanently or until recycled water is delivered to Crane Park. Such improvements shall be constructed and approved by the City Engineer in accordance with the terms of the Development Agreement prior to the issuance of a final certificate of occupancy for the Project. Developer may be eligible for partial reimbursement of the costs of construction of the improvements required under this condition in accordance with the terms of the Development Agreement.
41. The Developer shall adhere to the executed Water Agreement with the City and shall incorporate water conservation practices into the proposed project per the Water Availability Analysis prepared by Sherwood Design Engineers, dated May 2, 2017 and the revision dated September 2, 2020. The water conservation requirements shall be replicated in full on the architectural plans.
42. Prior to issuance of a Certificate of Occupancy, all parcels shall be connected to the City of St. Helena municipal water system and installed per City of St. Helena standards.
43. Prior to issuance of a grading or building permit (whichever occurs first) a detailed Post-Construction Stormwater Control Plan (SWCP) that identifies and sizes all permanent post-construction stormwater treatment BMPs shall be prepared by the applicant's engineer and submitted for review approval. The Plan shall be prepared

in accordance with the latest edition of the *Bay Area Stormwater Management Agencies Association (BASMAA) Post-Construction Manual* and the requirements of the State Water Resources Control Board Phase II Municipal Separate Storm Water System (MS4) General Permit (Order 2013-0001 DWQ).

44. Prior to the issuance of a Certificate of Occupancy, a Post Construction Stormwater Operations and Maintenance Plan that provides a color-coded plan sheet showing all storm drain and water quality infrastructure that is to be maintained, along with detailed instructions and schedules for the ongoing maintenance and operation of all post-construction stormwater BMPs shall be submitted by the applicant's engineer for review and approval by the City Engineer. Once approved, the property owner shall enter into an agreement with the City that provides the terms, conditions, and security associated with the ongoing requirements of the Post Construction Stormwater Best Management Practices.
45. If proposed/new landscaping involves an area greater than 500 square feet or rehabilitation of more than 2,500 square feet, the proposed landscaping shall comply with the State's Model Water Efficient Landscape Ordinance (MWELO). MWELO compliance shall be demonstrated as part of the building permit submittal.
46. Prior to issuance of a grading permit, a detailed Soils Investigation/Geotechnical Report shall be prepared by the developer and submitted for review. The report shall address, at a minimum, potential for liquefaction, R-values, expansive soils and seismic risk. The improvement plans shall incorporate all design and construction criteria recommended in the Geotechnical Report.
47. Prior to issuance of a grading permit, unless otherwise explicitly permitted, all existing abandoned wells, septic tanks/systems and/or underground fuel storage tanks shall be abandoned under permit and inspection of Napa County Department of Environmental Services or other designated agency. If there are none, the Developers project engineer shall provide a letter describing the scope of the search done to make this determination.
48. Per the September 14, 2020 Technical Memo titled "Hydrogeologic Evaluation of Possible Impact of Proposed Irrigation-Supply Pumping on Local Aquifer Systems Proposed Farmstead Lodge Property" by Richard Slade and Associates, the applicant shall adhere to the following:
 - a) Prior to certificate of occupancy, the applicant shall initiate a groundwater monitoring program for the three active onsite wells. This will include frequent, consistent, and accurate monitoring of water levels, frequent monitoring of pumping rates and pumped volumes of groundwater and could also include verifying the accuracy of the existing flow meters in Well #1- PWS and Well #2-IRR. Water level monitoring should continue to utilize pressure transducers set to a depth just above the depth setting of the new pump in Well #1-PWS and Well #2-IRR. A new transducer should be installed and properly calibrated in the Shared well, along with a proper dual reading flow meter that is installed at an appropriate location on the discharge pipe near its wellhead. These transducer installations must include occasional corroboration using a manual water level sounder. The acquired data shall be downloaded and reviewed on a quarterly basis by the applicant and submitted to the City Public Works Department on an annual basis by June 30; and

- b) Prior to certificate of occupancy, the applicant shall have completed one of the following options on the inactive well:
 - i. Shall demolish the inactive well per State and County standards (DWR, Bulletin 74-90); or
 - ii. Leave the inactive well on the parcel as part as a permanent groundwater monitoring well. The acquired data shall be downloaded and reviewed on a quarterly basis by the applicant and submitted to the City Public Works Department on an annual basis by June 30; or
 - iii. Submit the appropriate permit applications to the City and the County to rehabilitate the inactive well in order to utilize it for an emergency back-up supply well. The well will be required to be monitored similarly as the three active wells and submitted to the City Public Works Department on an annual basis by June 30.
- 49. Prior to the issuance of a grading permit, the site plan shall show the location of any trees within the project area. Provide a tree protection plan for approval by the Public Works Director prior to approval of the building permit. The plan shall be coordinated with any civil grading/drainage/improvement plans.
- 50. The Developer shall keep adjoining public streets free and clean of project dirt, mud, materials, and debris during the construction period, as is found necessary by the City Engineer.
- 51. Prior to the issuance of a Certificate of Occupancy, the Developer shall underground all on-site utility lines per St. Helena Municipal Code. The cost of undergrounding shall be the responsibility of the Developer.
- 52. Due to the economic and engineering infeasibility of undergrounding regional serving overhead power lines, such existing lines may remain on overhead power poles.
- 53. Any new and modified existing water laterals, meters and backflow prevention devices shall be required and constructed in accordance with the current requirements of the City of St. Helena's Water Standards and the California Department of Health Standards. Existing meter boxes located within a driveway shall be retrofitted with a traffic-rated box. New laterals shall be located perpendicular to the water main and outside any driveway/drive aisle.
- 54. Remodels or new construction which require fire sprinklers shall install an appropriately-sized water service with appropriate backflow and meter devices prior to Certificate of Occupancy. Fire system calculations shall be submitted with the Grading and Drainage Plan to verify fire service lateral and meter sizing. Deferred submittals are not accepted.
- 55. Proposed separations between public water facilities and other utilities shall meet the minimum separations as specified by the Department of Health and the City of St. Helena Public Works Standards.
- 56. No construction may commence until adequate access to fire water supply is available to building sites as approved by the Fire Chief.

57. Wastewater discharged is subject to all of the requirements and limitations set forth in Chapter 13.24, Wastewater Discharge, of the St. Helena Municipal Code.
58. Prior to the issuance of the first building permit for 1000 Mills Lane, the Developer shall apply for annexation to the St. Helena Municipal Sewer District No. 1. The application shall be completed in accordance with the City of St. Helena's Sewer Annexation Procedures including all annexation, impact, connection, and sewer fees.
59. Prior to issuance of a building permit, in order to confirm the theoretical assumptions in the Theoretical Sewer Capacity provided by Sherwood Design Engineers dated May 2, 2017, the Developer is required to perform 7-day flow monitoring at the downstream sanitary sewer manholes (No. 1-89 and No. 1-94) to verify that the existing sewer pipe has adequate capacity to accommodate the proposed additional flows. Peak sewer flows will not be allowed to exceed 2/3 full pipe. If the proposed wastewater discharge regimen increases peak flows to greater than 2/3 full pipe at the monitored locations and with the current infrastructure, the owner may be subject to paying a share of the cost of sewer upgrades with a dollar amount proportional to the increase in wastewater flow as a result of the site development.
 - c) Concurrent with the building permit application, the Developer shall apply for and obtain a Wastewater Discharge Permit from the Department of Public Works as specified in St Helena Municipal Code Section 13.24.50. The permit conditions will require:
 - a. Discharge flow rate shall not exceed 5,150 gallons per day.
 - b. The onsite force main system shall provide protection from accidental discharge of prohibited materials or other wastes regulated as defined in Chapter 13.24, Wastewater Discharge, of St. Helena Municipal Code. Such facilities shall be provided and maintained at the Owner's expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the City for review and approval prior to building permit approval.
 - c. Owner shall continuously maintain records of all daily flows for a rolling three year period. Said records shall be made available to the City for review upon request.
 - d. The City shall have the right to inspect all parts of the onsite force main system at anytime during normal business hours. Failure to take immediate corrective actions on any deficiencies found may result in enforcement actions as provided under the St. Helena Municipal Code or other applicable law.
60. Prior to the issuance of a Certificate of Occupancy, the Developer is required to install a wastewater flow meter measuring the total volume of wastewater leaving the project site, into the City's sewage collection infrastructure, and after installation, have the wastewater flow meter calibrated yearly. Annual wastewater flow meter calibration records are to be maintained by the project ownership and made available to City staff upon request. The style, design, manufacturer, and location of

this meter must be of a form found to be acceptable by the City. The costs associated with the installation and calibration of this meter are required to be fully borne by the Developers, and the results of the flow measurement are to be utilized to determine the amount of the wastewater bills for the uses on site. Said meter is required to be installed and functional prior to occupancy of the project.

61. Prior to issuance of a certificate of occupancy, trash areas, dumpsters and recycling containers shall be enclosed and roofed per State and County standards to prevent water run-on to the trash area and water runoff from the area, to contain litter and trash so that it is not dispersed by the wind or run-off during waste removal. In the event that wine or food is disposed in these areas, the enclosed trash area shall drain to the sanitary sewer system. An area drain connected to the sanitary sewer shall be installed in the enclosure area and a structural control such as an oil/water separator or sand filter shall be included. No other area shall drain into the trash enclosure. A sign shall be posted prohibiting the dumping of hazardous materials into the sanitary sewer.
62. Where applicable, the applicant shall be required to submit to the requirements for annual inspections of food/beverage service establishments and businesses that handle hazardous wastes for illicit stormwater discharges as required by the State National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges. The annual stormwater illicit discharge inspections are performed and invoiced by Napa County Department of Environmental Management.
63. Provide details of all proposed fencing, walls, and gates on all plans submitted for building permit review.
64. Prior to Certificate of Occupancy, the Developer shall repair all public improvements that are damaged by the construction process in accordance with the City Water/Sewer/Street/Storm Drain/Sidewalk Standards.
65. Existing streets being cut by new utility services will require edge grinding and an A.C. overlay per City standards, extent to be determined by the Public Works Department.
66. Prior to issuance of building permits, the Developer shall be required to pay a fair share fee contribution in the amount of 28.8% to a "HAWK" pedestrian hybrid flashing beacon for the Highway 29 at Charter Oak Avenue crosswalk identified in the Traffic Study by the Crane Transportation Group dated November 21, 2019 proposed for the SR 29/Charter Oak Avenue.
67. The Developer shall be required to pay a fair share fee contribution in the amount of 23.3% towards the Dowdell Lane and Highway 29 signalization at the time such improvement is constructed by the City.
68. The Developer shall construct those certain storm drain improvements necessary to extend and improve the storm drain along Mills Lane. These storm drain improvements will serve properties on Mills Lane, La Fata Street, Fountain Street, Grayson Avenue, Main Street (to Charter Oak Avenue), and Vidovich Avenue and to construct an outfall for said storm drain into the Napa River. The Storm Drain Improvements shall be designed by City in accordance with the City's long-standing plan for this separate project is contained in City's Storm Drain Master Plan dated September 2000 (see Table 4-1) and the Highway 29 Specific Plan (see pages 37-

39, Exhibit 11). City shall further be responsible for permitting required for the Storm Drain Project, which shall likely include permits from the California Department of Fish and Wildlife, San Francisco Regional Water Quality Control Board, and the United States Army Corp of Engineers. Developer shall commence construction of the Storm Drain Improvements after the City has secured the permits required for the Storm Drain Improvements, provided, however, that the Storm Drain Improvements shall be completed before the Developer receives final certificate of occupancy for the Project. Upon completion of the storm drain improvements described in this condition, Developer shall be eligible for reimbursement of costs in excess of its proportionate share of costs in accordance with the terms of the Development Agreement.

69. Developer shall construct improvements to Mills Lane, which are consistent with City's Highway 29 Specific Plan, prior to or concurrently with the development of the Project and shall complete the Mills Lane Improvements prior to the issuance of the first certificate of occupancy for the Project by the City. Construction shall be completed in accordance with improvements plans as approved by the City Engineer, and before Developer receives a final certificate of occupancy for the Project.
70. The Developer shall construct all on and offsite improvements in accordance with the improvement plans and supporting calculations that are prepared by a registered civil engineer and reviewed by the City of St. Helena Public Works Department. The improvement plans and supporting calculations shall include detailed designs for all utilities, water, grading, drainage, erosion control and paving.
71. Prior to issuance of a grading or building permit, the Developer shall be required to obtain a City encroachment permit for improvements on public right-of-way.
72. The following offsite improvements shall be installed by the Developer, completed prior to the issuance of a Certificate of Occupancy and will be provided on a separate offsite improvement plan set:
 - In accordance with civil site plans prepared by Sherwood Design Engineers, dated May 6, 2019, all required public frontage and street improvements shall be designed and built in accordance with City of St. Helena ordinances, Public Works Department Standard Specifications, and Caltrans requirements.
 - Specific offsite improvements include, in general, pavement widening, realignment of Mills Lane in accordance with the Highway 29 Specific Plan, signal upgrade at Highway 29/Main Street/Grayson Avenue/Mills Lane, signage, striping, street lighting, required accessible pedestrian curb ramps, and a new railroad crossing.
 - The typical half cross section of Mills Lane shall consist of a landscape strip, 10' path, curb and gutter, 8' parking strip, and 12' travel lane.
 - In accordance with civil site plans prepared by Sherwood Design Engineers, dated May 6, 2019, the Developer shall extend the City water main from La Fata to the City's 12" water main on Highway 29 and install adequately spaced fire hydrants per the approval of the City's Fire Chief.

- In accordance with civil site plans prepared by Sherwood Design Engineers, dated May 6, 2019, the Developer shall extend the sewer main on La Fata to the project site.
 - As identified in the 2019 Traffic Study by Crane Transportation Group, the Developer shall extend the sidewalk from La Fata Street to Mills Lane with a crosswalk to the project site. The La Fata Sidewalk improvements shall further be completed in accordance with the terms of the Development Agreement.
 - The improvement plans shall include a Construction Traffic Control Plan.
 - The improvement plans shall include an Erosion and Sediment Control Plan.
 - The improvement plans shall include a Joint Trench Plan (as necessary).
73. The Developer shall be required to obtain a Caltrans encroachment permit for improvements on and immediately adjacent to Highway 29 as necessary to complete the offsite improvements as outlined above.
74. The Developer shall be required to obtain permits necessary to complete work on the railroad right-of-way as necessary in conjunction with the offsite improvements as outlined above.
75. The Developer shall construct all on and offsite improvements which are consistent with City's Highway 29 Specific Plan, prior to or concurrently with the development of the Project and shall complete the Mills Lane Improvements prior to the issuance of the final certificate of occupancy for the Project by the City. Construction shall be completed in accordance with improvements plans as approved by the City Engineer and before the Developer receives a final certificate of occupancy for the Project.
76. Prior to issuance of a certificate of occupancy, the Developer shall pay traffic impact fees based on the Master Fee Schedule, and the fee will assume all square footage calculated at the lodging rate.
77. Prior to issuance of a certificate of occupancy, the Developer shall demonstrate that water to fill the swimming pools came from outside St. Helena.

Building Department Conditions of Approval

78. A building permit is required for all onsite demolition, construction and/or change of occupancy.
79. The applicant will be required to comply with the codes adopted at the time the applicant applies for a building permit. At this time the City of St. Helena utilizes the 2019 Title 24 codes.
80. When submitting plans for a building permit, the plans shall include all documentation listed on the building permit application checklist.
81. The applicant shall provide a construction waste management plan with the building permit application.
82. The plans for construction shall include a checklist for compliance with the California Green Buildings Standards Code, mandatory measures. Provide a reference on the checklist indicating where the mandatory measures can be found on the plans.

83. When submitting plans, the title page shall include all information referenced on the building permit application checklist Title Page requirements.
84. Building Permit application materials and plans shall include any documentation pertaining to special loads applicable to the design and the specified section of the code that addresses the condition; special inspections for any systems or components requiring special inspection; requirements for seismic resistance; and a complete list of deferred submittals at time of application. Any deferral of the required submittal items shall have prior approval of the Building Official however deferral of fire sprinkler design is not allowed.
85. Properties which are on septic systems and proposing substantial renovations may require approval from the Napa County Environmental Health Department. Applicants are encouraged to engage with the County early in the building permit review process to reduce the potential for delay.

Fire Department Conditions of Approval

86. Plans submitted for building permit shall exhibit compliance with the current St. Helena Fire Code, as adopted and codified in St. Helena Municipal Code Chapter 15.36.
87. Fire sprinklers and fire hydrants shall be installed as required by Fire Code and the Fire Department.
88. One hour minimum fire resistant construction on all exterior walls within 10' of property boundary is required. Fire resistant construction of interior walls shall be determined by type of occupancy.
89. Any gates installed to control vehicular access to a property are required to be setback 30-feet from the property line and/or edge of pavement, whichever is greater. No vehicle gates may be installed without Fire Department and Public Works Department review and explicit approval.

I HEREBY CERTIFY that the City of St. Helena Planning Commission recommends that the City of St. Helena City Council approve the foregoing design review, use permit, lot line adjustment, lot merger, variance, water agreement applications and development agreement ordinance at a regular meeting of said Planning Commission held on September 17, 2020 by the following roll call vote:

AYES: Commissioners Ponte, Hale, Anderson and Hardy

NOES: Commissioner Monnette

ABSENT: None

ABSTAIN: None

APPROVED:



Lester Hardy
Chair, Planning Commission

ATTEST:



Maya DeRosa, AICP
Planning and Building Director

CITY OF ST. HELENA

RESOLUTION NO. 2020-100

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ST. HELENA ADOPTING A
MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND
REPORTING PROGRAM, AND ADOPTING A RESOLUTION APPROVING DESIGN
REVIEW, A USE PERMIT, A LOT LINE ADJUSTMENT, A LOT MERGER, A
VARIANCE, AND A WATER AGREEMENT FOR THE FARMSTEAD AT LONG
MEADOW RANCH PROJECT AT 1000 MILLS LANE IN THE CITY OF ST. HELENA,
CALIFORNIA**

PROPERTY OWNER: LMR Destinations LLC

APN: 009-070-49,52,53,54

Recitals

1. LMR Destinations LLC has submitted applications to the City of St. Helena for a Use Permit, Design Review, Lot Line Adjustment, Lot Merger, Variance, Water Agreement and Development Agreement approval in order to construct a new 65 room hotel and associated facilities at 1000 Mills Lane in the Service Commercial and Twenty-acre Agriculture districts as described below:
 - A 9,882 sf multi-purpose building; and
 - A 3,452 sf utility and service building; and
 - A 3,114 sf spa building; and
 - A 2,652 sf pool and fitness building; and
 - Two outdoor pools, including one children's pool; and
 - Two (2) 1,000 sf agricultural barns.
2. Pursuant to CEQA Guidelines Sections 15072 and 15073, a Draft Mitigated Negative Declaration and included Initial Study was circulated for public review and comment from May 29, 2020 until June 29, 2020; and
3. The Initial Study/Mitigated Negative Declaration concluded that implementation of the Project could result in a number of potentially significant effects on the environment and identified mitigation measures that would reduce the significant effects to a less-than-significant level; and
4. Whenever a lead agency approves a project requiring the implementation of measures to mitigate or avoid significant effects on the environment, CEQA also requires a lead agency to adopt a Mitigation Monitoring and Reporting Program to ensure compliance with the mitigation measures during project implementation; and
5. A public notice was published in the Napa Valley Register and mailed to residents and occupants within 300 feet of the project site in compliance with state and local law; and
6. The Planning Commission of the City of St. Helena, State of California, considered the project, staff report, and all testimony, written and spoken, at a duly noticed public hearing on September 14, 2020 and September 17, 2020; and
7. At conclusion of the meeting on September 17, 2020, the Planning Commission recommended that the City Council of the City of St. Helena adopt the Mitigated

Negative Declaration and Mitigation Monitoring and Reporting Program and approve a Use Permit, Design Review, Lot Line Adjustment, Lot Merger, Variance, and Water Agreement approving a Development Agreement thereby authorizing the modifications described in the staff report and the reviewed plans based on the findings below and subject to the conditions of approval enumerated herein.

Resolution

- A. In reviewing the findings in this Resolution, the City Council relied upon and hereby incorporates by reference all of the documents referenced in this Resolution and the associated staff reports, City files for this matter, correspondence, presentations and other materials.
- B. CEQA Findings:
1. The City Council has independently reviewed and analyzed the Initial Study/Mitigated Negative Declaration, public comments, and all other information in the record and has considered the information contained therein, prior to acting upon or approving the Project; and
 2. The Initial Study/Mitigated Negative Declaration prepared for the Project has been completed in compliance with CEQA and consistent with state and local guidelines implementing CEQA; and
 3. On the basis of the whole record, there is no substantial evidence that the Project as designed, conditioned, and mitigated, will have a significant effect on the environment; and
 4. The Initial Study/Mitigated Negative Declaration represents the independent judgment and analysis of the City as lead agency for the Project.
 5. Based on the foregoing, the City Council approves the Initial Study/Mitigated Negative Declaration and adopts the Mitigation Monitoring and Reporting Program for the Project.
 6. The custodian of the documents and other materials that constitute the record of proceedings is Cindy Izatopoulos, City Clerk and may be inspected at 1572 Railroad Avenue, St. Helena, CA 94574.
- C. In accordance with the design review criteria identified in SRMC Section 17.164.030, the City Council finds that the project demonstrates the following:
1. *Consistency and compatibility with applicable elements of the General Plan and Highway 29 Specific Plan in that the proposed structures are consistent with the intent of applicable General Plan and Highway 29 Specific Plan policies pertaining to development in the Service Commercial and Agricultural Districts.*
 2. *Compatibility of design with the immediate environment of the site in that the project has been designed to be compatible with the surrounding environment.*
 3. *Relationship of the design to the site is found to be consistent in that the project has been designed to be compatible with the site and the surrounding area.*

4. That the design is compatible in areas considered by the board as having a unified design or historical character in that the project has been designed to be compatible with the site and the surrounding area.
 5. That the design promotes harmonious transition in scale and character in areas between different designated land uses in that the project is of a similar scale and character to other development in the immediate area.
 6. Compatibility with future construction both on and off the site in that the proposed project will blend in with existing and future construction in the immediate vicinity.
 7. That the architectural design of structures and their materials and colors are appropriate to the function of the project in that the project has been professionally designed to suit the site and its surroundings.
 8. That the planning and siting of the various functions and buildings on the site create an internal sense of order and provide a desirable environment for occupants, visitors and the general community in that the improvements have been designed to be compatible with the site and its surroundings.
 9. That the amount and arrangement of open space and landscaping are appropriate to the design and the function of the structures in that landscaping and open space will enhance the overall appearance of the property and the immediate vicinity.
 10. That access to the property and circulation systems are safe and convenient for pedestrians, cyclists and vehicles in that access to the site will be provided via a realigned Mills Lane. Additional pedestrian connectivity will be provided by new sidewalks on LaFata Street and a pedestrian path connecting the property to 738 Main Street.
 11. That natural features are appropriately preserved and integrated with the project in that the project has been designed to be compatible with the site and its surroundings.
 12. That the materials, textures, colors and details of construction are an appropriate expression of its design concept and function and whether they are compatible with the adjacent and neighboring structure and functions in that the proposed siding, colors, and roofing materials are consistent with the site context and compatible with surrounding design.
 13. That the landscape design concept for the site, as shown by the relationship of plant masses, open space, scale, plant forms and foliage textures and colors create a desirable and functional environment and whether the landscape concept depicts an appropriate unity with the various buildings on the site in that project landscaping and open space will enhance the project site and its surroundings.
 14. That sustainability and climate protection are promoted through the use of green building practices such as appropriate site/architectural design, use of green building materials, energy efficient systems and water efficient landscape materials in that project related construction is required to meet all California Building Codes and City of St. Helena development standards.
- D. In accordance with SHMC Section 17.168.050, the City Council adopts the following use permit findings to support the motion to recommend approval of the use permit:

1. That the proposed uses would not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community in that proposed uses are related to a new hotel and would largely occur indoors within new buildings.
2. That the proposed uses would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties in that the proposed project is subject to City noise regulations and is not anticipated to produce frequent noise audible beyond the property line.
3. That the proposed use would not generate traffic noise in excess of the "normally acceptable" range identified in the General Plan as traffic related impacts have been identified in the Mitigated Negative Declaration and been determined to be less than significant.
4. That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection in that impacts to these services have been identified in the Mitigated Negative Declaration and been determined to be less than significant.
5. That the proposed uses would provide adequate ingress and egress to and from the proposed location in that ingress and egress to the project site would be provided via a realigned Mills Lane.
6. That allowing the proposed uses would not conflict with the City's goal of maintaining the economic viability of a local serving economy in that the proposed project would be consistent with General Plan Update 2040 policies.
7. That the proposed uses would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located as the proposed project is consistent with the intent of the Service Commercial and A-20 zoning districts.
8. That the proposed uses would not be in conflict with the City's General Plan in that the project would support both a local and visitor serving component to the City's economy by providing jobs, tax revenue, and additional amenities.
9. That the proposed uses would not be injurious to public health, safety, or welfare in that the proposed uses consist of a new hotel and ancillary facilities and would largely occur indoors within new buildings.
10. That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the City or would be in conflict with the General Plan in that this use permit only applies to this property and to this specific use.
11. That, as demonstrated on a detailed plan submitted by the applicant, adequate off-street parking to accommodate the long term parking needs of employees and business owners and customers is available in that the proposed project has provided required off-street parking.
12. That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use in that the project site can adequately be served by existing streets and a realigned Mills Lane.

- E. In accordance with SMMC Section 17.172.050, the City Council adopts the following findings to support the motion to recommend approval of the variance:
1. *A hardship peculiar to the property, not created by the owner, exists as this requirement doesn't follow modern operational models and creates operational inefficiencies and therefore constitutes a peculiar hardship that is appropriately addressed and may be resolved through consideration of a Variance.*
 2. *Other hotels in the SC district are not burdened by this requirement, therefore, the variance is necessary for the preservation and enjoyment of substantial property rights available to other properties in the same district and vicinity; and that a variance, if granted, would not constitute a special privilege of the recipient not enjoyed by his or her neighbors.*
 3. *The authorization of the variance will not be a substantial detriment to adjacent properties and will not materially impair the purpose and intent of this title or the public interest, or adversely affect the general plan.*
 4. *Inasmuch as there are not a significant number of similar properties in the vicinity or zoning district, it is not reasonably practicable to formulate a general regulation for such condition or situation. In other words, there are not enough hotels to make it necessary or practical to amend the zoning code to address this peculiar situation.*
 5. *An approval of this Variance to allow for a 24/7 365 day/year on-site manager opposed to requiring that a manager physically live on-site will enhance the public health, safety and welfare of the community.*
- F. In accordance with the requirements of SMMC Chapter 16.08, the City Council approves the lot line adjustment and lot merger as described in the staff report.
- G. If the City Council approves design review, a use permit, a variance, a lot line adjustment, a lot merger, and a water agreement, for the above-described project located at 1000 Mills Lane subject to the following conditions of approval. The conditions noted below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.

Planning Department Conditions of Approval

1. The project shall be in conformance with all city ordinances, rules, regulations and policies in effect at the time of issuance of a building permit.
2. This approval shall be vested pursuant to the development agreement, provided however that the approval may be extended under the terms of the development agreement or for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.130, Extension of Permits and Approvals.
3. Any request for an extension of this approval shall be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.
4. All required fees, unless otherwise specified in the development agreement, including planning fees, development impact fees, building fees, and St. Helena Unified School District fees shall be paid prior to issuance of a building permit except as expressly

provided herein. Fees shall be those in effect at the time of the issuance of the building permit.

5. Developer shall make a payment for the purpose of furthering the City's affordable housing goals in accordance with the requirements of Section 5.1.6 entered into by and between Developer and the City for this project. The Development Agreement requires \$1,000,000 to be paid to the City prior to issuance of the building permit, and the remaining \$2,200,000 to be paid at the earlier of (i) Transfer of the Property by Developer, other than a Permitted Transfer ("Transfer" and "Permitted Transfer" are defined in the Development Agreement); (ii) conversion of Developer's construction financing for the Project to permanent financing, or (iii) sixty (60) months after issuance of a final certificate of occupancy for the Project.
6. Compliance with all permit conditions shall occur in accordance with specific regulations but in all cases no later than prior to occupancy or initiation of use unless another time is set by law or by this approval. Occupancy or final inspection of a project may be withheld if all conditions, including payment of fees for services rendered by the City, are not met.
7. In any action or proceeding to attack, challenge, invalidate, set aside, void or annul the City's approval of applicant's Project, in whole or in part, applicant shall defend, at its own expense and without any cost to the City, and with counsel acceptable to the City, and shall fully and completely indemnify and hold the City, its agents, officers, and employees harmless from and against any and all claims, causes of action, damages, costs, attorney's fees and liability of any kind, so long as the City reasonably promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.
8. Provided they are in general compliance with this approval and the development agreement, minor modifications may be approved by the Planning and Building Director.
9. Pursuant to St. Helena Municipal Code Section 17.08.110, this permit shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.
10. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The property owners or their designee shall be responsible for meeting with the Building Official, Fire Inspector and or Public Works Department to review compliance with Building Codes, Fire Codes and specific Public Works Standards including fire protection systems and any applicable accessibility standards of Title 24.
11. Construction shall be in compliance with plans submitted and reviewed by the Planning Commission on September 14, 2020 and September 17, 2020, and by the City Council on October 13, 2020 except as modified herein.
12. If the property is sold or otherwise conveyed to new owners, the owner or successor in interest is required to notify the Planning Director in writing within 30 days of the change in ownership. The use permit shall then be brought before the Planning Commission for review in order for the City to assess whether operational practices that are different than what is approved in this use permit may occur and whether a use permit amendment is required.

13. For attendees who are not lodging guests, 1) the chef's table and demonstration classes shall occur during off-peak hours, 2) the chef's table is limited to 20 persons per event and 3) the demonstration classes are limited to 40 persons per event.
14. The spa, fitness building, pools, and outdoor seating areas are for the use of guests only.
15. Bar and lounge activities shall comply with the City's noise ordinance.
16. All live and amplified music must comply with applicable City noise regulations.
17. With the exception of handicapped employees, all employees shall park in the off-site supplemental lot; employees shall not park on-site or on neighboring streets.
18. All guests and visitors must park on-site or at applicant provided off-site parking.
19. Planters and tree wells must be bordered by a six-inch high concrete curb or equivalent barrier approved by the City.
20. A minimum of 20% of the subject property must remain maintained landscaping and shall be kept in a weed-free condition.
21. The owner or successor in interest shall notify the City in writing if the lease option for the off-site parking lot to be used for employee parking at Dowdell/McCormick is lost or the lease is otherwise terminated or expires. The owner or successor in interest shall provide evidence that a parking lot with a similar number of parking spaces has been secured (and is approximately the same distance from the project site or applicant provides appropriate transportation from parking to project site).
22. Prior to issuance of a Certificate of Occupancy, the applicant shall designate a Transportation Demand Management (TDM) coordinator to establish programs to ensure VMT by guests and employees are reduced, including, but not limited to, employee car and vanpooling, employer-sponsored transit passes, bicycle-sharing, showers, lockers, secure bike storage, and winery tours for guests with pickup and drop-off at the lodge.
23. Prior to issuance of a Certificate of Occupancy, the developer shall provide verification that an on-call shuttle service is available during all hours as long as there is an off-site employee parking lot.
24. Prior to issuance of a Certificate of Occupancy, the developer shall install a shelter at the off-site Dowdell Cane parking lot.
25. Prior to issuance of a grading permit, the project site shall be adequately fenced and secured to prevent trespassing.
26. Exterior lighting shall be directed or shielded to prevent glare onto the public roadway or adjacent properties.
27. Prior to issuance of a Certificate of Occupancy, the applicant shall provide two (2) courtesy bicycles per guest room.
28. To reduce disturbance of residents in the project vicinity, construction activities which generate noise that can be heard at the property line of any parcel of real property within the City limits shall be limited to 8:00 a.m. to 5:00 p.m. Monday through Saturday. Delivery of materials/equipment and cleaning and servicing of machines/equipment shall be limited to 7:00 a.m. to 6:00 p.m. Exceptions to these time restrictions may be granted by the Public Works Director for one of the following

reasons: (1) inclement weather affecting work, (2) emergency work, or (3) other work, if work and equipment will not create noise that may be unreasonably offensive to neighbors as to constitute a nuisance. The City Engineer must be notified and give approval in advance of such work. No construction activities shall occur on Sundays or federal or local holidays that generate noise that can be heard at the property line of any parcel of real property within the City limits.

Public Works Department Conditions of Approval

29. Approval of this project shall be subject to the requirements of, and all improvements shall be designed and constructed in accordance with, the most current version at the time of improvement plan submittal, Caltrans Standards and Specifications, the City of St. Helena Municipal Code, the St. Helena Water and Sewer Standards, the St. Helena Street, Storm Drain and Sidewalk Standards, and all current federal, state and county codes governing such improvements.
30. For any improvements outside the existing building envelope, a grading and drainage plan showing topographic data, all easements, infrastructure onsite and directly adjoining, and an erosion control plan shall be submitted for review and approval by the City Engineer prior to the issuance of a building permit. If the project entails more than 50 cubic yards of soil disturbance, 10,000 square feet of disturbance area, a cut or fill of 3 feet or more, or alteration of any drainage pattern, a grading permit shall be required.
31. Improvement plans shall incorporate all grading, drainage, and utilities shown on the approved Use Permit package, those improvements agreed to in public hearings, the requirements of these conditions of approval, and those improvements required by any codes in effect at the time of plan submittal.
32. Drainage needs to be routed to prevent inundation of neighboring properties. Grading and/or site improvement plans shall show how 2-year and 10-year storm flows shall be infiltrated on site and/or diverted at the property lines to prevent inundation of neighboring properties. The Developer shall submit a storm drain system design calculations for the project in accordance with City of St. Helena, Napa County and State of California codes in effect at the time of improvement plan submittal. The calculations shall include a hydrology map, hydrology and hydraulic calculations, pipe size calculations, inlet capacity calculations, and other information necessary to support the proposed design.
33. Prior to the issuance of a Certificate of Occupancy, the Developer shall install storm drain Detention system improvements as required to maintain post development 10-year runoff from the pre-development levels. The Developer shall submit storm drain detention system supporting calculations for review and approval prior to improvement plan approval.
34. Prior to the issuance of a Certificate of Occupancy, the Developer shall install detention system inlets sized to pass at minimum the 25-year flows.
35. A grading and drainage plan shall be prepared for the project that includes a design that allows for a 100-year overland release. All graded building pads shall be above the 100-year overland release elevation.

36. The grading plans provided by the Developer for review shall include the existing topography shown with contour lines labeled at one-foot intervals and extending a minimum of 100-feet beyond the limits of the site, or sufficient distance to indicate impacts on adjacent properties.
37. Erosion and sediment control plans shall conform to the latest State and City codes at a minimum
38. Prior to the issuance of a grading permit or Building permit (whichever occurs first), the project property owner shall file a Notice of Intent (NOI) with the State Water Resources Control Board and prepare a Construction Storm Water Pollution Prevention Plan (SWPPP). This is required because the overall project grading involves an area of disturbed surface soil that is greater than or equal to one acre, .
39. The Developer shall execute a City of St. Helena Water Agreement with an annual water use cap of 1,953,928 gallons per year prior to issuance of a Building Permit.
40. Due to the new water demand on the City system in the amount of 1,953,928 gallons per year, the Developer shall implement an alternative innovative method of mitigating water use as allowed under Section 13.12.030(B) of the SHMC, and approved by City Council in the Development Agreement prior to certificate of occupancy. The required offsite improvements to offset water demand as required pursuant to the Development Agreement is as follows: The Developer shall construct and install \$256,549 worth of water infrastructure (i.e., purple pipe) in Mills Lane between Highway 29 easterly to the eastern end of Mills Lane. This purple pipe is intended to connect to a future wastewater treatment facility and deliver recycled water to Crane Park's irrigation infrastructure by November 1, 2022, significantly reducing the City's use of potable water. No certificate of occupancy for the Lodging component may be issued, until either the Developer has demonstrated or City has confirmed that either: (a) the water savings from the irrigation of Crane Park with recycled water from the wastewater treatment facility offsets the Lodging component's anticipated water demand, or (b) the Developer has identified and implemented other measures calculated to save potable water in amounts equal to the Project's anticipated use of City water permanently or until recycled water is delivered to Crane Park. Such improvements shall be constructed and approved by the City Engineer in accordance with the terms of the Development Agreement prior to the issuance of a final certificate of occupancy for the Project. Developer may be eligible for partial reimbursement of the costs of construction of the improvements required under this condition in accordance with the terms of the Development Agreement.
41. The Developer shall adhere to the executed Water Agreement with the City and shall incorporate water conservation practices into the proposed project per the Water Availability Analysis prepared by Sherwood Design Engineers, dated May 2, 2017 and the revision dated September 2, 2020. The water conservation requirements shall be replicated in full on the architectural plans.
42. Prior to issuance of a Certificate of Occupancy, all parcels shall be connected to the City of St. Helena municipal water system and installed per City of St. Helena standards.
43. Prior to issuance of a grading or Building permit (whichever occurs first) a detailed Post-Construction Stormwater Control Plan (SWCP) that identifies and sizes all

permanent post-construction stormwater treatment BMPs shall be prepared by the applicant's engineer and submitted for review approval. The Plan shall be prepared in accordance with the latest edition of the *Bay Area Stormwater Management Agencies Association (BASMAA) Post-Construction Manual* and the requirements of the State Water Resources Control Board Phase II Municipal Separate Storm Water System (MS4) General Permit (Order 2013-0001 DWQ).

44. Prior to the issuance of a Certificate of Occupancy, a Post Construction Stormwater Operations and Maintenance Plan that provides a color-coded plan sheet showing all storm drain and water quality infrastructure that is to be maintained, along with detailed instructions and schedules for the ongoing maintenance and operation of all post-construction stormwater BMPs shall be submitted by the applicant's engineer for review and approval by the City Engineer. Once approved, the property owner shall enter into an agreement with the City that provides the terms, conditions, and security associated with the ongoing requirements of the Post Construction Stormwater Best Management Practices.
45. If proposed/new landscaping involves an area greater than 500 square feet or rehabilitation of more than 2,500 square feet, the proposed landscaping shall comply with the State's Model Water Efficient Landscape Ordinance (MWELO). MWELO compliance shall be demonstrated as part of the building permit submittal.
46. Prior to issuance of a grading permit, a detailed Soils Investigation/Geotechnical Report shall be prepared by the developer and submitted for review. The report shall address, at a minimum, potential for liquefaction, R-values, expansive soils and seismic risk. The improvement plans shall incorporate all design and construction criteria recommended in the Geotechnical Report.
47. Prior to issuance of a grading permit, unless otherwise explicitly permitted, all existing abandoned wells, septic tanks/systems and/or underground fuel storage tanks shall be abandoned under permit and inspection of Napa County Department of Environmental Services or other designated agency. If there are none, the Developers project engineer shall provide a letter describing the scope of the search done to make this determination.
48. Per the September 14, 2020 Technical Memo titled "Hydrogeologic Evaluation of Possible Impact of Proposed Irrigation-Supply Pumping on Local Aquifer Systems Proposed Farmstead Lodge Property" by Richard Slade and Associates, the applicant shall adhere to the following:
 - a) Prior to certificate of occupancy, the applicant shall initiate a groundwater monitoring program for the three active onsite wells. This will include frequent, consistent, and accurate monitoring of water levels, frequent monitoring of pumping rates and pumped volumes of groundwater and could also include verifying the accuracy of the existing flow meters in Well #1- PWS and Well #2-IRR. Water level monitoring should continue to utilize pressure transducers set to a depth just above the depth setting of the new pump in Well #1-PWS and Well #2-IRR. A new transducer should be installed and properly calibrated in the Shared well, along with a proper dual reading flow meter that is installed at an appropriate location on the discharge pipe near its wellhead. These transducer installations must include occasional corroboration using a manual water level sounder. The acquired data shall be

downloaded and reviewed on a quarterly basis by the applicant and submitted to the City Public Works Department on an annual basis by June 30; and

- b) Prior to certificate of occupancy, the applicant shall have completed one of the following options on the inactive well:
 - i. Shall demolish the inactive well per State and County standards (DWR, Bulletin 74-90); or
 - ii. Leave the inactive well on the parcel as part as a permanent groundwater monitoring well. The acquired data shall be downloaded and reviewed on a quarterly basis by the applicant and submitted to the City Public Works Department on an annual basis by June 30; or
 - iii. Submit the appropriate permit applications to the City and the County to rehabilitate the inactive well in order to utilize it for an emergency back-up supply well. The well will be required to be monitored similarly as the three active wells and submitted to the City Public Works Department on an annual basis by June 30.
- 49. Prior to the issuance of a grading permit, the site plan shall show the location of any trees within the project area. Provide a tree protection plan for approval by the Public Works Director prior to approval of the building permit. The plan shall be coordinated with any civil grading/drainage/improvement plans.
- 50. The Developer shall keep adjoining public streets free and clean of project dirt, mud, materials, and debris during the construction period, as is found necessary by the City Engineer.
- 51. Prior to the issuance of a Certificate of Occupancy, the Developer shall underground all on-site utility lines per St. Helena Municipal Code. The cost of undergrounding shall be the responsibility of the Developer.
- 52. Due to the economic and engineering infeasibility of undergrounding regional serving overhead power lines, such existing lines may remain on overhead power poles.
- 53. Any new and modified existing water laterals, meters and backflow prevention devices shall be required and constructed in accordance with the current requirements of the City of St. Helena's Water Standards and the California Department of Health Standards. Existing meter boxes located within a driveway shall be retrofitted with a traffic-rated box. New laterals shall be located perpendicular to the water main and outside any driveway/drive aisle.
- 54. Remodels or new construction which require fire sprinklers shall install an appropriately-sized water service with appropriate backflow and meter devices prior to Certificate of Occupancy. Fire system calculations shall be submitted with the Grading and Drainage Plan to verify fire service lateral and meter sizing. Deferred submittals are not accepted.
- 55. Proposed separations between public water facilities and other utilities shall meet the minimum separations as specified by the Department of Health and the City of St. Helena Public Works Standards.

56. No construction may commence until adequate access to fire water supply is available to building sites as approved by the Fire Chief.
57. Wastewater discharged is subject to all of the requirements and limitations set forth in Chapter 13.24, Wastewater Discharge, of the St. Helena Municipal Code.
58. Prior to the issuance of the first building permit for 1000 Mills Lane, the Developer shall apply for annexation to the St. Helena Municipal Sewer District No. 1. The application shall be completed in accordance with the City of St. Helena's Sewer Annexation Procedures including all annexation, impact, connection, and sewer fees.
59. Prior to issuance of a building permit, in order to confirm the theoretical assumptions in the Theoretical Sewer Capacity provided by Sherwood Design Engineers dated May 2, 2017, the Developer is required to perform 7-day flow monitoring at the downstream sanitary sewer manholes (No. 1-89 and No. 1-94) to verify that the existing sewer pipe has adequate capacity to accommodate the proposed additional flows. Peak sewer flows will not be allowed to exceed 2/3 full pipe. If the proposed wastewater discharge regimen increases peak flows to greater than 2/3 full pipe at the monitored locations and with the current infrastructure, the owner may be subject to paying a share of the cost of sewer upgrades with a dollar amount proportional to the increase in wastewater flow as a result of the site development.
 - c) Concurrent with the building permit application, the Developer shall apply for and obtain a Wastewater Discharge Permit from the Department of Public Works as specified in St Helena Municipal Code Section 13.24.50. The permit conditions will require:
 - a. Discharge flow rate shall not exceed 5,150 gallons per day.
 - b. The onsite force main system shall provide protection from accidental discharge of prohibited materials or other wastes regulated as defined in Chapter 13.24, Wastewater Discharge, of St. Helena Municipal Code. Such facilities shall be provided and maintained at the Owner's expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the City for review and approval prior to building permit approval.
 - c. Owner shall continuously maintain records of all daily flows for a rolling three year period. Said records shall be made available to the City for review upon request.
 - d. The City shall have the right to inspect all parts of the onsite force main system at anytime during normal business hours. Failure to take immediate corrective actions on any deficiencies found may result in enforcement actions as provided under the St. Helena Municipal Code or other applicable law.
60. Prior to the issuance of a Certificate of Occupancy, the Developer is required to install a wastewater flow meter measuring the total volume of wastewater leaving the project site, into the City's sewage collection infrastructure, and after installation,

have the wastewater flow meter calibrated yearly. Annual wastewater flow meter calibration records are to be maintained by the project ownership and made available to City staff upon request. The style, design, manufacturer, and location of this meter must be of a form found to be acceptable by the City. The costs associated with the installation and calibration of this meter are required to be fully borne by the Developers, and the results of the flow measurement are to be utilized to determine the amount of the wastewater bills for the uses on site. Said meter is required to be installed and functional prior to occupancy of the project.

61. Prior to issuance of a certificate of occupancy, trash areas, dumpsters and recycling containers shall be enclosed and roofed per State and County standards to prevent water run-on to the trash area and water runoff from the area, to contain litter and trash so that it is not dispersed by the wind or run-off during waste removal. In the event that wine or food is disposed in these areas, the enclosed trash area shall drain to the sanitary sewer system. An area drain connected to the sanitary sewer shall be installed in the enclosure area and a structural control such as an oil/water separator or sand filter shall be included. No other area shall drain into the trash enclosure. A sign shall be posted prohibiting the dumping of hazardous materials into the sanitary sewer.
62. Where applicable, the applicant shall be required to submit to the requirements for annual inspections of food/beverage service establishments and businesses that handle hazardous wastes for illicit stormwater discharges as required by the State National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges. The annual stormwater illicit discharge inspections are performed and invoiced by Napa County Department of Environmental Management.
63. Provide details of all proposed fencing, walls, and gates on all plans submitted for building permit review.
64. Prior to Certificate of Occupancy, the Developer shall repair all public improvements that are damaged by the construction process in accordance with the City Water/Sewer/Street/Storm Drain/Sidewalk Standards.
65. Existing streets being cut by new utility services will require edge grinding and an A.C. overlay per City standards, extent to be determined by the Public Works Department.
66. The Developer shall be required to pay a fair share fee contribution in the amount of 23.3% towards the Dowdell Lane and Highway 29 signalization at the time such improvement is constructed by the City.
67. The Developer shall construct those certain storm drain improvements necessary to extend and improve the storm drain along Mills Lane. These storm drain improvements will serve properties on Mills Lane, La Fata Street, Fountain Street, Grayson Avenue, Main Street (to Charter Oak Avenue), and Vidovich Avenue and to construct an outfall for said storm drain into the Napa River. The Storm Drain Improvements shall be designed by City in accordance with the City's long-standing plan for this separate project is contained in City's Storm Drain Master Plan dated September 2000 (see Table 4-1) and the Highway 29 Specific Plan (see pages 37-39, Exhibit 11). City shall further be responsible for permitting required for the Storm Drain Project, which shall likely include permits from the California Department of

Fish and Wildlife, San Francisco Regional Water Quality Control Board, and the United States Army Corp of Engineers. Developer shall commence construction of the Storm Drain Improvements after the City has secured the permits required for the Storm Drain Improvements, provided, however, that the Storm Drain Improvements shall be completed before the Developer receives final certificate of occupancy for the Project. Upon completion of the storm drain improvements described in this condition, Developer shall be eligible for reimbursement of costs in excess of its proportionate share of costs in accordance with the terms of the Development Agreement.

68. Developer shall construct improvements to Mills Lane, which are consistent with City's Highway 29 Specific Plan, prior to or concurrently with the development of the Project and shall complete the Mills Lane Improvements prior to the issuance of the first certificate of occupancy for the Project by the City. Construction shall be completed in accordance with improvements plans as approved by the City Engineer, and before Developer receives a final certificate of occupancy for the Project.
69. The Developer shall construct all on and offsite improvements in accordance with the improvement plans and supporting calculations that are prepared by a registered civil engineer and reviewed by the City of St. Helena Public Works Department. The improvement plans and supporting calculations shall include detailed designs for all utilities, water, grading, drainage, erosion control and paving.
70. Prior to issuance of a grading or building permit, the Developer shall be required to obtain a City encroachment permit for improvements on public right-of-way.
71. The following offsite improvements shall be installed by the Developer, completed prior to the issuance of a Certificate of Occupancy and will be provided on a separate offsite improvement plan set:
 - In accordance with civil site plans prepared by Sherwood Design Engineers, dated May 6, 2019, all required public frontage and street improvements shall be designed and built in accordance with City of St. Helena ordinances, Public Works Department Standard Specifications, and Caltrans requirements.
 - Specific offsite improvements include, in general, pavement widening, realignment of Mills Lane in accordance with the Highway 29 Specific Plan, signal upgrade at Highway 29/Main Street/Grayson Avenue/Mills Lane, signage, striping, street lighting, required accessible pedestrian curb ramps, and a new railroad crossing.
 - The typical half cross section of Mills Lane shall consist of a landscape strip, 10' path, curb and gutter, 8' parking strip, and 12' travel lane.
 - In accordance with civil site plans prepared by Sherwood Design Engineers, dated May 6, 2019, the Developer shall extend the City water main from La Fata to the City's 12" water main on Highway 29 and install adequately spaced fire hydrants per the approval of the City's Fire Chief.
 - In accordance with civil site plans prepared by Sherwood Design Engineers, dated May 6, 2019, the Developer shall extend the sewer main on La Fata to the project site.

- As identified in the 2019 Traffic Study by Crane Transportation Group, the Developer shall extend the sidewalk from La Fata Street to Mills Lane with a crosswalk to the project site. The La Fata Sidewalk improvements shall further be completed in accordance with the terms of the Development Agreement.
 - The improvement plans shall include a Construction Traffic Control Plan.
 - The improvement plans shall include an Erosion and Sediment Control Plan.
 - The improvement plans shall include a Joint Trench Plan (as necessary).
72. The Developer shall be required to obtain a Caltrans encroachment permit for improvements on and immediately adjacent to Highway 29 as necessary to complete the offsite improvements as outlined above.
73. The Developer shall be required to obtain permits necessary to complete work on the railroad right-of-way as necessary in conjunction with the offsite improvements as outlined above.
74. The Developer shall construct all on and offsite improvements which are consistent with City's Highway 29 Specific Plan, prior to or concurrently with the development of the Project and shall complete the Mills Lane Improvements prior to the issuance of the final certificate of occupancy for the Project by the City. Construction shall be completed in accordance with improvements plans as approved by the City Engineer and before the Developer receives a final certificate of occupancy for the Project.
75. Prior to issuance of a certificate of occupancy, the Developer shall pay traffic impact fees based on the Master Fee Schedule, and the fee will assume all square footage calculated at the lodging rate.
76. Prior to issuance of a certificate of occupancy, the Developer shall demonstrate that water to fill the swimming pools came from outside St. Helena.

Building Department Conditions of Approval

77. A building permit is required for all onsite demolition, construction and/or change of occupancy.
78. The applicant will be required to comply with the codes adopted at the time the applicant applies for a building permit. At this time the City of St. Helena utilizes the 2019 Title 24 codes.
79. When submitting plans for a building permit, the plans shall include all documentation listed on the building permit application checklist.
80. The applicant shall provide a construction waste management plan with the building permit application.
81. The plans for construction shall include a checklist for compliance with the California Green Buildings Standards Code, mandatory measures. Provide a reference on the checklist indicating where the mandatory measures can be found on the plans.
82. When submitting plans, the title page shall include all information referenced on the building permit application checklist Title Page requirements.

83. Building Permit application materials and plans shall include any documentation pertaining to special loads applicable to the design and the specified section of the code that addresses the condition; special inspections for any systems or components requiring special inspection; requirements for seismic resistance; and a complete list of deferred submittals at time of application. Any deferral of the required submittal items shall have prior approval of the Building Official however deferral of fire sprinkler design is not allowed.
84. Properties which are on septic systems and proposing substantial renovations may require approval from the Napa County Environmental Health Department. Applicants are encouraged to engage with the County early in the building permit review process to reduce the potential for delay.

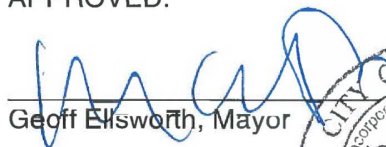
Fire Department Conditions of Approval

85. Plans submitted for building permit shall exhibit compliance with the current St. Helena Fire Code, as adopted and codified in St. Helena Municipal Code Chapter 15.36.
86. Fire sprinklers and fire hydrants shall be installed as required by Fire Code and the Fire Department.
87. One hour minimum fire resistant construction on all exterior walls within 10' of property boundary is required. Fire resistant construction of interior walls shall be determined by type of occupancy.
88. Any gates installed to control vehicular access to a property are required to be setback 30-feet from the property line and/or edge of pavement, whichever is greater. No vehicle gates may be installed without Fire Department and Public Works Department review and explicit approval.

I HEREBY CERTIFY that the City of St. Helena City Council approved the foregoing at a Regular Meeting of the St. Helena City Council on October 13, 2020, by the following vote:

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

APPROVED:


Geoff Ellsworth, Mayor



ATTEST:


Cindy Tzafopoulos, City Clerk



Report to the City Council
Regular City Council - 27 Jul 2021

Agenda Section: CONSENT ITEMS

Subject: Consideration of a resolution approving a penalty forgiveness program related to June and July 2021 water usage penalties

CEQA Determination: Not a CEQA project

Prepared By: Mark T. Prestwich, City Manager

Reviewed By: Mandy Kellogg, Finance Manager

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

The City of St. Helena declared a Phase II water emergency on October 27, 2020 which established limits on residential and non-residential water use. Residential water customers are limited to 65 gallons per person per day, and provided a 2,500 gallon monthly allocation for outdoor irrigation during the months of April through November (for most single family parcels). Non-residential water use limits were updated by Council approval of an Urgency Ordinance on April 21, 2021, resulting in a Phase II allocation for commercial, industrial, and institutional users that is 10% less than that user's average water use during the three preceding non-shortage years by month.

Following several policy discussions, on April 13, 2021 the St. Helena City Council adopted a tiered volumetric water penalty structure (see Table 1 below). The penalty structure took effect on June 1, 2021 and was designed to:

- Minimize penalties for those water bills just exceeding the allocation where accounts could reasonably reduce below the allocation in subsequent billing periods; and
- Maximize penalties for wasteful water use and for those accounts that require financial compulsion to reduce use.

Table 1: Adopted Penalty Structure for a Phase II and Phase III Water Emergency

Bin	Volume Exceeded	\$ per HCF Exceeded	\$ per Gallon Exceeded
1	<25% Over (up to 24.999%)	\$10	\$0.013
2	25-50% Over (25-49.999%)	\$25	\$0.033
3	50-100% Over (50-99.999%)	\$100	\$0.134
4	>100% Over	\$250	\$0.334

Meter reads for the month of June 2021 water usage indicated that approximately 63% of residential and non-residential customers met the required Phase II water conservation measures. Approximately 900 customers (37%) have exceeded their June water allocations, resulting in penalties. However, 77% of customers have either no penalties or penalties below \$100. Additionally, water leaks account for 136 of the 900 customers exceeding water allocations.

Table 2 below summarizes the penalties associated with excess water usage, number of accounts affected, total penalties, and the associated percentage of customer penalties by amount.

Table 2: June 2021 Water Penalties

Penalty Range	# of Accounts*	Total Penalties	%
\$0	1,525	\$0	62.89%
\$0.01 - \$100	337	\$10,921.51	13.90%
\$100.01 - \$500	154	\$40,841.28	6.35%
\$500.01 - \$1,000	80	\$57,741.75	3.30%
\$1,000.01 - \$2,000	77	\$113,622.65	3.18%
\$2,000.01 - \$3,000	46	\$114,756.40	1.90%
\$3,000.01 - \$4,000	28	\$98,998.45	1.15%
\$5,000.01 - \$10,000	72	\$489,783.95	2.97%
\$10,000.01 - \$20,000	42	\$618,721.00	1.73%
\$20,000.01 - \$30,000	13	\$338,767.65	0.54%
\$30,000.01 - \$40,000	5	\$163,949.50	0.21%
\$40,000.01 - \$50,000	1	\$48,844.90	0.04%
\$50,000.01 - \$100,000	4	\$280,043.25	0.16%
\$100,000+	2	\$421,023.10	0.08%
Total	2,425	\$2,972,613.84	

DISCUSSION

On July 13, 2021, the City Council held a Special Meeting to receive a presentation of June 2021 water usage penalties and discuss a recommendation to approve a water

penalty forgiveness program given the scale of penalties (\$2.9 million) and the fact that June 2021 represented the first month penalties were applied to customer bills.

At the meeting the City Council directed staff to implement a Water Ad Hoc Committee (Mayor Ellsworth and Council Member Hardy) and City staff recommendation to allow any customer the opportunity to eliminate 100% of their existing June usage penalties and July usage penalties.

Penalties for June and July 2021 will be forgiven if the customer does not exceed their allocation in August, September, October, and November 2021. The customer must meet this target in all four months for the penalties to be forgiven (the City will issue a refund for any penalties paid for June and July usage) for eligible customers. If a customer does not keep usage below targets in August, September, October and November 2021, then any suspended amount will become payable to the City. Suspended penalties will be applied to customer accounts immediately following the month in which the target was not met (e.g. if a customer does not meet the target reduction in October 2021 then suspended penalties for June and July would be applied with the October meter read penalty).

Table 3: Penalty Forgiveness Program for Assessing and Suspending Penalties

Month	Description	Penalty Charge	Penalty Temporarily Suspended	Example
June 2021*	Customer will be charged a percentage of their assessed penalty for being over their allocation. All penalties can be forgiven if a customer meets conservation targets in August, September, October and November 2021.	25%	75%	If a customer's penalty is \$100, they will only be charged \$25
July 2021*	Customer will be charged a percentage of their assessed penalty for being over their allocation. All penalties can be forgiven if a customer meets conservation targets in August, September, October and November 2021.	50%	50%	If a customer's penalty is \$100, they will only be charged \$50
August 2021	Beginning in August and for all future months, customers	100%	0%	If a customer's penalty is

	will be assessed full penalties			\$100, they will be charged \$100
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FISCAL IMPACT

The fiscal impact for June 2021 is an initial reduction in penalties from \$2.9 million to \$675,819. This does not include any reduction of penalties that may be granted by the Water Advisory Board for those customers who received leak letters for June 2021 usage. However, the total fiscal costs are unknown at this time as future penalties will be based on actual customer use.

RECOMMENDED ACTION

Approve a Resolution (1) suspending 75% of June 2021 water penalties and 50% of July 2021 water penalties with an opportunity for all customers with water penalties to receive a full waiver/reimbursement of any June and July 2021 penalties if their August 2021, September 2021, October 2021, and November 2021 water usage meets applicable conservation requirements in each of the designated months; (2) if a customer does not keep water usage below targets in August, September, October and November 2021, then any suspended amount would become payable to the City; and (3) suspended water penalties will be applied to customer accounts immediately following the month in which the target was not met.

ATTACHMENTS

[Proposed Resolution - Water Penalty Forgiveness Program](#)

CITY OF ST. HELENA
RESOLUTION NO. 2021-XX

**APPROVING A WATER PENALTY FORGIVENESS
PROGRAM RELATED TO JUNE AND JULY 2021 WATER
USAGE PENALTIES**

RECITALS

- A. The St. Helena City Council declared a Phase I water emergency on June 23, 2020; and
- B. The St. Helena City Council declared a Phase II water emergency on October 27, 2020 which established allocation limits on residential and non-residential customers; and
- C. Due to the seasonal nature of water use for commercial, industrial, and institutional water users, the City Council adopted an Urgency Ordinance on April 27, 2021 to update the allocation methodology beginning in June 2021 and the basis upon which date to determine whether the City has sufficient volume of water to meet its needs through the subsequent May 1; and
- D. After a series of public policy discussions, the City Council adopted a tiered volumetric penalty structure at their April 13, 2021 meeting; and
- E. June 2021 water meter reads indicate 63% of the City's 2,425 residential and non-residential customer accounts have met the required Phase II water conservation measures; and
- F. 900 customer accounts have exceeded their water allocations, including 136 due to water leaks, resulting in \$2.9 million in penalties; and
- G. Given that June 2021 is the first time penalties have been imposed and the scale of the penalties, the City Council directed staff at a Special Meeting of July 13, 2021 to implement a Water Penalty Forgiveness Program; and
- H. This Resolution is intended to memorialize elements of the Water Penalty Forgiveness Program.

RESOLUTION

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

1. The City Council establishes a Water Penalty Forgiveness Program suspending 75% of June 2021 water penalties and 50% of July 2021 water penalties with an opportunity for all customers with water penalties to receive a full waiver/reimbursement of any June and July 2021 water penalties if their August 2021, September 2021, October 2021, and November 2021 water usage meets applicable conservation requirements in each of the designated months; and
2. If a customer does not keep water usage below targets in August, September, October and November 2021, then any suspended amount would become payable to the City; and
3. Suspended water penalties will be applied to customer accounts immediately following the month in which the target was not met.

Approved at a Regular Meeting of the St. Helena City Council on July 27, 2021, by the following vote:

Mayor Geoff Ellsworth:

Vice Mayor Paul Dohring:

Council Member Anna Chouteau:

Council Member Lester Hardy:

Council Member Eric Hall:

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzaopoulos, City Clerk



Report to the City Council
Regular City Council - 27 Jul 2021

Agenda Section: PUBLIC HEARINGS

Subject: Request by John Palmer (property owner) for adoption of a resolution granting Tentative Parcel Map approval to accommodate the subdivision of an existing 2.23-acre parcel into two (2) separate legal parcels, located at 1780 Dean York Lane in the Low Density Residential One Acre Minimum (LR-1A) zoning district.

**CEQA Exempt
Determination:**

Prepared By: Chantal Power

Reviewed By: Maya DeRosa, Planning & Building Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

The project site is an existing 2.23-acre property located at 1780 Dean York Lane and is currently developed with one 3,432 square foot single family home, a 490 square foot covered storage structure, and a 96 square foot shed. The site is surrounded by large estate properties developed with single family homes, and some with agricultural activities occurring within their boundaries. The site is accessed from Dean York Lane to the south. The Planning Commission reviewed the project at a regularly scheduled meeting held on June 1, 2021 and had no additional revisions or conditions of approval to add. The Planning Commission unanimously recommended approval of the requested Tentative Parcel Map.

DISCUSSION

PROJECT DESCRIPTION

The applicant is seeking Tentative Parcel Map (TPM) approval to allow a two-lot subdivision of an existing 2.23-acre parcel. "Parcel 1" is proposed to be 1.0 acres in size, and "Parcel 2" will encompass the remaining 1.23 acres. Parcel 1 is proposed to have frontage onto Dean York Lane with no direct access to Parcel 2.

The site is designated Low Density Residential (LDR) in the 2040 General Plan Update and Low Density Residential One Acre Minimum (LR-1A) in the Zoning Code and is located within the City's Urban Limit Line (ULL). Surrounding land uses are primarily low-density residential estate lots, with nearby agricultural areas outside the ULL.

No new development is proposed in connection with the requested tentative parcel map. Conditions have been added to the resolution that explicitly require the future design plans of any home to be reviewed and approved by the Planning Commission as part of a public hearing process. Any future proposals for development will be presented to the Planning Commission for discretionary review at a scheduled and noticed public hearing. Any future development must meet all the required development criteria of the LR-1A zoning district, including setbacks, floor area ratios (FAR's), height restrictions, etc. The same conditions also specify that the architecture and design will be compatible with the surrounding area and will be located and designed to avoid privacy impacts on surrounding properties.

ANALYSIS

CEQA

Staff has conducted the required analysis and concluded that the project is categorically exempt from the requirements of CEQA, pursuant to Section 15315 (Minor Land Divisions) of the CEQA Guidelines. Class 15 exemptions apply to the division of properties in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning requirements, no variances or exceptions are required, all services and access to the larger parcel within the previous two years, and parcels not having an average slope greater than 20 percent.

The proposed land division is consistent with this exemption, in that:

1. The subject property is zoned for residential uses, and will consist of two newly created parcels.
2. The division is consistent with both the property's Low Density Residential (LDR) General Plan designation, and the Low Density Residential One Acre Minimum (LR-1A) zoning designation.
3. No variances or exceptions are required for this division.
4. All services and access to the proposed parcels to local standards are available.
5. The subject property was not involved in a division of a larger parcel within the previous two years.
6. The subject property does not have an average slope greater than 20 percent.

GENERAL PLAN

The subject property has a General Plan land use designation of Low Density Residential (LDR). The LDR land use designation applies to limited areas of the City with large, residentially subdivided parcels, particularly those near the City's perimeter. Additionally,

the designation includes single-family detached homes and limited agricultural uses. The 2040 General Plan Update and Housing Element policies applicable to the proposed project include:

- **LU1.4** In order to minimize and postpone the need for expansion of the Urban Limit Line, encourage infill development as set forth in the Public Facilities and Services Element.
- **LU1.5** Require new development to provide adequate infrastructure and urban services, including compliance with the policies and implementing actions affecting new development as set forth in the Public Facilities and Services Element.
- **HE2.1** Encourage higher density development where appropriate.
- **HE2.6** Promote a balance of types of housing throughout the whole community.
- **PF2.A** Require all new units on parcels less than two acres, except those in the Woodlands and Watershed District, to connect to the City sewer. All existing units within 200 feet of an existing sewer shall connect to the City sewer whenever feasible. Many of the residential units cannot expand without abandoning on-site septic systems and connecting to the sewer which may, in some cases, require extension of the sewer.

Staff finds that the project is consistent with the 2040 General Plan Update, in that: 1) the proposed new parcel would be created as a logical and orderly extension of the existing development pattern in this area of St. Helena; 2) adequate services are existing and available to serve the currently undeveloped proposed Parcel 1; 3) the creation of the new parcel is also identified as an in-fill project, as it is intended to facilitate future construction of one single family home; 4) the future development of Parcel 1 would be at a density that supports the transitional scale and density from low density residential to agricultural and estate single family uses in this part of St. Helena.

Additionally, most Housing Element policies do not apply directly to the proposal to create one new 1.0-acre parcel from an existing residentially designated property for future single-family development. However, staff finds that the proposal to create two new parcels, one with an existing home and accessory structures, and one intended to facilitate the development of a new single-family residential use is not in conflict with existing adopted HE policies and does seek to slightly increase the existing residential density in an appropriate location, transiting from low density housing to agricultural and residential estate homes; the future construction of a home on the Parcel 1 would add to the variety of housing types within the community; and any new development would be subject to all water and energy efficiency mandates for residential construction, and will be required to connect to the City sewer.

SUBDIVISION

The Planning Commission shall adopt findings and recommendations for approval, conditional approval or denial of the map for the City Council. City Council shall hold a noticed public hearing to consider the tentative map and the report and recommendations of the planning commission.

Planning Commission and City Council shall recommend approval of the proposed parcel map if the following findings established in Section 16.16.080(A) are made:

1. That the proposed subdivision, together with the provisions for its design and improvement, is consistent with the 2040 General Plan Update, any applicable specific plan, and other applicable provisions of the SHMC; and
2. Except for condominium conversion projects where no new structures are added, that the design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision, as described in the state Subdivision Map Act and any guidelines promulgated by the City Council.

Staff finds that the proposed tentative Parcel Map meets both findings for approval, in that it is consistent with the standards established for the Low Density Residential (LDR) General Plan land use designation and the Low Density Residential One Acre Minimum (LR-1A) zoning designation. In addition, while no physical development is associated with this application, the future development of this property will be harmonious and similar to the surrounding low density residential neighborhood, which allows for passive or natural heating or cooling opportunities.

ZONING

Consistent with the adopted 2040 General Plan Update, the subject property is designated Low Density Residential One Acre Minimum (LR-1A) by the SHMC. The LR-1A district provides for single-family detached homes, accessory dwelling units, and limited agricultural uses.

Municipal Code Section 17.36.060 (Development Standards) requires a minimum lot size of one (1) acre in the LR-1A district, along with a minimum of 70 feet for both the lot width and frontage. Both parcels are consistent with these requirements as they are one (1) acre or more in size with lot widths/frontages of 168 feet and 211 feet respectively. The proposed subdivision will not create nonconformities inconsistent with the development standards established in Section 17.36.060 of the SHMC, which do not already exist, including setbacks, lot coverage, and F.A.R. The rear setbacks of the existing home and accessory structure are nonconforming but will not be impacted by the proposed subdivision. All setbacks that will be impacted by the subdivision are consistent with the established development standards of the SHMC.

Infrastructure: The project proposes two parcels each with an average slope of 3 to 5 percent. Proposed Parcel 1 is one (1) acre in area and is currently undeveloped with no public utility connections. Parcel 2 contains a 3,432 square foot home with connections to City Water and City Sewer, gas and electric services and an existing on-site well.

Road Access: Both proposed parcels have vehicular access from Dean York Lane. The portion of Dean York Lane adjacent to the project site is a rural standard, public road. No

development is proposed with this application, so no road improvements would be required to accommodate the creation of an additional undeveloped parcel.

Potable Water: Parcel 2 has access to a City Water and an existing well on the site. Any homes developed on Parcel 1 will be required to comply with the City's Water Neutrality Program and allowance of a new water connection will be restricted if the City is in a Phase II or III water emergency at the time of construction. No development is proposed in connection to this proposed parcel map. A condition has been included that any future development will require a floor plan and water neutrality report with the design review application.

Waste Water: Parcel 2 has access to the City Sewer. Parcel 1 will be required to connect to the City Sewer at such a time that a proposal to develop the site is submitted to the City.

WATER NEUTRALITY

Future development of the project site would be subject to the City's Water Neutrality requirements. However, the approval of the requested Tentative Parcel Map does not require water neutrality report or analysis.

FISCAL IMPACT

All costs associated with the project will be borne by the applicant.

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Determine that the project is exempt from CEQA pursuant to Section 15315 (Minor Land Divisions); and,
2. Accept the required findings and approve a resolution granting tentative parcel map approval for the proposed subdivision of an existing 2.23 acre lot located at 1780 Dean York Lane.

ATTACHMENTS

[PL21-011 CC Resolution](#)

[1780 Dean York Lane - Tentative Parcel Map](#)

[PC Staff Report and Resolution](#)

[Planning Commission - 01 Jun 2021 - Minutes - Adopted](#)

CITY OF ST. HELENA

RESOLUTION NO.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ST. HELENA APPROVING A
TENTATIVE PARCEL MAP TO ALLOW THE SUBDIVISION OF AN EXISTING 2.23-
ACRE PROPERTY INTO TWO PARCELS LOCATED AT 1780 DEAN YORK LANE IN
THE CITY OF ST. HELENA, CALIFORNIA**

PROPERTY OWNER: John Palmer

APN: 009-690-021

Recitals

1. The property owner requests adoption of a resolution recommending approval of a tentative parcel map in order to accommodate the subdivision of a 2.23-acre parcel into two parcels; Parcel "1" (1-acre), and Parcel "2" (1.23-acre) on a property located at 1780 Dean York Lane in the Low Density Residential One Acre Minimum (LR-1A) zoning district.; and
2. A public notice was published in the Napa Valley Register and mailed to residents and occupants within 300 feet of the project site in compliance with state and local law; and
3. The Planning Commission of the City of St. Helena, State of California, considered the project, staff report, and all testimony, written and spoken, at a duly noticed public hearing on June 1, 2021; and
4. At the conclusion of the meeting on June 1, 2021, the Planning Commission recommended that the City Council approve the tentative parcel map thereby authorizing the requests contained in said plans based on the findings below and subject to the conditions of approval enumerated herein.

Resolution

- A. In making the findings in this Resolution, the City Council relied upon and hereby incorporates by reference all of the documents referenced in this Resolution and the associated staff reports, City files for this matter, correspondence, presentations and other materials.
- B. The City Council hereby finds that this project qualifies for a Class 15 Categorical Exemption pursuant to Section 15315 (Minor Land Divisions), of the California Environmental Quality Act (CEQA) Guidelines. Section 15315's Class 15 Categorical Exemption applies to the division of properties in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, parcels not involved in a division of a larger parcel within the previous 2 years, and parcels not having an average slope greater than 20 percent.

C. The City Council has considered the findings identified in Municipal Code Section 16.16.080(A) to support the motion to recommend approval of the Tentative Parcel Map given that the project has been found to demonstrate:

1. That the proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan, any applicable specific plan, and other applicable provisions of this code; and
2. That the design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision, as described in the State Subdivision Map Act and any guidelines promulgated by the City Council.

Staff finds that the proposed Tentative Parcel Map meets both findings for approval, in that it is consistent with the standards set for under both the Low Density Residential (LDR) General Plan designation and the Low Density Residential One Acre Minimum (LR-1A) zoning designation. In addition, while no physical development is associated with this application, the future development of this property will be harmonious and similar to the surrounding large-lot, low density residential neighborhood, which allows for passive or natural heating or cooling opportunities.

D. The City Council approves a tentative parcel map for the above-described project with the following conditions of approval. The conditions noted below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.

Planning Department Conditions of Approval

1. The Tentative Parcel Map approval shall be vested within one (1) year from the date of approval. Recordation of the Final Map for the parcel allowed under this approval shall have been obtained within one (1) year from the effective date of the Parcel Map decision or these approvals shall expire; provided however that the approved Parcel Map may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.030, Extension of Permits and Approvals.
2. The Tentative Parcel Map approval shall not become effective until fourteen (14) calendar days after presentation of the item to the City Council, providing that the action is not reviewed or appealed by the City Council or any other interested party within that 14-day period.
3. Any request for an extension of this approval shall be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.
4. Pursuant to City Council Resolution 2003-65, the owner and applicant are informed of the following:

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

5. Compliance with all permit conditions shall be clearly identified on all plans submitted for Final Map approval, shall occur in accordance with specific regulations. Recordation of a map may be withheld if all conditions, including payment of fees for services rendered by the City, are not met.
6. In any action or proceeding to attack, challenge, invalidate, set aside, void or annul the City's approval of applicant's Project, in whole or in part, applicant shall defend, at its own expense and without any cost to the City, and with counsel acceptable to the City, and shall fully and completely indemnify and hold the City, its agents, officers, and employees harmless from and against any and all claims, causes of action, damages, costs, attorney's fees and liability of any kind, so long as the City reasonably promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.
7. Provided they are in general compliance with this approval, minor modifications may be approved by the Planning Director.
8. This Tentative Parcel Map shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.
9. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The property owners or their designee shall be responsible for meeting with the Building Official, Fire Inspector and or Public Works Department to review compliance with Building Codes, Fire Codes and specific Public Works Standards including fire protection systems and any applicable accessibility standards of Title 24.
10. Final Map submittal shall be in compliance with approved plans and exhibits dated May 3, 2021.
11. Any future development of the project site shall be consistent with St. Helena Municipal Code Article IV, Water Conservation Section 13.12.030, New Development, requiring that the applicant shall be retrofit a mandated number of fixtures to off-set the water use and demand of the future development. Appeals to this requirement may be made pursuant to Article IV, Section 18.46. The exact number of retrofits may change dependent upon final floor area submitted for the future Design Review and/or building permit.
12. All conditions of approval shall be clearly identified and included on all plans submitted for future permit review and issuance.
13. Proposed future development on either of the two newly created parcels shall require the submittal of a Design Review application subject to discretionary review by the Planning Commission.

Public Works Department Conditions of Approval

14. All parcels shall have separate access to the City of St. Helena municipal water system. Approval of any new development on an undeveloped parcel is contingent upon the ability of the City to provide water without exceeding the safe annual yield of its water supply. Phase II Water Emergency Regulations are currently in effect.
15. Approval of any new development on an undeveloped parcel adequate sewage treatment capacity available at the City treatment plant. Future development requires a connection to the City sewer system.
16. Approval of future projects shall be subject to the requirements of, and all improvements shall be designed and constructed in accordance with, the most current version at the time of improvement plan submittal, Caltrans Standards and Specifications, the City of St. Helena Municipal Code, the St. Helena Water and Sewer Standards, the St. Helena Street, Storm Drain and Sidewalk Standards, and all current federal, state and county codes governing such improvements.
17. For any future improvements, a grading and drainage plan showing topographic data, all easements, infrastructure onsite and directly adjoining, and an erosion control plan shall be submitted for review and approval by the City Engineer prior to the issuance of a building permit. If the project entails more than 50 cubic yards of soil disturbance, 10,000 square feet of disturbance area, a cut or fill of 3 feet or more, or alteration of any drainage pattern, a grading permit shall be required.
18. For any future improvements, drainage needs to be routed to prevent inundation of neighboring properties. Grading and/or site improvement plans shall show how 2-year and 10-year storm flows shall be infiltrated on site and/or diverted at the property lines to prevent inundation of neighboring properties.
19. Any future improvements will require the preparation and implementation of a Stormwater Control Plan as required by the Bay Area Stormwater Management Agencies Association (BASMAA) Post-Construction Manual, dated July 14, 2014 or latest edition.
20. Erosion and sediment control plans for future improvements shall conform to the latest State and City codes at a minimum. If the proposed/new landscaping involves an area greater than 500 square feet or rehabilitation of more than 2,500 square feet, the proposed landscaping shall comply with the State's Model Water Efficient Landscape Ordinance (MWELO). MWELO compliance shall be demonstrated for each parcel as part of each individual building permit submittal. The applicant shall submit the MWELO application at the time of the building permit submittal. The application is located here: https://www.cityofsthenana.org/sites/default/files/fileattachments/public_works/page/2491/mwelo_ldp_cc.pdf

21. Future improvements will be required to comply with the City's Water Neutral Policy for Development.
22. Future improvements shall require the installation of an approved backflow device behind the water meter prior to Certificate of Occupancy. Any new and modified existing water laterals, meters and backflow prevention devices shall be required and constructed in accordance with the current requirements of the City of St. Helena's Water Standards and the California Department of Health Standards. Existing meter boxes located within a driveway shall be retrofitted with a traffic-rated box. New laterals shall be located perpendicular to the water main and outside any driveway/drive aisle.
23. Future remodels or new construction which requires fire sprinklers shall install an appropriately sized water service with appropriate backflow and meter devices prior to Certificate of Occupancy. Fire system calculations shall be submitted with the Grading and Drainage Plan to verify fire service lateral and meter sizing. Deferred submittals are not accepted.
24. No future construction may commence until adequate access to fire water supply is available to building sites as approved by the Fire Chief.

I HEREBY CERTIFY that the City of St. Helena City Council approved the foregoing tentative parcel map at a regular meeting of said City Council held on July 27, 2021 by the following vote:

Mayor Ellsworth:	_____
Vice Mayor Doring:	_____
Councilmember Chouteau:	_____
Councilmember Hardy:	_____
Councilmember Hall:	_____

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzaopoulos, City Clerk

THIS MAP IS NOT A BOUNDARY SURVEY.
IT IS PROVIDED TO LOCATE THE SUBJECT PROPERTY
IN RELATION TO ADJOINING LANDS, HIGHWAYS, ROADS,
STREETS AND NOT TO GUARANTEE ANY FIXED
DIMENSION, ACREAGE OR EASEMENT LOCATIONS.
A FIELD SURVEY SHOULD BE PERFORMED PRIOR TO ANY
CRITICAL DESIGN WORK, CONSTRUCTION OR CONVEYANCE
EASEMENTS MAY AFFECT THIS PROPERTY.
THIS SURVEYOR WAS NOT PROVIDED ANY INFORMATION
REGARDING EASEMENTS BY THE OWNER.

SITE INFORMATION

APN: 009-690-021
ADDRESS: 1780 DEAN YORK LANE
ST. HELENA, CA 94574

JOHN D. PALMER TRUST
COUNTY OF NAPA STATE OF CALIFORNIA

PREPARED UNDER THE DIRECTION OF:



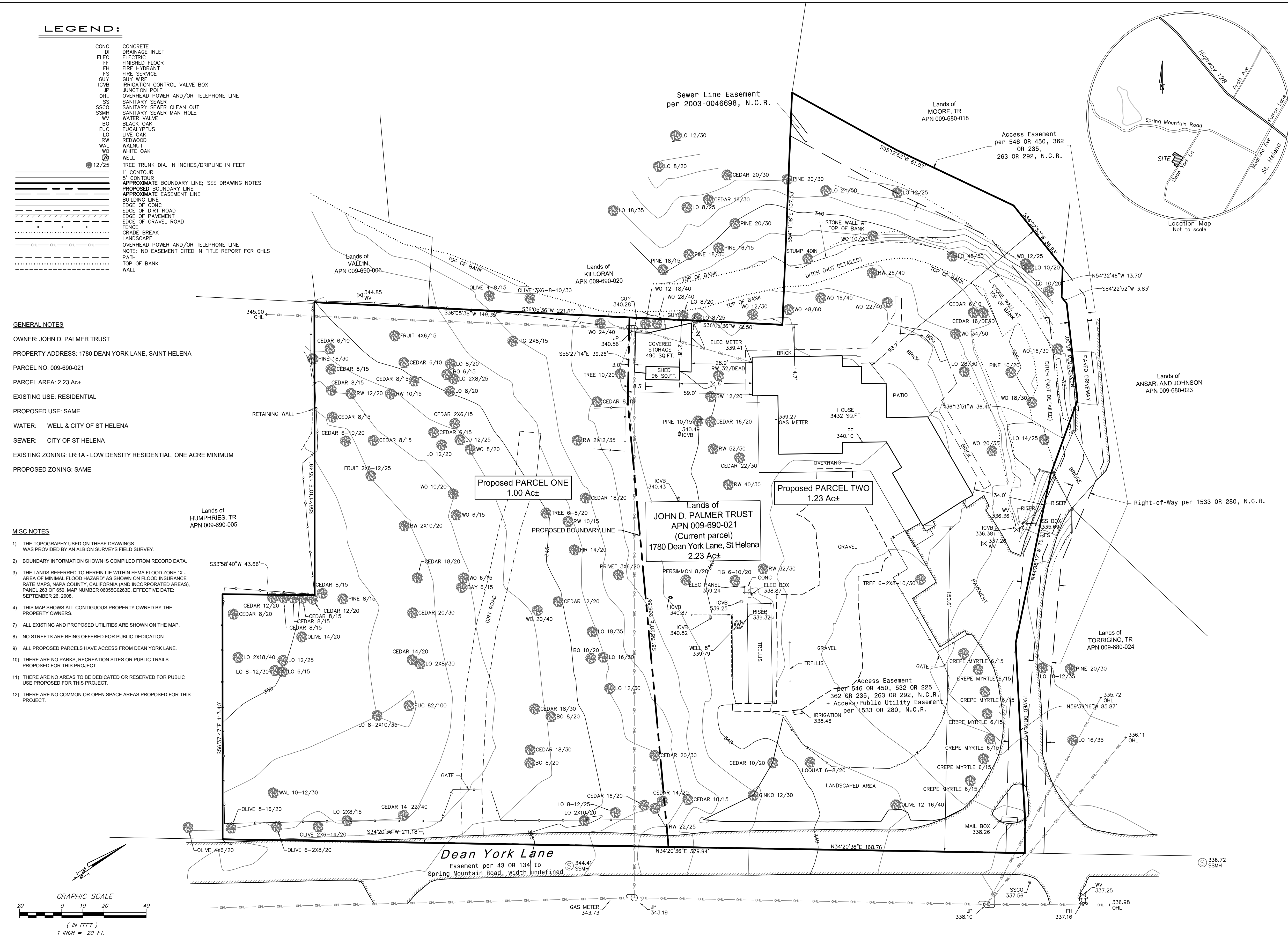
REVISIONS & ADDITIONS

DATE: 2-17-2021	FB: 901	PG: 1-18
DRAFTER: M. GARRETT		
DATE: 3-9-2020	FB:	PG:
DRAFTER: M. BELL		
DATE: 5-3-2021	FB:	PG:
DRAFTER: R. MATTERI		
DATE:	FB:	PG:
DRAFTER:		
DATE:	FB:	PG:
DRAFTER:		
DATE:	FB:	PG:
DRAFTER:		

SURVEY NOTES

CONTOUR INTERVAL = 1'
VERTICAL DATUM BASED ON NAVD88
HORIZONTAL DATUM BASED ON NAD83
ALIFORNIA COORDINATE SYSTEM ZONE II
PER TRIMBLE GPS OBSERVATIONS
USING NGS OPUS SOLUTION

SHEET 1 OF 1
PROJECT 4163
4163-00 TPM.dwg





PLANNING COMMISSION REPORT

Planning Commission Meeting of June 1, 2021

FILE NUMBER: PL21-011

SUBJECT: Request by John Palmer (property owner) for adoption of a resolution recommending Tentative Parcel Map approval to accommodate the subdivision of an existing 2.23-acre parcel into two (2) separate parcels, located at 1780 Dean York Lane in the Low Density One Acre (LR-1A) zoning district.

PREPARED BY: Chantal Power

REVIEWED BY: Maya DeRosa, Planning & Building Director

APPROVED BY: Maya DeRosa, Planning & Building Director

APPLICATION FILED: 04/02/21

ACCEPTED AS COMPLETE: 04/30/21

LOCATION OF PROPERTY: 1780 Dean York Lane

APN: 009-690-021

GENERAL PLAN/ZONING: Low Density Residential (LDR), Low Density Residential One Acre Minimum (LR-1A)

APPLICANT: John Palmer

PHONE: (707) 963-3133

BACKGROUND

The project site is an existing 2.23-acre property located at 1780 Dean York Lane and is currently developed with one 3,432 square foot single family home, a 490 square foot covered storage structure, and a 96 square foot shed. The site is surrounded by large estate properties developed with single family homes, and some with agricultural activities occurring within their boundaries. The site is accessed from Dean York Lane to the south.

PROJECT DESCRIPTION

The applicant is seeking Tentative Parcel Map (TPM) approval to allow a two-lot subdivision of an existing 2.23-acre parcel. "Parcel 1" is proposed to be 1.0 acres in size,

and "Parcel 2" will encompass the remaining 1.23 acres. Parcel 1 is proposed to have frontage onto Dean York Lane with no direct access to Parcel 2.

The site is designated Low Density Residential (LDR) in the 2040 General Plan Update and Low Density Residential One Acre Minimum (LR-1A) in the Zoning Code and is located within the City's Urban Limit Line (ULL). Surrounding land uses are primarily low-density residential estate lots, with nearby agricultural areas outside the ULL.

No new development is proposed in connection with the requested tentative parcel map. Conditions have been added to the resolution that explicitly require the future design plans of any home to be reviewed and approved by the Planning Commission as part of a public hearing process. Any future proposals for development will be presented to the Planning Commission for discretionary review at a scheduled and noticed public hearing. Any future development must meet all the required development criteria of the LR-1A zoning district, including setbacks, floor area ratios (FAR's), height restrictions, etc. The same conditions also specifies that the architecture and design will be compatible with the surrounding area and will be located and designed to avoid privacy impacts on surrounding properties.

ANALYSIS

CEQA

Staff has conducted the required analysis and concluded that the project is categorically exempt from the requirements of CEQA, pursuant to Section 15315 (Minor Land Divisions) of the CEQA Guidelines. Class 15 exemptions apply to the division of properties in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning requirements, no variances or exceptions are required, all services and access to the larger parcel within the previous 2 years, and parcels not having an average slope greater than 20 percent.

The proposed land division is consistent with this exemption, in that:

1. The subject property is zoned for residential uses, and will consist of two (2) newly created parcels.
2. The division is consistent with both the property's Low Density Residential (LDR) General Plan designation, and the Low Density Residential One Acre Minimum (LR-1A) zoning designation.
3. No variances or exceptions are required for this division.
4. All services and access to the proposed parcels to local standards are available.
5. The subject property was not involved in a division of a larger parcel within the previous two (2) years.
6. The subject property does not have an average slope greater than 20 percent.

GENERAL PLAN

The subject property has a General Plan land use designation of Low Density Residential (LDR). The LDR land use designation applies to limited areas of the City with large, residentially subdivided parcels, particularly those near the City's perimeter. Additionally, the designation includes single-family detached homes and limited agricultural uses. The 2040 General Plan Update and Housing Element policies applicable to the proposed project include:

- **LU1.4** In order to minimize and postpone the need for expansion of the Urban Limit Line, encourage infill development as set forth in the Public Facilities and Services Element.
- **LU1.5** Require new development to provide adequate infrastructure and urban services, including compliance with the policies and implementing actions affecting new development as set forth in the Public Facilities and Services Element.
- **HE2.1** Encourage higher density development where appropriate.
- **HE2.6** Promote a balance of types of housing throughout the whole community.
- **PF2.A** Require all new units on parcels less than two acres, except those in the Woodlands and Watershed District, to connect to the City sewer. All existing units within 200 feet of an existing sewer shall connect to the City sewer whenever feasible. Many of the residential units cannot expand without abandoning on-site septic systems and connecting to the sewer which may, in some cases, require extension of the sewer.

Staff finds that the project is consistent with the 2040 General Plan Update, in that: 1) the proposed new parcel would be created as a logical and orderly extension of the existing development pattern in this area of St. Helena; 2) adequate services are existing and available to serve the currently undeveloped proposed Parcel 1; 3) the creation of the new parcel is also identified as an in-fill project, as it is intended to facilitate future construction of one single family home; 4) the future development of Parcel 1 would be at a density that supports the transitional scale and density from low density residential to agricultural and estate single family uses in this part of St. Helena.

Additionally, most Housing Element policies do not apply directly to the proposal to create one new 1.0-acre parcel from an existing residentially designated property for future single-family development. However, staff finds that the proposal to create two new parcels, one with an existing home and accessory structures, and one intended to facilitate the development of a new single-family residential use is not in conflict with existing adopted HE policies and does seek to slightly increase the existing residential density in an appropriate location, transiting from low density housing to agricultural and residential estate homes; the future construction of a home on the Parcel 1 would add to the variety of housing types within the community; and any new development would be subject to all water and energy efficiency mandates for residential construction, and will be required to connect to the City sewer.

SUBDIVISION

The Planning Commission shall adopt findings and recommendations for approval, conditional approval or denial of the map for the City Council. City Council shall hold a

noticed public hearing to consider the tentative map and the report and recommendations of the planning commission.

Planning Commission shall recommend approval of the proposed parcel map if the following findings established in Section 16.16.080(A) are made:

1. That the proposed subdivision, together with the provisions for its design and improvement, is consistent with the 2040 General Plan Update, any applicable specific plan, and other applicable provisions of the SHMC; and
2. Except for condominium conversion projects where no new structures are added, that the design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision, as described in the state Subdivision Map Act and any guidelines promulgated by the City Council.

Staff finds that the proposed tentative Parcel Map meets both findings for approval, in that it is consistent with the standards established for the Low Density Residential (LDR) General Plan land use designation and the Low Density Residential One Acre Minimum (LR-1A) zoning designation. In addition, while no physical development is associated with this application, the future development of this property will be harmonious and similar to the surrounding low density residential neighborhood, which allows for passive or natural heating or cooling opportunities.

ZONING

Consistent with the adopted 2040 General Plan Update, the subject property is designated Low Density Residential One Acre Minimum (LR-1A) by the SHMC. The LR-1A district provides for single-family detached homes, accessory dwelling units, and limited agricultural uses.

Municipal Code Section 17.36.060 (Development Standards) requires a minimum lot size of one (1) acre in the LR-1A district, along with a minimum of 70 feet for both the lot width and frontage. Both parcels are consistent with these requirements as they are one (1) acre or more in size with lot widths/frontages of 168 feet and 211 feet respectively. Additionally, Parcel 2 which contains the existing structures, meets all other development standards established in Section 17.36.060, including setbacks, lot coverage, and F.A.R.

Infrastructure: The project proposes two parcels each with an average slope of 3 to 5 percent. Proposed Parcel 1 is one (1) acre in area and is currently undeveloped with no public utility connections. Parcel 2 contains a 3,432 square foot home with connections to City Water and City Sewer, gas and electric services and an existing on-site well.

Road Access: Both proposed parcels have vehicular access from Dean York Lane. The portion of Dean York Lane adjacent to the project site is a rural standard, public road. No development is proposed with this application, so no road improvements would be required to accommodate the creation of an additional undeveloped parcel.

Potable Water: Parcel 2 has access to a City Water and an existing well on the site. Any homes developed on Parcel 1 will be required to comply with the City's Water Neutrality Program and allowance of a new water connection will be restricted if the City is in a Phase II or III water emergency at the time of construction. No development is proposed in connection to this proposed parcel map. A condition has been included that any future development will require a floor plan and water neutrality report with the design review application.

Waste Water: Parcel 2 has access to the City Sewer. Parcel 1 will be required to connect to the City Sewer at such a time that a proposal to develop the site is submitted to the City.

WATER NEUTRALITY

Future development of the project site would be subject to the City's Water Neutrality requirements. However, the approval of the requested Tentative Map does not require water neutrality report or analysis.

ISSUES

Staff has not identified any outstanding issues related to this application that require additional discussion.

CORRESPONDENCE

As of the completion of this report, staff had not received correspondence related to this application.

STAFF RECOMMENDATION

For the reasons described above, staff recommends that the Planning Commission:

1. Determine that the project is exempt from the requirements of CEQA under Section 15315 as a Class 15 "Minor Land Divisions" categorical exemption, and further find that the proposed project is within the scope of the findings and analysis of the 2040 General Plan Update and Zoning Code, whereby the allowances for such a proposed subdivision are expressly identified and permissible.
2. Accept the required findings and adopt the resolution recommending approval of the requested Tentative Parcel Map to the City Council.

ATTACHMENTS

1. PL21-011 Resolution
2. Proposed Tentative Parcel Map
3. Applicant's Written Statement

ATTACHMENTS

[PL21-011 Resolution](#)

[Proposed Tentative Parcel Map](#)

[Applicant's Written Statement](#)

CITY OF ST. HELENA PLANNING COMMISSION

RESOLUTION NO.

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ST. HELENA
RECOMMENDING THE CITY COUNCIL APPROVE A TENTATIVE PARCEL MAP TO
ALLOW THE SUBDIVISION OF AN EXISTING 2.23-ACRE PROPERTY INTO TWO
PARCELS LOCATED AT 1780 DEAN YORK LANE IN THE CITY OF ST. HELENA,
CALIFORNIA**

PROPERTY OWNER: John Palmer

APN: 009-690-021

Recitals

1. The property owner requests adoption of a resolution recommending approval of a tentative parcel map in order to accommodate the subdivision of a 2.23-acre parcel into two parcels; Parcel "1" (1-acre), and Parcel "2" (1.23-acre) on a property located at 1780 Dean York Lane in the Low Density Residential One Acre Minimum (LR-1A) zoning district.; and
2. A public notice was published in the Napa Valley Register and mailed to residents and occupants within 300 feet of the project site in compliance with state and local law; and
3. The Planning Commission of the City of St. Helena, State of California, considered the project, staff report, and all testimony, written and spoken, at a duly noticed public hearing on June 1, 2021; and
4. Now, therefore let it be found that the Planning Commission recommends the City Council approve the tentative parcel map thereby authorizing the requests contained in said plans based on the findings below and subject to the conditions of approval enumerated herein.

Resolution

- A. In making the findings in this Resolution, the Planning Commission relied upon and hereby incorporates by reference all of the documents referenced in this Resolution and the associated staff reports, City files for this matter, correspondence, presentations and other materials.
- B. The Planning Commission hereby finds that this project qualifies for a Class 15 Categorical Exemption pursuant to Section 15315 (Minor Land Divisions), of the California Environmental Quality Act (CEQA) Guidelines. Section 15315's Class 15 Categorical Exemption applies to the division of properties in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, parcels not involved in a division of a larger parcel within

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the previous 2 years, and parcels not having an average slope greater than 20 percent.

- C. The Planning Commission has considered the findings identified in Municipal Code Section 16.16.080(A) to support the motion to recommend approval of the Tentative Parcel Map given that the project has been found to demonstrate:

1. That the proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan, any applicable specific plan, and other applicable provisions of this code; and
2. That the design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision, as described in the State Subdivision Map Act and any guidelines promulgated by the City Council.

Staff finds that the proposed Tentative Parcel Map meets both findings for approval, in that it is consistent with the standards set for under both the Low Density Residential (LDR) General Plan designation and the Low Density Residential One Acre Minimum (LR-1A) zoning designation. In addition, while no physical development is associated with this application, the future development of this property will be harmonious and similar to the surrounding large-lot, low density residential neighborhood, which allows for passive or natural heating or cooling opportunities.

Planning Department Conditions of Approval

- D. The Planning Commission recommends the City Council approve a tentative parcel map for the above-described project with the following conditions of approval. The conditions noted below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.
1. The Tentative Parcel Map approval shall be vested within one (1) year from the date of approval. Recordation of the Final Map for the parcel allowed under this approval shall have been obtained within one (1) year from the effective date of the Parcel Map decision or these approvals shall expire; provided however that the approved Parcel Map may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.030, Extension of Permits and Approvals.
 2. The Tentative Parcel Map approval shall not become effective until fourteen (14) calendar days after presentation of the item to the City Council, providing that the action is not reviewed or appealed by the City Council or any other interested party within that 14-day period.

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3. Any request for an extension of this approval shall be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.
4. Pursuant to City Council Resolution 2003-65, the owner and applicant are informed of the following:

In recognition of the need for additional affordable housing, and to mitigate the effects of this development on the supply and demand of affordable housing, the permittee shall be subject to a Housing Impact Fee, an inclusionary requirement, an in-lieu fee, and/or similar fair and appropriate mechanisms, to provide funds for or to develop additional affordable housing.
5. Compliance with all permit conditions shall be clearly identified on all plans submitted for Final Map approval, shall occur in accordance with specific regulations. Recordation of a map may be withheld if all conditions, including payment of fees for services rendered by the City, are not met.
6. In any action or proceeding to attack, challenge, invalidate, set aside, void or annul the City's approval of applicant's Project, in whole or in part, applicant shall defend, at its own expense and without any cost to the City, and with counsel acceptable to the City, and shall fully and completely indemnify and hold the City, its agents, officers, and employees harmless from and against any and all claims, causes of action, damages, costs, attorney's fees and liability of any kind, so long as the City reasonably promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.
7. Provided they are in general compliance with this approval, minor modifications may be approved by the Planning Director.
8. This Tentative Parcel Map shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.
9. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The property owners or their designee shall be responsible for meeting with the Building Official, Fire Inspector and or Public Works Department to review compliance with Building Codes, Fire Codes and specific Public Works Standards including fire protection systems and any applicable accessibility standards of Title 24.
10. Final Map submittal shall be in compliance with approved plans and exhibits dated May 3, 2021.
11. Any future development of the project site shall be consistent with St. Helena Municipal Code Article IV, Water Conservation Section 13.12.030, New Development, requiring that the applicant shall be retrofit a mandated number of fixtures to off-set the water use and demand of the future development. Appeals to this requirement may be made pursuant to Article IV, Section

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- 18.46. The exact number of retrofits may change dependent upon final floor area submitted for the future Design Review and/or building permit.
12. All conditions of approval shall be clearly identified and included on all plans submitted for future permit review and issuance.

Public Works Department Conditions of Approval

13. All parcels shall have separate access to the City of St. Helena municipal water system. Approval of any new development on an undeveloped parcel is contingent upon the ability of the City to provide water without exceeding the safe annual yield of its water supply. Phase II Water Emergency Regulations are currently in effect.
14. Approval of any new development on an undeveloped parcel adequate sewage treatment capacity available at the City treatment plant. Future development requires a connection to the City sewer system.
15. Approval of future projects shall be subject to the requirements of, and all improvements shall be designed and constructed in accordance with, the most current version at the time of improvement plan submittal, Caltrans Standards and Specifications, the City of St. Helena Municipal Code, the St. Helena Water and Sewer Standards, the St. Helena Street, Storm Drain and Sidewalk Standards, and all current federal, state and county codes governing such improvements.
16. For any future improvements, a grading and drainage plan showing topographic data, all easements, infrastructure onsite and directly adjoining, and an erosion control plan shall be submitted for review and approval by the City Engineer prior to the issuance of a building permit. If the project entails more than 50 cubic yards of soil disturbance, 10,000 square feet of disturbance area, a cut or fill of 3 feet or more, or alteration of any drainage pattern, a grading permit shall be required.
17. For any future improvements, drainage needs to be routed to prevent inundation of neighboring properties. Grading and/or site improvement plans shall show how 2-year and 10-year storm flows shall be infiltrated on site and/or diverted at the property lines to prevent inundation of neighboring properties.
18. Any future improvements will require the preparation and implementation of a Stormwater Control Plan as required by the Bay Area Stormwater Management Agencies Association (BASMAA) Post-Construction Manual, dated July 14, 2014 or latest edition.
19. Erosion and sediment control plans for future improvements shall conform to the latest State and City codes at a minimum. If the proposed/new landscaping involves an area greater than 500 square feet or rehabilitation of more than 2,500 square feet, the proposed landscaping shall comply with the State's Model Water Efficient Landscape Ordinance (MWELO). MWELO

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compliance shall be demonstrated for each parcel as part of each individual building permit submittal. The applicant shall submit the MWELo application at the time of the building permit submittal. The application is located here: https://www.cityofstheleena.org/sites/default/files/fileattachments/public_works/page/2491/mwelo_ldp_cc.pdf

20. Future improvements will be required to comply with the City's Water Neutral Policy for Development.
21. Future improvements shall require the installation of an approved backflow device behind the water meter prior to Certificate of Occupancy. Any new and modified existing water laterals, meters and backflow prevention devices shall be required and constructed in accordance with the current requirements of the City of St. Helena's Water Standards and the California Department of Health Standards. Existing meter boxes located within a driveway shall be retrofitted with a traffic-rated box. New laterals shall be located perpendicular to the water main and outside any driveway/drive aisle.
22. Future remodels or new construction which requires fire sprinklers shall install an appropriately sized water service with appropriate backflow and meter devices prior to Certificate of Occupancy. Fire system calculations shall be submitted with the Grading and Drainage Plan to verify fire service lateral and meter sizing. Deferred submittals are not accepted.
23. No future construction may commence until adequate access to fire water supply is available to building sites as approved by the Fire Chief.

I HEREBY CERTIFY that the foregoing design review application was duly and regularly approved by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on June 1, 2021 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

ATTEST:

 John Ponte
 Chair, Planning Commission

 Maya DeRosa, AICP
 Planning and Building Director

1780 Dean York Ln.
 Resolution / Conditions of Approval
 June 1, 2021

MINUTES
City of St. Helena
Planning Commission Meeting
Tuesday, June 1, 2021 @ 6:00 PM
Virtual Meeting

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) 967-2792. The City Council video is the official record of the Council meeting.

Present: Chair John Ponte, Vice Chair Daniel Hale, Commissioner Autumn Anderson, Commissioner Marika Rothfeld, and Commissioner Rosaura Segura
Absent: None
Staff Present: Maya DeRosa, Planning & Building Director, Chantal Power, Contract Planner, and Xinia Gamero, Permit Technician II

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER AND ROLL CALL

3. PUBLIC FORUM:

No public comment was received.

4. CONSENT ITEMS

4.1 Approval of Minutes: May 18, 2021

Commissioner Rosaura Segura moved to approve the Minutes on the Consent Calendar. The motion was seconded by Commissioner Autumn Anderson and on roll call carried by the following vote:

AYES: John Ponte, Daniel Hale, Autumn Anderson, Marika Rothfeld, and Rosaura Segura

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

5. PUBLIC HEARINGS

5.1 Request by John Palmer (property owner) for adoption of a resolution recommending Tentative Parcel Map approval to accommodate the subdivision of an existing 2.23-acre parcel into two (2) separate parcels, located at 1780 Dean York Lane in the Low Density One Acre (LR-1A) zoning district.

CEQA Determination: Exempt pursuant to Section 15315 (Minor Land Divisions) of the CEQA Guidelines.

Prepared By: Chantal Power

Recommendation:

For the reasons described above, staff recommends that the Planning Commission:

1. Determine that the project is exempt from the requirements of CEQA under Section 15315 as a Class 15 "Minor Land Divisions" categorical exemption, and further find that the proposed project is within the scope of the findings and analysis of the 2040 General Plan Update and Zoning Code, whereby the allowances for such a proposed subdivision are expressly identified and permissible.
2. Accept the required findings and adopt the resolution recommending approval of the requested Tentative Parcel Map to the City Council.

Contract Planner Chantal Power showed a presentation and reported on the item.

Jon Webb addressed the Planning Commission.

No public comment was received.

Commissioner Rosaura Segura moved to approve the item with the added condition that proposed future development on either of the two newly created parcels shall require the submittal of a Design Review application subject to discretionary review by the Planning Commission. The motion was seconded by Commissioner Autumn Anderson and on roll call carried by the following vote:

AYES: John Ponte, Daniel Hale, Autumn Anderson, Marika Rothfeld, and Rosaura Segura

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

6. SCHEDULED MATTERS

None.

7. DEPARTMENT REPORTS

Planning and Building Director Maya DeRosa reported on the following:

- Upcoming June 15 and July 6 Planning Commission meetings.

8. AGENDA FORCAST

9. ADJOURNMENT

Chair Ponte adjourned the meeting at **6:24 P.M.**

The June 1, 2021 minutes were approved at the June 15, 2021 Planning Commission meeting.

APPROVED:



John Ponte, Planning Commission Chair

ATTEST:



Maya DeRosa, AICP
Planning and Building Director



Report to the City Council
Regular City Council - 27 Jul 2021

Agenda Section: OLD BUSINESS

Subject: Review of urgency ordinance amending Chapter 13.04 of the Municipal Code to address the criteria for initiating phased water regulations and the conservation measures for commercial, industrial, and institutional users.

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

Prepared By: April Mitts, Administrative Services Director

Reviewed By: April Mitts, Administrative Services Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

At the Council Meeting of April 27, 2021, the City Council approved an urgency ordinance amending Chapter 13.04 of the Municipal Code to address concerns that Phase II and Phase III water emergency allocations for commercial, industrial, and institutional users imposed a disproportionate burden on wineries, due to the seasonal nature of their water use.

The adopted urgency ordinance language altered the baseline for determining the water allocation for these users from the average water use over the four winter months of the preceding non-shortage year, to the average water use from the same billing period for the three preceding non-shortage years. This methodology has since been applied to June 2021 bills using 2017, 2018, and 2019 as the non-shortage years for purposes of this determination.

The urgency ordinance also changed the basis for which a Phase I, Phase II, or Phase III water emergency is determined from whether the City has sufficient volume of water to meet its needs through November 1st, to whether the City has sufficient volume to

meet its needs through May 1st, after making reasonable assumptions regarding rainfall during the rainy season based on recent data. The Council requested this item be agendaized for discussion at the July 27, 2021 Regular Council Meeting to allow for a 90-day review.

On July 13, 2021, the City Council held a Special meeting to receive a presentation of June 2021 water meter reads and an overview of associated penalties. At this meeting the City Council also approved a recommendation from City staff and the Council's Water Ad Hoc Committee (comprised of Mayor Ellsworth and Council Member Hardy) authorizing a Penalty Forgiveness Program that suspends 75% of penalties for June 2021 usage and 50% of penalties for July 2021 usage. The Program allows customers to have their suspended penalties forgiven if the customer does not exceed their allocation in August, September, October, and November 2021. Suspended penalties will be applied to customer accounts immediately following any month in which the target was not met. A copy of the July 13, 2021 staff report is included as an attachment to this report.

Additionally, pursuant to the Council's July 13, 2021 motion approving the Penalty Forgiveness Program, the Council expressed a commitment to look at the balance of allocations (conservation targets) among customers at the 90-day review of this ordinance.

DISCUSSION

The Fiscal Impact section of this report includes a summary of non-residential June 2021 water penalties by volumetric and user category.

FISCAL IMPACT

Non-residential June 2021 water penalties by volumetric and user category are summarized in the table below.

Non-Residential	# in Category	% of Total Accounts *	% of Accounts in Category	% of Penalties Total Accounts	% of Penalties in Category	# of Accounts with Leak Letters
No Penalty	184	8%	65%			
0-24.9%	36	1%	13%	4%	37%	5
25-49.9%	15	1%	5%	2%	15%	2
50-100%	15	1%	5%	2%	15%	4
100%+	31	1%	11%	3%	32%	9
Total	281			11%		20

The attached July 13, 2021 staff report includes additional fiscal impact information related to residential and non-residential customers.

RECOMMENDED ACTION

Discuss and provide direction to the City Manager.

ATTACHMENTS

[July 13 2021 Staff Report - Pdf](#)

[2021-4 URGENCY - AMEND CH 13.04 CRITERIA FOR INITIATING PHASED WATER REGULATIONS](#)



Report to the City Council
Special City Council - 13 Jul 2021

Agenda Section: NEW BUSINESS:

Subject: Presentation of June 2021 Water Meter Reads and Penalty Overview; Discussion and Direction Regarding City Council Water Ad Hoc Committee Phase II Water Emergency Usage Penalties Recommendation

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

Prepared By: Mark T. Prestwich, City Manager

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

On June 23, 2020, City Council adopted a resolution establishing Phase I Water Emergency. At the time, the City had concluded a low rainfall (20") season, was forecasting a potential multi-year drought, and Bell Canyon Reservoir was at 60% capacity.

At the October 27, 2020, City Council Meeting, the City Council adopted Resolution No. 2020-107 enacting a Phase II Water Emergency. Establishment of the Phase II Water Emergency limited residential water use to 65 gallons per person per day, and provided a 2,500 gallon monthly allocation for outdoor irrigation during the months of April through November (for most single family residential parcels).

The City Council adopted an Urgency Ordinance on April 27, 2021, to update the regulatory requirements for commercial, industrial, and institutional users due to the seasonal nature of their water use. The resulting updated Phase II allocation for a commercial, industrial, and institutional user beginning in June 2021 is 10% less than that user's average water use during the three preceding non-shortage years by month. For

the current calculations the following years are being used: 2017, 2018, and 2019. This baseline for determining allocations for commercial, industrial, and institutional users also applies in Phase III.

The Urgency Ordinance also updated the basis for which a Phase I, Phase II, or Phase III water emergency is determined from whether the City has sufficient volume of water to meet its needs through November 1st, to whether the City has sufficient volume to meet its needs through the subsequent May 1st, after making reasonable assumptions regarding rainfall during the rainy season based on recent data. The change to the standard allows the City to take into account potentially very low rainfall during the rainy season, and less than full replenishment of the City's water supply.

Water Penalties

The City's adopted water rate structure did not have an associated penalty structure for use during water emergency phases prior to the City's water emergency. As a result, the City utilized local government and utility advisor Raftelis to analyze and present options/recommendations for a City of St. Helena water penalty structure designed to ensure vital conservation efforts were met. Based on an evaluation of the City's water supply constraints and customers, Raftelis recommended the City adopt a penalty structure with a strong price signal that would dissuade water use and reach those for whom a modest penalty would not register financially.

After a series of public policy discussions, the City Council adopted a tiered volumetric penalty structure at their April 13, 2021 meeting as noted in Table 1 below. The adopted penalty structure was designed to:

- Provide a strong price signal and message without using a big stick approach at average water use;
- Minimize penalties for those bills just exceeding the allocation where accounts could reasonably reduce below the allocation in subsequent billing periods; and
- Maximize penalties for wasteful water use/egregious water users and for those accounts that require financial compulsion to reduce use.

Raftelis noted the City should expect many bills to fall into the first and second exceedance bins (e.g. <25% over, and 25-50% over).

Table 1: Adopted Penalty Structure for a Phase II and Phase III Water Emergency

Bin	Volume Exceeded	\$ per HCF Exceeded	\$ per Gallon Exceeded
1	<25% Over (up to 24.999%)	\$10	\$0.013
2	25-50% Over (25-49.999%)	\$25	\$0.033
3	50-100% Over (50-99.999%)	\$100	\$0.134
4	>100% Over	\$250	\$0.334

June 2021 Water Meter Reads and Penalty Overview

The penalty structure for water use in excess of required conservation measures took effect on June 1, 2021. Meter reads for the month of June 2021 usage have been completed and the first bills with penalties are planned to be distributed this week. Based on meter reads, approximately 63% of residential and non-residential customers have met the required Phase II water conservation measures. Approximately 900 customers (37%) have exceeded their water allocations, resulting in penalties. However, 77% of customers have either no penalties or penalties below \$100. Additionally, water leaks account for 136 of the approximately 900 customers exceeding water allocations.

Table 2 below summarizes the penalties associated with excess water usage, number of accounts affected, total penalties, and the associated percentage of customer penalties by amount.

Table 2: June 2021 Water Penalties

Penalty Range	# of Accounts*	Total Penalties	%
\$0	1,525	\$0	62.89%
\$0.01 - \$100	337	\$10,921.51	13.90%
\$100.01 - \$500	154	\$40,841.28	6.35%
\$500.01 - \$1,000	80	\$57,741.75	3.30%
\$1,000.01 - \$2,000	77	\$113,622.65	3.18%
\$2,000.01 - \$3,000	46	\$114,756.40	1.90%
\$3,000.01 - \$4,000	28	\$98,998.45	1.15%
\$5,000.01 - \$10,000	72	\$489,783.95	2.97%
\$10,000.01 - \$20,000	42	\$618,721.00	1.73%
\$20,000.01 - \$30,000	13	\$338,767.65	0.54%
\$30,000.01 - \$40,000	5	\$163,949.50	0.21%
\$40,000.01 - \$50,000	1	\$48,844.90	0.04%
\$50,000.01 - \$100,000	4	\$280,043.25	0.16%
\$100,000+	2	\$421,023.10	0.08%
Total	2,425	\$2,972,613.84	

*136 of the above accounts with associated penalties are on the June Leak Alarm List and account for \$1.031 million in penalties. Three of the accounts are in the \$50,000.01+ category and account for \$379,735 in penalties.

Water Forecast

During the month of June 2021, there was a 23% reduction in water produced and about a 17% reduction in water delivered (customer water usage) vs. June 2020. The 6% differential between water produced and delivered relates to several factors including timing of meter reads and system loss. Current modeling forecasts the City is not likely to enter a Phase III water emergency before the end of the calendar year if conservation efforts are sustained or improved. However, if conservation efforts decline or the City experiences very low rainfall during the next rainy season, the City may enter a Phase III

water emergency which will significantly increase conservation requirements that could last all the way through next summer, and possibly beyond.

How Much Volume Was Exceeded?

Table 3 below identifies the number of accounts which exceed their allocation per volumetric category and Table 4 provides the same breakdown by user category.

Table 3: June 2021 Water Penalties by Volumetric Category

Volume Exceeded	Number of Accounts
0-24.9%	206
25-49.9%	149
50-100%	174
100%+	371
Total	900

Table 4: June 2021 Water Penalties by Volumetric and User Category

Non-Residential	# in Category	% of Total Accounts*	% of Accounts in Category	% of Penalties Total Accounts	% of Penalties in Category	# of Accounts with Leak Letters
No Penalty	184	8%	65%			
0-24.9%	36	1%	13%	4%	37%	5
25-49.9%	15	1%	5%	2%	15%	2
50-100%	15	1%	5%	2%	15%	4
100%+	31	1%	11%	3%	32%	9
Total	281	12%		11%		20

Residential	# in Category	% of Total Accounts*	% of Accounts in Category	% of Penalties Total Accounts	% of Penalties in Category	# of Accounts with Leak Letters
No Penalty	1,342	55%	63%			
0-24.9%	169	7%	8%	19%	21%	18
25-49.9%	134	6%	6%	15%	17%	18
50-100%	159	7%	7%	18%	20%	15
100%+	340	14%	16%	38%	42%	61
Total	2,144	88%		89%		112

*Total number of City water accounts - 2,425

DISCUSSION

The initial estimate of water penalties for customer use in excess of prescribed allocations equates to approximately \$2.9 million spread over 900 customers. Given the scale of the calculated penalties, City staff has reviewed June 2021 water use and calculated penalties with the City Council Water Ad Hoc Committee of Mayor Geoff Ellsworth and Council Member Lester Hardy.

As stated above, the adopted penalty structure was designed to:

- Provide a strong price signal and message without using a big stick approach at average water use;
- Minimize penalties for those bills just exceeding the allocation where accounts could reasonably reduce below the allocation in subsequent billing periods; and
- Maximize penalties for wasteful water use/egregious water users and for those accounts that require financial compulsion to reduce use.

Given this is the first time penalties have been imposed and the scale of penalties and, balanced against the policy goal of the adopted penalty structure, the Ad Hoc Committee and City staff are recommending implementation of a Penalty Forgiveness Program that would allow any customer to eliminate 100% of their existing June usage penalties and July usage penalties.

The recommendations in Table 5 below would apply across the board for all customers who experience penalties for water usage in the months of June and July. Penalties for June and July 2021 will be forgiven if the customer does not exceed their allocation in August, September, October, and November 2021. The customer must meet this target in all four months for the penalties to be forgiven (the City would issue a refund for any penalties paid for June and July usage) for eligible customers. If a customer does not keep usage below targets in August, September, October and November 2021, then any suspended amount would become payable to the City. Suspended penalties will be applied to customer accounts immediately following the month in which the target was not met (e.g. if a customer does not meet the target reduction in October 2021 then suspended penalties for June and July would be applied with the October meter read penalty).

Table 5: Ad hoc Committee Penalty Forgiveness Program Recommendations for Assessing and Suspending Penalties

Month	Description	Penalty Charge	Penalty Temporarily Suspended	Example
June 2021*	Customer will be charged a percentage of their assessed penalty for being over their allocation. All penalties can be forgiven if a customer meets	25%	75%	If a customer's penalty is \$100, they will only be

	conservation targets in August, September, October and November 2021.			charged \$25
July 2021*	Customer will be charged a percentage of their assessed penalty for being over their allocation. All penalties can be forgiven if a customer meets conservation targets in August, September, October and November 2021.	50%	50%	If a customer's penalty is \$100, they will only be charged \$50
August 2021	Beginning in August and for all future months, customers will be assessed full penalties	100%	0%	If a customer's penalty is \$100, they will be charged \$100

Out of the 900 customers who are receiving penalties – 136 had a leak alarm triggered in June 2021. In addition to the penalty recommendation above, the recommendation is being made that the Water Advisory Board can hear/make a determination for reduction of penalties for those customers who received a penalty as a result of a water leak.

FISCAL IMPACT

If adopted, the fiscal impact for June 2021 would be an initial reduction in penalties from \$2.9 million to \$734,153. This does not include any reduction of penalties granted by the Water Advisory Board for those customers who received leak letters for June 2021 usage. However, the total fiscal costs are unknown at this time as future penalties will be based on actual customer use.

RECOMMENDED ACTION

Consider Water Ad Hoc Committee recommendation to (1) suspend 75% of June 2021 water penalties and 50% of July 2021 water penalties with an opportunity for all customers with water penalties to receive a full waiver/reimbursement of any June and July 2021 penalties if their August 2021, September 2021, October 2021, and November 2021 water usage meets applicable conservation requirements in each of the designated months and (2) designate that the Water Advisory Board can hear/make a determination for reduction of penalties for those customers who received a penalty as a result of a water leak.

CITY OF ST. HELENA

URGENCY ORDINANCE NO. 2021-4

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ST. HELENA AMENDING CHAPTER 13.04 OF THE ST. HELENA MUNICIPAL CODE TO ADDRESS THE CRITERIA FOR INITIATING PHASED WATER REGULATIONS AND THE CONSERVATION MEASURES FOR COMMERCIAL, INDUSTRIAL, AND INSTITUTIONAL USERS

WHEREAS, the City of St. Helena has limited water resources and has adopted both required and encouraged water conservation measures to preserve and help to ensure the sustainability of its water resources; and

WHEREAS, to further preserve its water resources during periods of water shortage, the City has adopted criteria for establishing Phase I, Phase II, and Phase III water emergencies, with increasingly stringent water conservation measures for each phase of a water emergency; and

WHEREAS, on June 23, 2020, the City Council adopted Resolution 2020-72 declaring a Phase I water emergency and initiating the implementation of associated regulations. At the time of the declaration of a Phase I water emergency, the City had extremely low annual cumulative rainfall (20"), a forecast for a potential multi-year drought, and the Bell Canyon Reservoir was at 60% capacity; and

WHEREAS, on October 27, 2020, the City Council adopted Resolution No. 2020-107 determining that conditions requiring the establishment of a Phase II water emergency. At the time the City Council determined that a Phase II water emergency exists, the Bell Canyon Reservoir was at 39.4% capacity; and

WHEREAS, following establishment of the Phase II water emergency, City staff commenced with the process of implementing the mandatory conservation measures established for Phase II emergencies, including establishing allocations of water for all user types in accordance with Municipal Code Section 13.04.240(C); and

WHEREAS, the allocation for commercial, industrial, and institutional users during Phase II is established at ten percent less than the average use during the four winter months of the preceding non-shortage year and the allocation during Phase III is established at twenty percent less than the average use during the four winter months of the preceding non-shortage year; and

WHEREAS, in order to ensure compliance with the limited allocations, the City desires to enact volumetric penalties for users that exceed the limits set forth in the Municipal Code, however, in reviewing the impacts of the penalties, City staff concluded that the allocation for commercial, industrial, and institutional users has a disproportionate

impact on these users and, in particular, on wineries due to the seasonal nature of winemaking, with wineries' water use being more intensive in the summer months, and decreased significantly during the winter months. As a result, the four winter months used to set the allocation for commercial, industrial, and institutional users is not representative of their overall annual water use, causing them to be subject to a more significant reduction in water use than other users; and

WHEREAS, the City is facing a severe water shortage, and must implement the Phase II Regulations as soon as possible to preserve its water supply. The City further believes that volumetric penalties to ensure compliance with the allocations are necessary to preserve the City's water supply, but desires that the allocations and penalties be imposed in an equitable and proportionate manner to users in the same categories; and

WHEREAS, pursuant to 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 City Council desires to amend Chapter 13.04 to allow for a more equitable and proportionate allocation of water for commercial, industrial, and institutional users, so that the City can proceed with implementing the Phase II Regulations in an equitable manner; and

WHEREAS, it is necessary to enact these amendments to preserve the public health, safety, and welfare so that the City can implement the Phase II Regulations in an equitable manner and enforce the City's Phase II Regulations without delay, as any further delay in implementation of the Phase II Regulations could jeopardize the City's water supply during this period of severe water shortage; and

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 of the City of St. Helena hereby finds and declares that this Urgency Ordinance is necessary to help preserve the City's water supply and to protect the health, safety, and welfare of the public as it is essential to implement the Phase II Regulations as soon as possible to preserve the City's water supply during this period of extreme water shortage, but also to do so in an equitable and proportionate manner to water user in the same use categories.

The recitals above are each incorporated by reference and adopted as findings by the City Council.

Section 2. Amendment to St. Helena Municipal Code Section 13.04.230(A)(3).

Paragraph (3) of subsection (A) of Section 13.04.230 of the St. Helena Municipal Code is hereby amended to read as follows:

“3. The volume of water anticipated to be available prior to the next May November 1st, as determined by the director of public works based on a reasonable projection of the rainfall for the next rainy season, is not sufficient to meet projected demand through May November 1st without demand reduction measures being implemented; or”

Section 3. Amendment to St. Helena Municipal Code Section 13.04.240(A)(1).

Paragraph (1) of subsection (A) of Section 13.04.240 of the St. Helena Municipal Code is hereby amended to read as follows:

“1. The volume of water anticipated to be available prior to the next May November 1st from all potable water sources, as determined by the director of public works based on a reasonable projection of the rainfall for the next rainy season is not sufficient to meet the projected demands through May November 1st without demand reduction measures beyond the Phase I reductions being implemented; or”

Section 4. Amendment to St. Helena Municipal Code Section 13.04.240(C)(1).

Paragraph (1) of subsection (C) of Section 13.04.240 of the St. Helena Municipal Code is hereby amended to read as follows:

“1. Commercial, industrial, and institutional users other than dedicated irrigation accounts will receive an allocation per billing period which will be ten percent (10%) less than the average use during the four winter months of same billing period from the three preceding nonshortage years; provided, that no commercial, industrial, or institutional user will be required to reduce usage to less than sixty (60) gallons per day. Users with no prior record of use shall be governed by comparable facilities’ usage records as determined by the department. Commercial, industrial, and institutional customers with irrigation and domestic use provided by the same water meter may receive an additional landscape allocation of up to seventy (70) gallons per day per thousand (1,000) square feet of landscaped area during April through October by documenting the landscaped square footage served by city water to the satisfaction of the director of public works. For purposes of landscape allocation, the April allocation period will begin on the date the water meter is read in April, and the October allocation period will end on the date the water meter is read in November. Landscape allocations are provided for established nonturf plants only.”

Section 5. Amendment to St. Helena Municipal Code Section 13.04.250(A)(1).

Paragraph (1) of subsection (A) of Section 13.04.250 of the St. Helena Municipal Code is hereby amended to read as follows:

“1. The volume of water anticipated to be available prior to the next May November 1st from all potable water sources, as determined by the director of public works based on a reasonable projection of the rainfall for the next rainy season, is not sufficient to meet the projected demands through May November 1st without demand reduction measures beyond the Phase II reductions being implemented.”

Section 6. Amendment to St. Helena Municipal Code Section 13.04.250(C)(1).

Paragraph (1) of subsection (C) of Section 13.04.250 of the St. Helena Municipal Code is hereby amended to read as follows:

“1. Commercial, industrial, and institutional users other than dedicated irrigation accounts will receive an allocation per billing period which will be twenty percent (20%) less than the average use during the same billing period ~~four winter months of from the three preceding nonshortage years~~; provided, that no commercial, industrial, or institutional user will be required to reduce usage to less than fifty (50) gallons per day. Users with no prior record of use shall be governed by comparable facilities’ usage records as determined by the department. The allocation for landscape irrigation will be fifty percent (50%) of the allocation in Phase II and will be based on the same meter reading period as for Phase II. Landscape allocations are provided for established nonturf plants only.”

Section 7. Urgency Finding.

The City hereby finds, determines, and declares that this Urgency Ordinance is necessary to help preserve the City’s water supply and to protect the health, safety, and welfare of the public as it is essential to implement the Phase II Regulations as soon as possible to preserve the City’s water supply during this period of extreme water shortage, but also to do so in an equitable and proportionate manner to water user in the same use categories.

Therefore, the City further finds, determines, and declares that this Ordinance takes effect immediately upon adoption by a four-fifths vote of the City Council under the authority conferred upon it by California Government Code section 36937.

Section 8. City Clerk.

The City Clerk is hereby directed to certify as to the adoption of this Ordinance and cause it to be published in a newspaper of general circulation within 15 days of adoption and 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 9. Severability.

If any provision of this Ordinance or its application to any person or circumstance is held to be invalid, all other provisions and applications of the Ordinance that can be given effect without the invalid provision or application must be given effect, 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.

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 27th day of April, 2021, by the following vote:

Mayor Geoff Ellsworth: Yes
Vice Mayor Paul Dohring: Yes
Council Member Anna Chouteau: Recused
Council Member Lester Hardy: Yes
Council Member Eric Hall: Yes


Geoff Ellsworth, Mayor

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 27th day of April, 2021, by the following vote:


Cindy Tzafopoulos, City Clerk



Mark Smithers and Tom Belt

To our Mayor, City Council, and City Manager,
St Helena, California

Water restriction equitability

The water restrictions recently implemented by our city are wholly inequitable. You've pitted residents against businesses resulting in negativity and anger between residents and between residents and businesses. It doesn't need to be this way, but changes will need to be made.

You've mandated residents to collectively reduce water consumption by 43% while asking business to reduce consumption by only 10% (from their 2017-2019 averages). You support this equity gap due to your concern for businesses investments with complete disregard for the investment homeowners have in their properties, which is often a large part of their life savings. This implies local business investment is "more important" than home investment. This is quite puzzling given residents collectively provide more revenue to the City than businesses through property taxes and sales tax as well as supporting our community through volunteering to support clubs, community programs, local sports, and youth programs. Residents are the life blood of our town.

Recently City public notices admonished residents for not saving enough water (in May 2021) while noting that businesses met their goal. Your suggestion that businesses made sacrifices to conserve and meet their goal is false praise. We'd really like to hear what changes and conservation efforts businesses (especially the large water users receiving 1,000,000 gallons or more a month) made in May compared to the base you gave them. You need to come clean on the situation you handed them that allows them to do virtually nothing and still meet their 10% reduction goal.

Most commercial water customers are not operating today (2021) anywhere near the levels they were in the base years (2017, 2018, 2019) you selected for them. Some examples to illustrate this fact: due to COVID, restaurants don't have the customer counts today compared to 2017-19, hotel occupancy rates are much lower, and retail foot traffic is down significantly. Also, due to last year's fires, there have been sharp declines in on-premise wine sales and tasting room traffic; winery water customers have less bulk wine, are bottling less wine, and likely will crush less in 2021 compared with the base years. About the only local businesses currently operating at the base level are grocery stores and hardware stores. As a result of this dynamic, the City really asked the bulk of commercial water users to do virtually nothing to conserve water.

How to correct this situation, and therefore get real water savings from our commercial water users? We request that you change (correct) the requested reductions by commercial users. Your restrictions as they currently are will not result in new/ongoing water savings (are faulty) because they rely on faulty assumptions: that commercial activities in 2021 will be at the same level as in the base years (2017, 2018, 2019). City Council needs to revisit this sooner rather than later if you truly want commercial water users to make real conservation efforts. You can't wait to talk about this at the end of July.

We ask, what have you specifically asked commercial customers to do? Have you at a minimum asked them to do the following (and confirmed they have):

- Convert all urinals to waterless systems
- Confirm all toilets are using 1.5 or less gallons per flush
- Signage asking customers and employees to conserve water
- Signage at hotels and spas requesting short showers
- Signage requesting hotel guests to not require fresh linens each day
- Require all spas and health clubs to forbid members from coming in just to shower
- Limiting fleet vehicle and truck washings to once a month
- Eliminate hosing down outside areas, concrete pads, etc.; they can be swept
- Reduce all outside landscape watering by 43%
- Reduce vineyard irrigation by 43% (even if well water, groundwater effects all citizens)
- No tilling of vineyards (dust requires us to wash our cars, houses, solar panels, outside furniture)
- Forbid washing the outside of winery tanks and commercial buildings
- Forbid the hosing down of grape bins and gondolas not owned by the winery

As for residents, this situation is most likely the opposite. With people working from home, cooking and eating more at home, planting gardens, and students home schooled, residents would obviously be using more water than in the past. The City should be celebrating the significant conservation of its residents given the difficult and changed conditions. Everyone we know has made big changes to their water uses and is living within their allotments. We believe that commercial users also must make big changes. It is only fair.

Of special note is Healdsburg's recent decision in support of equitable water restriction requiring both businesses and residents to reduce water use 40%. The city needs to make changes to the commercial water use restrictions quickly such that real conservation can occur and help all of us get through this difficult time. The residents have more than sacrificed. We ask for equitable water restrictions and for all water customers to help protect our water resources for our entire community. Now it is time for the city to ask our businesses to do the same.

Residents for water restriction equitability:

Mark Smithers 707 290 4508

Tom Belt 707 815 1405



Report to the City Council
Regular City Council - 27 Jul 2021

Agenda Section: NEW BUSINESS

Subject: Discussion and Direction Regarding Draft City of St. Helena Water Security Framework

CEQA Determination: Not a “project” as defined in Section 15378(a) subject to CEQA; further, even if deemed a “project” subject to CEQA, exempt from CEQA under the common sense exemption set forth in 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: Mark T. Prestwich, City Manager

Reviewed By: Mark Rincon-Ibarra, Public Works Director and City Engineer

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

On February 23, 2021, the City Council received an informational report on the City of St. Helena’s Safe Yield Analysis, Related Water Emergency Regulations, and Water Neutrality Policy. The report included information on the following additional topics as well:

- Water loss
- Bell Canyon reservoir capacity
- Water supply/usage
- Water reduction incentives
- Water customers and usage

At the conclusion of the meeting, the City Council directed the City Manager to develop a Draft Comprehensive Water Security Strategy for review at a future Council Meeting.

DISCUSSION

The resulting Draft City of St. Helena Comprehensive Water Security Framework is intended to coordinate efforts that enhance the City’s ability to sustainably meet water

customer supply needs, advance essential water infrastructure project, address evolving regulatory requirements, and responsibly steward the City's ongoing water security efforts.

The Draft Framework is organized into the following sections:

1. Maximize Conservation During Water Emergency
2. Enhance City Water Supply and Delivery/Availability
3. Improve Consumer Satisfaction and Confidence
4. Establish & Update Water Policies to Improve Water Source Security
5. Advance Data Analytics & Analysis to Improve Performance
6. Invest in Capital Improvement Projects that Strengthen City Water Infrastructure and Enhance Reliability

The Draft Framework identifies 36 distinct tasks and prioritizes 30 water related infrastructure projects. An accompanying Draft Water Security Framework Implementation document will be developed to facilitate advancing tasks and a means of accountability.

FISCAL IMPACT

Not applicable.

RECOMMENDED ACTION

Review and provide direction to the City Manager.

ATTACHMENTS

[DRAFT Water Security Framework](#)
[February 23, 2021 Staff Report - Pdf](#)

DRAFT City of St. Helena

Comprehensive Water Security Framework

Under the City of St. Helena's Vision and Mission Statements, the City has committed to ensuring its water security and improving and maintaining its infrastructure. To this end, the City Council has identified the need to develop a comprehensive water security framework in order to provide a meaningful degree of water security while actively advancing essential water infrastructure projects. On October 27, 2020, the City of St. Helena declared a Phase II water emergency which has underscored the importance of these efforts. The City has prepared this Comprehensive Water Security Framework to coordinate work that will enhance the City's ability to sustainably meet water customer supply needs, address evolving regulatory requirements, and responsibly steward the City's ongoing water security efforts.

I. Maximize Conservation During Water Emergency

- A. Raise awareness of City water emergency challenges
- B. Involve community in conservation efforts
- C. Provide customers with comparison of actual vs. projected water demand
- D. Plan and budget for a rollout of advanced, on-line water meters that provide customers accurate and frequent water usage information

II. Enhance City Water Supply and Delivery/Availability

- A. Complete comprehensive review of City's current water supply and delivery systems, consistent with the joint statement issued by the City in February 2021
- B. Evaluate and pursue sources of additional water via adjacent water districts, potential alternative municipal wells, and other sources
- C. Identify and negotiate emergency water system interties with neighboring water systems to enhance regional water security
- D. Investigate feasibility of using injection wells to recycle treated water into aquifer (groundwater recharge) and reverse osmosis
- E. Analyze both future supply and potential demand for recycled water
- F. Continue to update and refine ongoing long-term forecasts of water supply
- G. Develop recycled water distribution system
- H. Negotiate revised water purchase agreement with City of Napa
- I. Advance infrastructure projects as described below
- J. Review operation of Bell Canyon Reservoir to maximize storage, consistent with all City commitments and obligations
- K. Monitor and support legislation that authorizes the State Water Board's DDW to implement a uniform water recycling criteria for direct/indirect potable reuse

III. Improve Consumer Satisfaction and Confidence

- A. Ensure optimal water quality

- B. Develop analytics to evaluate actual vs projected use with development projects
- C. Pursue additional analytical tools to improve consumer confidence
- D. Publish water supply and delivery system information for the public
- E. Audit Use Permit conditions of approval regarding water neutrality to ensure compliance

IV. Establish & Update Water Policies to Improve Water Source Security

- A. Update Water Neutrality Policy to avoid overestimating existing use and to provide for verification
- B. Update City's Safe Yield Policy to reflect Climate Change impacts on annual rainfall and runoff
- C. Adopt more robust water conservation measures, particularly for our larger industrial users
- D. Ensure that our water management policies are equitable and aligned with our community needs, particularly in the affordable housing arena
- E. Update Water/Wastewater rates and methodology to ensure proper investment in operations and critical infrastructure
- F. Develop operational protocols for City's Stonebridge Well
- G. Establish Water Will Serve Policy
- H. Complete all related commitments set forth in the joint statement issued by the City in February 2021 that have not yet been completed

V. Advance Data Analytics & Analysis to Improve Performance

- A. The City will use its authority under Chapter 13.16 of the St. Helena Municipal Code to gather groundwater extraction data within the City by collection of monthly water levels and annual extraction totals for wells subject to this Chapter. The City will summarize this data with sufficient detail to make the information scientifically useful and will make the summary publicly available.
 - Notify well owners that meters are required, and if not yet installed, establish and communicate deadline for meter installation.
 - If ordinance does not require sensor for static level, ordinance needs amendment.
- B. Establish additional dedicated monitoring wells within City limits
- C. Project effect of Phase 2 regulations on water demand
- D. Work to facilitate installation of new stream gauges and determination of stage/flow relationship curves in the St. Helena segment of the Napa River, and the St. Helena reaches of York Creek and Sulphur Creek, and to incorporate these gauges into the existing data collection system used by the Napa County Groundwater Sustainability Agency.

- E. Retain consultant to update Safe Yield Analysis to reflect impact of Climate Change on rainfall and runoff
- F. Complete Underground Utilities Master Plan (CIP project W18-117) to coordinate and organize needed investments
- G. Annually calculate City's distribution system losses and compare those losses to industry standards as established by the State Water Resources Control Board. Identify and repair distribution system to eliminate losses.
- H. Complete GIS mapping of all City water assets
- I. Commission Joint City/County Watershed/Water Source Study
- J. Review and incorporate, where appropriate, other data from LAFCO's Water and Wastewater Municipal Service Review and Napa County's Drought Contingency Planning efforts

VI. Invest in Capital Improvement Projects that Strengthen City Water Infrastructure and Enhance Reliability

Priority	Project
1	❖ W-35 Bell Canyon Reservoir Improvements
1	❖ W-85 Bell House Valve Replacement
1	❖ W-91 Bell Canyon Creek Flow Measurement
1	❖ W-106 Crystal Springs Booster Station Upgrades
1	❖ W-108 Lower Reservoir Rehab
1	❖ W-109 Bell Canyon Intake Tower Replacement
1	❖ W-110 Rutherford Pump Station Upgrades
1	❖ W18-111 Water Treatment Plant Condition Assessment
1	❖ W18-114 Spill Containment at SB Wells
1	❖ W18-115 Remove Restrictions Rutherford Pump Station
1	❖ W18-117 Master Plan Update & GIS Maps of Water System
1	❖ W18-118 Replace Water Mains <6" in Diameter
1	❖ W18-120 Bell Canyon Spillway Stability Assessment
1	❖ C20-06 Emergency Back-up Power
1	❖ C21-01 PSPS Emergency Back-up Power
1	❖ Replace Permanganate Building at Water Treatment Plant
1	❖ Recycled Water Infrastructure – Phase 1
1	❖ 1% waterline replacement annually
2	❖ W-93 Sludge Handling Program
2	❖ W-101 Tank 2 Rehabilitation
2	❖ W18-119 Bell Canyon Phreatic Surface Monitoring & Assessment
2	❖ W20-01 Bell Canyon Spillway Repairs (Planned)
2	❖ Groundwater Recharge Infrastructure
2	❖ Future Pump Station Upgrades
2	❖ Water pipe infrastructure monitoring/analysis
2	Emergency Response Plan (ERP) for America's Water Infrastructure Act (AWIA) Compliance

3	❖ W-80 Dwyer Road Boost Pump Station
3	❖ W-86 Spring Mountain Pressure Zone Improvements
3	❖ W18-113 SCADA Improvements Rutherford & Holmes
3	❖ W21-01 Kearney and Andrea Water Main Replacement

DRAFT



Report to the City Council
Regular City Council - 23 Feb 2021

Agenda Section: NEW BUSINESS

Subject: Informational Report on City of St. Helena's Safe Yield Analysis, Related Water Emergency Regulations, and Water Neutrality Policy

CEQA Determination: Not a CEQA project

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

Reviewed By: April Mitts, Finance Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

This staff report is being presented at the request of the City Council to provide information on the City's history related water emergency regulations and water neutrality policy.

Safe Yield Analysis

The definition of "safe yield" is as follows: The safe annual yield of the St. Helena water supply system is that quantity of water which can be reliably delivered on an annual basis through most rainfall years, including a Dry Year (rainfall of 22" to 25.9") without undue hardship on water customers through water shortage restrictions. It is recognized that the safe annual yield, as so defined, could place significant hardship on water customers in a Critically Dry Year (rainfall at 21.9" or less) or in periods of two or more consecutive Dry Years.

On December 14, 2010, City Council appointed a Safe Yield Committee to ascertain the City's annual safe yield water supply as defined in the City's then 2030 General Plan Update. By March of 2011, the Committee presented a report (Attachment 1) on what the annual safe yield should be and a list of recommendations moving forward.

As determined by the 2011 Safe Yield Committee report, the annual safe yield of all three City water sources is 1,950 AF. Additionally, modeling was provided to account for water loss each year. Water loss in the system is the difference between total water produced for the year and total water delivered to a customer's meter. The water loss varies annually and is attributable to flushing of hydrants, leaking water mains, water main breaks, hit fire hydrants, and/or fighting fires. In 2011 the percentage of water loss for the year was determined to be 15%; therefore, the net safe yield was found to be 1,658 AF for that specific year (1,950 AF less 15% water loss (292 AF) = 1,658 AF).

Water Loss

On a fiscal and calendar year basis, City staff calculate the water loss in the City water system by comparing water production with water consumption (water delivered thru the meter). Table 1 provides a summary of water loss for the past three fiscal years. Comparison of production and consumption shows that the three year average of unaccounted water is 11% of total deliveries which is well within acceptable industry standards. Some unaccounted for water will be for hydrant flushing, water main breaks, and other operational uses of water. Not all unaccounted for water is leaked.

Table 1: Calculation of Unaccounted for Water

	FY 17-18	FY 18-19	FY 19-20	Average
Consumption (in gallons of water)	580,293,400	519,363,124	550,818,434	550,158,319
Production (in gallons of water)	482,687,214	473,194,743	514,157,292	490,013,083
Consumption as a % of Production	83%	91%	93%	89%
Percentage loss	17%	9%	7%	11%

The City is not currently required to submit an annual water loss audit to the State Department of Water Resources ([California Water Loss Control](#)) since the City serves less than 3,000 customers. However, the City could volunteer to participate in the State program. If the City were to move forward with participating in the State program voluntarily, the City would need to invest in staff training to obtain a Water Audit Validator Certificate and/or have a consultant provide the service on an annual basis.

Bell Canyon Reservoir Capacity

The original design capacity of the Bell Canyon Reservoir is approximately 2,500 AF with 100 AF associated with a water right to the Carpenter family trust which leaves approximately 2,400 AF to the City. 25% of the Bell Canyon's capacity is also to be preserved for wildlife and fires.

The Bell Canyon Reservoir is programmed to have a bathymetric survey or sounding completed in Fiscal Year 2021-22. The survey is used to determine current capacity and how much sediment has entered the reservoir since the previous survey. The survey is then utilized to determine how much sediment is needed to be removed to bring the

reservoir back to design capacity, as necessary, and a construction project then advertised for contractors to bid on the work. The 2001 survey (Attachment 3) appears to have been the first survey since the reservoir was built in 1958 and based the survey it was not apparent that capacity had been significantly reduced during that timeframe. Based on information online, surveys are typically conducted every 5-10 years pending concerns on available capacity or changes within the watershed. The CIP Project No. W-35 scheduled for Fiscal Year 2021-22 estimates a total project budget of \$900,000 that includes the survey and construction for sediment removal, as necessary (Attachment 2).

Water Emergency Regulations

St. Helena Municipal Code (SHMC) Title 13 - Public Services, Chapter 13.04 Water Service System, Article 2 Water Shortage Emergencies, Drought and Water Conservation regulate the establishment of water emergency phases, water conservation, and regulations related to Phase I, II, and III. The following is a link to the City's Municipal Code: [Chapter 13.04 WATER SERVICE SYSTEM \(codepublishing.com\)](http://codepublishing.com). The entire code section and all emergency phases as well as the water conservation requirements are included in Attachment 4.

SHMC Section 13.04.220 establishes that at any time that the City Council finds and determines a water shortage emergency condition exists within the criteria of Sections 13.04.230 through 13.04.250, and that it is necessary to limit usage by the customers of the municipal water department, the City Council shall adopt a resolution setting forth the applicable phase.

The criteria for establishing Phase I Water Regulations shall be any or all of the following:

1. The supply/usage balance, as calculated at the beginning of the fiscal year, is in deficit;
2. The volume of water to be delivered by the City of Napa in any fiscal year will not exceed four hundred (400) AF;
3. The volume of water anticipated to be available prior to the next November 1st, as determined by the director of public works, is not sufficient to meet projected demand through November 1st without demand reduction measures being implemented; or
4. Conditions requiring the establishment of a Phase II water emergency, as determined by the director of public works, appear to be imminent.

Calculation of Water Supply/Usage - Section 13.04.010

Under this section of the SHMC, the City shall calculate the water supply/usage balance as soon as practicable after the end of each fiscal year (June 30th). The supply/usage balance is the difference between the safe annual yield of the City's water supply and the total current usage with total current usage being the average usage over the last five fiscal years (rolling average). The balance is positive, or in surplus, when the safe annual yield exceeds total current usage. The balance is negative, or in deficit, when the safe annual yield is less than total current usage. Below is the five year rolling average as of July 1, 2020:

Table 2: Five-Year Rolling Average

Source	FY15-16	FY16-17	FY17-18	FY18-19	FY19-20	5 Year Average
Louis Stralla (AF)	642.77	735.81	839.59	835.74	701.55	751.09
Napa (AF)	580.87	587.92	623.25	612.42	625.44	605.98
Stonebridge Wells (AF)	240.96	270.33	326.71	239.85	363.41	288.25
TOTAL	1,464.6	1,594.06	1,789.55	1,688.01	1,690.4	1,645.32

The rolling 5-year Average Usage for 2020 was 1,645.32 AF which is below the 2020 net safe yield of 1,814 AF (using 7% water loss for FY 2019-20); therefore, the City started in Fiscal Year 2020-21 in a surplus not meeting the threshold for a Phase I Emergency.

The annual Water Shortage Emergency (WSE) is determined pursuant to the analytical methodology created by the Safe Yield Committee as identified in its report dated March 17, 2011. This calculation requires compilation and evaluation of multiple data sources including: annual production volumes for Louis Stralla Water Treatment Plant, Stonebridge Wells and Napa water; monthly Bell Canyon water levels; monthly groundwater use; production water at the treatment plant; operations water in the distribution system; water loss; and delivery to the water enterprise customers. The result of this analysis is the annual water supply/usage balance which then dictates if a water shortage emergency exists. A water shortage emergency was not triggered until October 1, 2020 and, when it was triggered, skipped Phase I and indicated the City was in a Phase II emergency.

While the City did not formally meet the criteria prescribed by SHMC Section 13.04.220, City Council evaluated the information provided at the time which included a very dry winter and moved forward with the declaration of a Phase I Emergency. The Public Works Director recommended a code revision to include drought years (less than 21.9" of rainfall) in order to assist with decision making in the future. On October 27, 2020, the City Council declared a Phase II Water Emergency as the criteria had been met based on the 2011 analytical spreadsheet developed by the Safe Yield Committee.

Water Neutrality Policy

On March 22, 2011, City Council adopted the definition of Safe Yield as proposed by the Safe Yield Committee and it became City policy. The policy is to be applied to all new development.

"New development" means any of the following construction projects that have not received a certificate of occupancy from the city or county building department prior to September 13, 1994, or that was issued a building permit and did not construct a foundation prior to September 13, 1994:

1. Any freestanding building that contains water-using fixtures;
2. Any floor area additions to existing nonresidential structures;
3. Any residential additions or remodeling that increases the number of independent living units.

With the 2011 adopted policy, City staff prepared a white paper (Attachment 5) on how to calculate the water demand on new development and offsetting the water demand through retrofits and/or other innovative water conservation measures in order to be water neutral, or no net increase on the City's potable water system. Most new residential projects have been able to offset new water demands by replacing old water fixtures onsite or replacing fixtures on another City water user homes or businesses. On larger scale development, such as the recent Farmstead Lodge, the developer proposed the design and installation of recycled pipeline that once online can offset the new development's water usage with recycled water delivered to the City's Crane Park.

It has been increasingly difficult for developers for both residential and commercial sites on vacant lots to find residential and commercial locations throughout the City to meet water neutrality. Therefore, the City is currently working on an updated water neutrality policy in conjunction with the will serve policy that will assist in offsetting demands so that it is more clear to applicants in the future on what water conservation measures can be implemented elsewhere in the City in order to help maintain the City's finite water supply. It is the goal to bring both updated policies to City Council later in 2021 for implementation.

Current Water Reduction Incentives

To continue efforts to promote water conservation, the City currently has the following Rebate Programs in place. Information about these programs is summarized below and can be found utilizing the following link: [Water Conservation & Rebates | City of St Helena](#)

- Toilet Retrofit
 - Up to \$300 per toilet replaced
 - Maximum of 3 toilets for residential and 10 toilets/urinals for commercial
- Smart Irrigation Controller
 - Up to \$20 per station for residential and up to \$30 per station for commercial
 - Max rebate of \$500 for residential and \$1,500 for commercial properties
 - Must replace a non-weather based irrigation controllers
- Cash for Grass
 - Up to \$1.50 per sq. ft. of turf grass that is replaced with drip-irrigated, low water use plants, or permeable hardscape
 - Max rebate for each residential property is \$750 and \$2,500 for each commercial property
 - Artificial turf is not eligible
- Laundry to Landscape (Greywater)
 - Use of greywater collected from showers, bathtubs, bathroom sinks, and clothes washing machines

- Max rebate of \$100
- Rainwater Harvesting
 - Must have minimum of 100 gallons of storage
 - Max rebate of \$100
- Recirculating Hot Water Pump
 - Max of 1 water pump rebate per household
 - Max rebate of \$100

In addition to the programs above, the Public Works Department provides free water conservation supplies which include, but are not limited to: toilet dye tabs, water flow measuring bags, water themed items for children, shower heads, and faucet aerators.

Water Customer Base and Typical Use

The City has approximately 2,600 water connections and serves more than 3,000 residential households, about 260 non-residential establishments, including businesses, schools, religious places and community centers, more than 20 industrial customers, and about 30 irrigation-only customers.

Residential customers account for 87% of the customer base. Below is a summary of the water base by customer type:

- Single Family Homes - 83%
- Commercial - 8%
- Multi-family Residential - 4%
- Other - 4%
- Landscape - 1%

Of the customer types, residential customer account for 50% of total water use. Below is a summary of water use by customer type:

- Residential - 50%
- Industrial - 21%
- Commercial - 17%
- Other - 9%
- Landscape - 3%

Table 2 below provides a summary of the average use per month for both the peak and off-peak seasons for single family homes. Peak is defined as May through October and Off-Peak is defined as November through April. Additionally, water use is read in "Units" which 1 Unit is equal to 1 HCF (Hundred Cubit Feet). Each Unit or HCF is equal to 748.05 gallons. The table below provides both calculations.

Table 3: Average Use Per Month Single Family Residential.

	Off-Peak	Peak
Single Family Homes	7 HCF (5,236 gallons)	17 HCF (12,717 gallons)

Average use for multi-family, mobile homes, and non-residential users is not included due to the following:

- Multi-Family - multi-family housing has many variants including, number of units, landscaping, size of units, etc. Because of this water use can fluctuate drastically and can skew the average not providing an accurate comparison.
- Mobile Homes - due to the confidential nature of water consumption and the City only having one mobile home community, to provide average use would be releasing confidential information.
- Non-Residential - due to the uniqueness of each non-residential user and dependent on the type of business, water use can fluctuate drastically and can skew the average not providing an accurate comparison.

The largest water users in the City include the St. Helena School District, wineries, mobile home community, and some large commercial businesses.

FISCAL IMPACT

Not applicable.

RECOMMENDED ACTION

Receive, file, and provide direction to the City Manager as may be applicable.

ATTACHMENTS

[Attachment 1: 2011 Safe Yield Committee Report](#)

[Attachment 2: Budget CIP Project No. W-35](#)

[Attachment 3: 2004 Bell Canyon Capacity](#)

[Attachment 4: Water Emergency Regulations](#)

[Attachment 5: City of St. Helena Water Neutral Policy](#)

Thursday, March 17, 2011

Report of the Safe Yield Committee

I. INTRODUCTION

In accordance with a policy directive (PF1.1) in the General Plan Update 2030 (revised draft, October 2010), which brought forward a similar but unfulfilled directive from the 1993 General Plan, the City Council on December 14, 2010 appointed the Safe Yield Committee ("the Committee") to ascertain the annual safe yield of the St. Helena potable water system at the present time. The ultimate goal of the Committee was to determine whether, at the present time, potable water usage was below, above, or equal to the safe yield of the potable water supply system.

The Committee consisted of Alan Galbraith, Tim Nieman, and John Sales. The Committee met a total of seven times. The Committee was supported by the Public Works Director, John Ferons. The Committee reviewed its work with Jim Connell of West Yost Associates, the City's outside consulting firm on water supply. This report states the findings, conclusion, and immediate recommendations of the Committee.

The Committee is pleased to report that Mr. Ferons and Mr. Connell are in concurrence with the Committee's calculations of water supply from each water supply source, given the definition of "safe yield" immediately below. They also agree with the Committee's recommendations in Section VII. They take no position on the definition of "safe yield" itself as it is a policy-level issue.

II. DEFINITION OF SAFE YIELD

The meaning of "safe yield" was not defined in the 1993 General Plan. In connection with the general plan update process, the Planning Commission undertook to define the meaning of "safe yield." The City Council approved the definition recommended by the Planning Commission.

The definition of "safe yield" is as follows: **"The safe annual yield of the St. Helena water supply system is that quantity of water which can be reliably delivered on an annual basis through most rainfall years, including a Dry Year (rainfall at 22" to 25.9") without undue hardship on water customers through water shortage restrictions. It is recognized that the safe annual yield, as so defined, could place significant hardship on water customers in a Critically Dry Year (rainfall at 21.9" or less) or in periods of two or more consecutive Dry Years."**

The initial task of the Safe Yield Committee was to quantify the “safe yield” of the City’s potable water supply system *under current operating conditions*.

III. THE SAFE YIELD OF THE ST. HELENA WATER SUPPLY SYSTEM

Based on current operating conditions, the annual safe yield of the St. Helena potable water supply system is estimated to be 1950 AF.

The Committee’s modeling shows that if the City experiences a dry year (22 inches of rainfall) following a series of normal rainfall years, the City can make it through this single dry year with, potentially, the necessity for Phase III restrictions during at least some months in the dry year. This is not deemed an “undue hardship,” even though the imposition of Phase III restrictions would require mandatory rationing and is clearly a significant hardship. The Committee considers “undue hardship” to be Phase IV or V restrictions, or three or more consecutive months of Phase III restrictions.

The basic supply assumptions behind the Committee’s modeling are as follows: (1) the City purchases all Napa water available to it, including the option water (200 AF over 600 AF) in years when it can be purchased; (2) the City limits groundwater production to a long-term average not to exceed 450 AF/yr; (3) the City manages Bell Canyon reservoir as it is currently being managed. The Committee’s model assumes that the City at all times meets its bypass obligations as set forth in Permits 9157 and 14810 from the State Water Resources Control Board.

Detailed computer modeling provides the factual basis for the safe yield finding of the Committee. The models used are extensions of models constructed and used by West Yost Associates. All inputs are based on the best data available; where the data are incomplete, the uncertainties are captured as probabilities and/or examined via sensitivity analysis to gain additional confidence in the stability of the results.

IV. THE NET SAFE YIELD OF THE ST. HELENA WATER SYSTEM

In order to assess total potable water supply of the City’s Water Enterprise that is actually available for sale to customers, it is necessary to subtract from the total supply that amount of water that is not actually available for delivery (“unavailable water”). The safe yield of the St. Helena Water System less unavailable water equals the *net* safe yield of the system.

“Unavailable water” consists of “unaccounted for water,” which is metered water that enters the water supply distribution system but cannot be sold to customers due to loss in the distribution system, metered water necessarily lost in connection with the filtration process at

the Water Treatment Plant at Bell Canyon, and metered water lost in well backwashing at the Stonebridge Well Complex.

The quantity of unavailable water was determined through careful analysis of potable water production and potable water sales in calendar year 2010 (ending December 31, 2010). This data was deemed more reliable than prior year data on account of completion of the meter replacement program prior to 2010. Unavailable water is best expressed as a percentage of production.

Based on calendar year 2010 data, total unavailable water, expressed as a percentage of production, was determined to be 14.96% (15.0% rounded). Of this amount, 14.47% was unaccounted for water loss. The remainder (0.49%) was water lost in production at Bell Canyon and at the Stonebridge complex.

Accordingly, at the current annual safe yield of the potable water supply system at 1950 AF, the *net* safe yield of the potable water supply system is 1658 AF (1950AF – (1950 AF x 15.0%)).

V. CURRENT SYSTEM POTABLE WATER USAGE

Due to the numerous factors that can impact water usage in any single year (total rainfall, seasonality of rainfall, state of economic activity, water restrictions, *etc.*), the Committee, the Public Works Director, and West Yost Associates determined that the most accurate picture of water usage is presented by using a *five-year*, rolling average. Use of any shorter time period carries the serious risk of presenting a skewed picture of “current” usage.

The Committee uses “rainfall year” usage data (July 1 through June 30). A rainfall year coincides with the City’s fiscal year. The City summarizes usage data on a fiscal year basis.

Total potable (metered) water usage was 1853 AF in FY 2006, 2026 AF in FY 2007, 1894 AF in FY 2008, 1807 AF in FY 2009, and 1581 AF in FY 2010.

The current five-year average of metered usage is therefore 1833 AF. Adding in the estimates of unavailable water gives an estimate of total average water usage of 2156 AF (1833 x .85).

VI. THE CURRENT SUPPLY/USAGE BALANCE

Current total usage, 2156 AF, is above the safe yield of the St. Helena water supply system of 1950 AF. The difference is 206 AF.

VII. CONCLUSIONS AND RECOMMENDATIONS

The Committee concludes that the St. Helena potable water supply system, under current conditions, is *not* currently in balance under the definition of safe yield adopted by the City Council. In future years, estimates of total usage should be updated on an annual (fiscal year) basis using the most recent five-year rolling average to re-evaluate the supply/usage balance.

Apart from contracting for new sources of water, the Committee recommends that the City consider two immediate steps to augment potable water supply.

First, the City should seek an amendment to the Napa contract. The current contract with Napa uses a trigger date of April 15 for determining the delivery quantities available to the City, and is based on the allocation of water from the State Water Project (“SWP”) to Napa on that date. The SWP allocation to Napa is often updated after April 15, usually as an increase. The new amendment will seek to change the effective trigger date to June 30. It should provide that if the SWP increases its allocation to Napa in the period between April 15 and June 30, and the increase would have triggered the City’s obligation to purchase 200 AF over the base 400, then Napa will deliver and St. Helena will pay for the additional 200 AF. Similarly, if the SWP increases its allocation to Napa in the period between April 15 and June 30, and the increase would have triggered the City’s option to purchase 200 AF over 600 AF, then Napa will provide St. Helena with the option to purchase 200 AF over 600 AF. The Committee estimates that this change in the Napa contract will increase the annual safe yield of the water supply system by approximately 75 AF.

Second, the safe yield of the system can be increased by giving the Public Works Department more opportunity to attempt to optimize its operations. Specifically, if the pumping capacity of groundwater wells were increased, Bell Canyon could be drawn down more during normal years (less carryover water) but with the ability to produce more groundwater in drought years. The overall anticipated effect would be to increase the total yield of the system and, at the same time, reduce over the long run the City’s average groundwater production from the Stonebridge Wells. Although further study is needed, initial modeling estimates that such a change in operations would increase the annual safe yield of the water supply system.

The Committee has the following **two additional recommendations**:

Third, City should retain West Yost Associates to develop a new system for triggering water emergencies. The current system, developed at a time when Bell Canyon was the City’s primary source of water and at a time when the yields from Bell Canyon were materially greater than they are today, is out-of-date, and a poor indicator of actual conditions. A new system would take into account that the City has three sources of water, and would give the Public

Works Director authority to recommend to City Council an appropriate level of emergency water restrictions in the context of the total supply situation as it exists or is reasonably forecasted to exist. The Committee remains willing to work with West Yost Associates and the Public Works Director on this difficult assignment if deemed appropriate.

Fourth, the City should re-determine the usage/supply balance at the end of each fiscal year in the ordinary course of business of the Water Enterprise. This will require recalculation each year of the forward-rolling, five-year average total potable water usage. It should also take into account any change in supply conditions.

Respectfully submitted,

Alan Galbraith
Tim Nieman
John Sales

Bell Canyon Reservoir Improvements

Project No: 0303-W-35

Category: Water

Project Location: 410 Crystal Springs Rd. (APN 021-420-019)

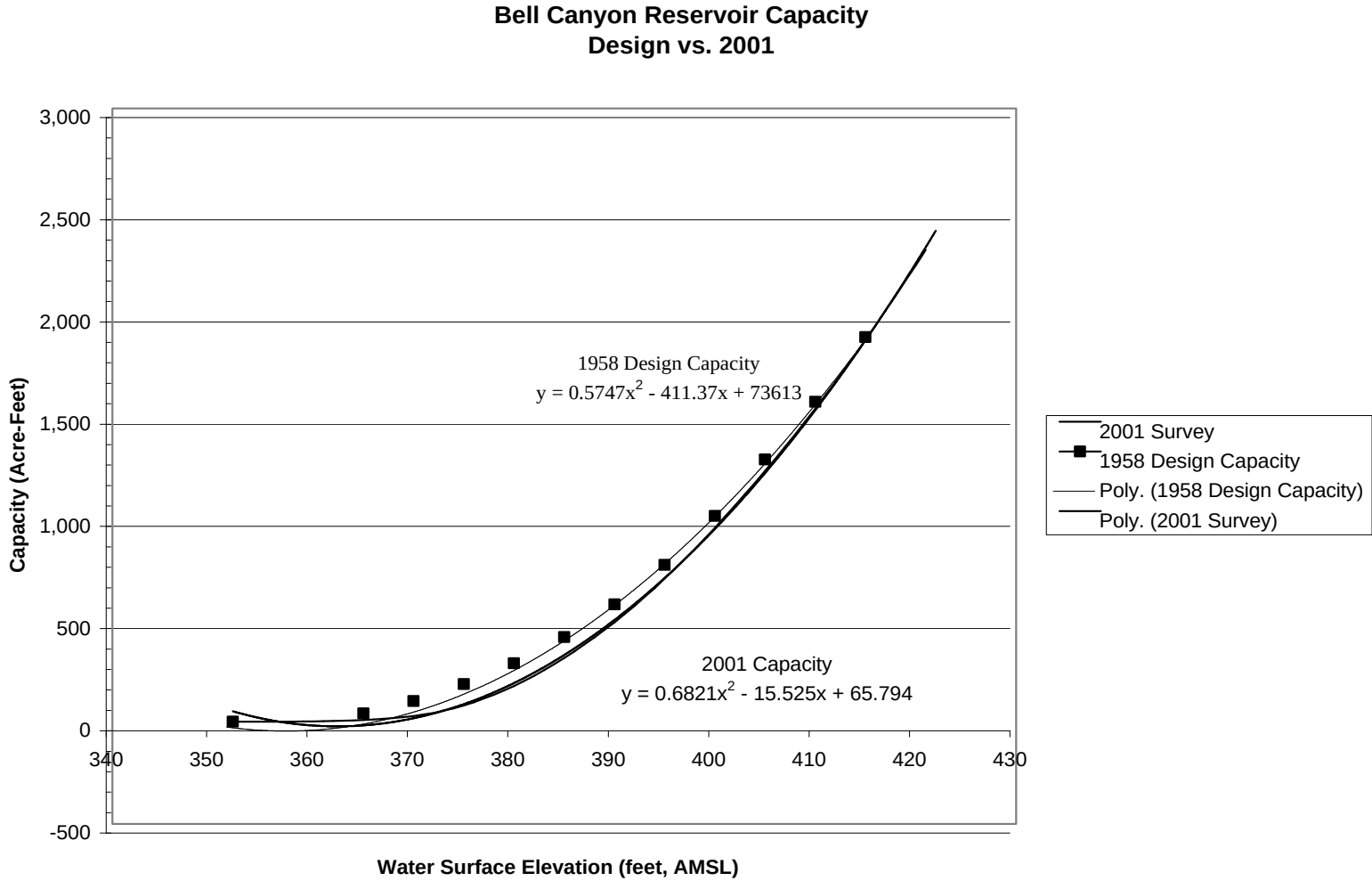


PROJECT PURPOSE & DESCRIPTION: Dredging of Bell Canyon Reservoir will return the storage capacity to design limits.

EXPENDITURE ACCOUNTS:

Fund: 763 **Dept:** 5030

EXPENDITURES								PROJECT TOTAL
	Total YTD	Rollover Funds	2020-21	2021-22	2022-23	2023-24	2024-25	
3110 - Design				50,000				50,000
3150 - Construction Management				50,000				50,000
3160 - Construction Contract				750,000				750,000
3170 - Contingency				50,000				50,000
EXPENDITURE TOTALS				900,000				900,000
FUNDING SOURCES								
763-Water Capital Improvement				765,000				765,000
764-Water Impact Fees				135,000				135,000
FUNDING TOTALS				900,000				900,000



Article 2
Water Shortage Emergencies, Drought and Water Conservation

13.04.220 Procedure for establishing water emergency phases.

At any time that the city council finds and determines that a water shortage emergency condition exists within the criteria of Sections [13.04.230](#) through [13.04.250](#), and that it is necessary to limit usage by the customers of the municipal water department, the city council shall adopt a resolution setting forth the applicable phase. As soon as is practicable after adoption of such resolution, the city clerk shall cause to be published at least once, in a newspaper of general circulation published and circulated in the city, a notice declaring the establishment of such regulatory phase. Such notice shall set forth the limitations of water use applicable to the particular phase being established and shall further declare that violations of such limitations are punishable in accordance with the provisions of Sections [13.04.230](#) and [13.04.310](#). The establishment of a particular phase shall be completed and effective as described in the resolution adopting the water shortage phase.

Whenever the cumulative rainfall for the current water year (beginning November 1st) is less than the median amount for the same time period, the director of public works or designee shall report at least monthly to the city council and recommend whether the city should enter into a water shortage phase, and if so, which phase is recommended.

At any time the state of California may require the city to conform with emergency drought regulations. Notwithstanding any other provisions of this article, the city council may, at the recommendation of the director of public works, activate a water shortage phase as a means of compliance with emergency drought regulations adopted by the state. (Ord. 16-13 § 5 (Att. 6 (part))); Ord. 15-5 § 1 (part); Ord. 11-7 (part); Ord. 02-7A § 1 (part); prior code § 18.23)

13.04.221 Water conservation.

St. Helena has limited water resources and has adopted both required and encouraged conservation measures. All customers shall comply with all mandatory water use efficiency requirements within this chapter for water conservation. Any customer who fails to comply with the mandatory water conservation measures shall immediately stop the water waste by installing the appropriate water-saving devices in their plumbing, appliances, or improvements, or take other such actions as directed by the city to bring about full compliance.

A. All persons are encouraged to use the following water use efficiency guidelines to minimize water waste:

1. Establish procedures in the home and business to recycle water;

2. Install water-saving devices in existing facilities including low flow showerheads, faucet aerators, ULF (ultra low flush) toilets, and WaterSense certified (or successor certification) appliances;
3. Refrain from additional irrigation and unnecessary use of water, such as car washing, when the temperature exceeds ninety (90) degrees Fahrenheit;
4. Limit the expansion or installation of new water-using appliances, plumbing or improvements, such as lawns, landscaping, pools, sprinkler irrigation systems, wash-down equipment, larger washing machines or garbage disposal units. In the event that a new water-using appliance is necessary, installation of water efficient devices are encouraged;
5. All schools, social and professional groups, churches, etc., should discuss water conservation as a regular agenda item and forward worthwhile suggestions to the department for consideration and implementation;
6. Limit irrigation of potable water to landscaping between the hours of eight a.m. and eight p.m.; and
7. All sites with irrigated landscapes or gardens are encouraged to establish the following irrigation practices:
 - a. Turn off irrigation systems during the off-peak season (November through April) as defined in Section [13.04.080](#);
 - b. Reduce the amount of time for all outdoor irrigation.

B. Mandatory Conservation Measures. The following water conservation prohibitions and limitations are required by all persons:

1. The application of potable water to any driveway or sidewalk is prohibited, unless the person proposing such application of potable water documents to the director of public works' satisfaction that application is necessary to abate a condition constituting a public health hazard.
2. Using a hose that dispenses potable water to wash a motor vehicle is prohibited, unless the hose is fitted with a shut-off nozzle.
3. Customers shall install new landscaping in existing or new development that is water efficient within the meaning of the state's water efficient landscape ordinance.

4. Using potable water to water outdoor landscapes in a manner that causes runoff to adjacent property, nonirrigated areas, private and public walkways, roadways, parking lots or structures is prohibited.
5. Using potable water in a fountain or decorative water feature is prohibited, unless the water is part of a recirculating system.
6. Withdrawing water from fire hydrants, except for firefighting, firefighting training, and water system maintenance purposes, is prohibited.
7. Use of potable water for grading, dust control, street, pipeline or similar construction is prohibited.
8. The application of potable water to outdoor landscapes during and up to forty-eight (48) hours after measurable rainfall is prohibited.
9. No person shall use potable water to irrigate ornamental turf on public street medians.
10. Restaurants, hotels, cafes, cafeterias, bars or other public places where food or drink is served and/or purchased shall supply water to patrons only upon request.
11. Operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each bathroom using clear and easily understood language.
12. All projects for which the planning department requires approved landscape plans must adhere to the city's xeriscape standards or the state's Model Water Efficient Landscape Ordinance, whichever is stricter, in order to obtain plan approval.
13. Any new water connection for new development must offset new demand by an amount of water equal to the new demand on the city water system using the methodology defined in Section [13.12.030](#). The offset must be clearly demonstrated, to the satisfaction of the director of public works. (Ord. 16-13 § 5 (Att. 6 (part)))

13.04.230 Phase I water regulations.

- A. The criteria for establishing Phase I shall be any or all of the following:
 1. The supply/usage balance, as calculated at the beginning of the fiscal year, is in deficit;

2. The volume of water to be delivered by the city of Napa in any fiscal year will not exceed four hundred (400) AF;
3. The volume of water anticipated to be available prior to the next November 1st, as determined by the director of public works, is not sufficient to meet projected demand through November 1st without demand reduction measures being implemented; or
4. Conditions requiring the establishment of a Phase II water emergency, as determined by the director of public works, appear to be imminent.

B. During the Phase I water emergency, the following mandatory conservation measures by customers of the department shall be enforced by the department and publicized by the city:

1. All customers must be in compliance with all water conservation requirements of Section [13.04.221](#)(B) (Water Conservation). If a customer is found to be out of compliance with any part of Section [13.04.221](#) or provisions of these water shortage emergency requirements, the customer must immediately stop the water waste by installing the appropriate water-saving devices in their plumbing, appliances, or improvements, or take other such actions to bring about full compliance.
2. All customers are prohibited from expanding or installing landscaping or appliances that will increase the overall water use of the property. Replacement of existing appliances, landscaping, plumbing, or improvements shall be allowed only if the change can be documented to the satisfaction of the director of public works to result in more efficient water-using fixtures or systems.
3. Customers shall cease the operation of air-cooling outdoor misting systems using treated water supplied by the city, unless on a timer.
4. Outdoor irrigation of ornamental landscapes or turf with potable water is limited to no more than two days a week. The director of public works shall specify the two days per week in accordance with the needs of any geographical area within the city.
5. No person shall use potable water to irrigate landscaping between the hours of eight a.m. and eight p.m.
6. Irrigation with potable water of landscapes outside of newly constructed homes and buildings shall be in a manner consistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development. If irrigation systems are installed as a part of new development, they shall be drip or microspray irrigation

systems or a system determined by the director of public works or designee to be more efficient.

7. Draining and refilling of swimming pools shall be permitted only as needed for the purpose of pool repair or to correct a severe chemical imbalance. Draining and refilling of decorative ponds and lakes shall be permitted only as needed for the purpose of lining the bottom to prevent absorption.

8. All new or replacement industrial and commercial clothes washers shall be high efficiency as defined by the U.S. Environmental Protection Agency. All new or expanded car washing facilities shall include water-saving methods.

9. In accordance with Section 864 of Title 23 of the California Code of Regulations or any successor regulation, the taking of any action prohibited in this subsection B, in addition to any other applicable civil or criminal penalties (including the penalties set forth in Sections [13.04.230](#) and [13.04.310](#)), is an infraction, punishable by a fine of up to five hundred dollars (\$500.00) for each day in which the violation occurs.

C. During the Phase I water emergency, the following actions shall be carried out by the city:

1. The city shall notify customers that one or more of the criteria for Phase I has been met, and shall identify and explain in sufficient detail each criterion that forms a basis for establishing a Phase I water emergency.

2. The city shall notify customers of the water usage allocation for each account that would be allowed under a Phase II water emergency if a Phase II water emergency appears to be imminent.

3. The city shall advise customers of the Phase I water shortage and of restrictions and opportunities for exception permits that are available under Section [13.04.280](#) if a Phase II water emergency appears to be imminent.

4. Any applicant for, or holder of, a building permit for construction that may be affected by the existence of this or future water emergency phases shall be informed of the impact of such phases, but lack of such notice shall not permit a new water connection that is otherwise prohibited.

5. The city shall not issue permits for construction of any new swimming pool unless the pool is to be supplied with water other than treated water supplied by the city. Customers are encouraged to fill existing pools from water other than treated water.

6. If a Phase II water emergency appears to be imminent, the city shall make plans for implementation of a water shortage disaster plan, which shall include provisions for:

- a. Emergency water stations;
- b. Acquisition of private property under the right of eminent domain, with immediate possession to alleviate the emergency; and
- c. Application for relief assistance from county, state, and federal sources.

7. The city council shall give notice to any customer that has a terminable contract with the department (whereby the department is the supplier) that such contract will be terminated upon implementation of Phase III by the city council.

8. If the declaration of a Phase II emergency appears reasonably imminent, the city council shall cause a water advisory board to be formed consisting of one city council member, one planning commissioner, one winery customer, and two public members, one of whom shall be solely a residential customer. The director of public works shall be an ex officio member of this board. Unless the city council otherwise directs, the board will disband when the water emergency is no longer in effect. The water advisory board shall have access to all records in the possession of the water enterprise necessary in its judgment to perform its duties, including customer records. The board shall maintain the confidentiality of individual customer records unless the board determines by resolution that release of such information is necessary in the pursuit of its duties.

D. In addition to the mandatory measures defined in subsection B of this section, customers of the department and members of the community are encouraged to do the following:

- 1. Reduce all indoor water use to not more than an average of seventy-five (75) gallons per person per day within the residence, including single-family residences, apartments, condominiums, townhomes, mobile homes and manufactured homes.
- 2. Reduce indoor water use in the work place and commercial establishments by a minimum of ten percent (10%) from customary consumption.
- 3. Eliminate or defer all nonessential water use such as topping off swimming pools.
- 4. All schools, social and professional groups, churches, etc., are encouraged to discuss water conservation as a regular agenda item and to forward worthwhile suggestions to the department for consideration. (Ord. 16-13 § 5 (Att. 6 (part)):
Ord. 15-5 § 1 (part): Ord. 14-11 § 3 (Exh. A): Ord. 14-9 § 5 (Exh. A): Ord. 11-7 (part): Ord. 02-7A § 1 (part): prior code § 18.23.1)

13.04.240 Phase II water regulations.

A. The criteria for establishing Phase II shall be:

1. The volume of water anticipated to be available prior to the next November 1st from all potable water sources is not sufficient to meet the projected demands through November 1st without demand reduction measures beyond the Phase I reductions being implemented; or
2. Conditions requiring the establishment of a Phase III water emergency appear imminent.
3. In assessing the need to impose Phase II restrictions, due weight shall be accorded to the trigger system developed by the safe yield committee for use by the director of public works. The trigger system is based on water levels in Bell Canyon Reservoir, with the level necessary to trigger a water emergency being adjusted each month to reflect the supply capacity of groundwater and water to be delivered by the city of Napa at that time. Details of the system can be obtained from the director of public works.

B. All mandatory and voluntary measures established by Section [13.04.221](#), Water Conservation, and Phase I, Section [13.04.230](#)(B), (C) and (D) shall be included in Phase II and publicized by the city except insofar as they are inconsistent with subsections C and D of this section.

C. The following mandatory conservation measures by customers of the department shall be enforced by the department:

1. Commercial, industrial, and institutional users other than dedicated irrigation accounts will receive an allocation per billing period which will be ten percent (10%) less than the average use during the four winter months of the preceding nonshortage year; provided, that no commercial, industrial, or institutional user will be required to reduce usage to less than sixty (60) gallons per day. Users with no prior record of use shall be governed by comparable facilities' usage records as determined by the department. Commercial, industrial, and institutional customers with irrigation and domestic use provided by the same water meter may receive an additional landscape allocation of up to seventy (70) gallons per day per thousand (1,000) square feet of landscaped area during April through October by documenting the landscaped square footage served by city water to the satisfaction of the director of public works. For purposes of landscape allocation, the April allocation period will begin on the date the water meter is read in April, and the October allocation period will end on the date the water meter is read in November.
2. Residential users in the single-family residential, multifamily residential, mobile home and manufactured homes customer classes will receive an allocation per

billing period which will be limited to sixty-five (65) gallons per person per day. Single-family residences will receive an additional twenty-five hundred (2,500) gallons per month from April through October for landscape irrigation. Multifamily residential, mobile home and manufactured homes customers may receive a landscape allocation of up to seventy (70) gallons per day per thousand (1,000) square feet of landscaped area during April through October by documenting the landscaped square footage served by city water to the satisfaction of the director of public works. For purposes of landscape allocation, the April allocation period will begin on the date the water meter is read in April, and the October allocation period will end on the date the water meter is read in November.

3. For a lawn, landscaping, vineyard or field watered or irrigated through a meter dedicated to that use, usage shall be limited to sixty percent (60%) of current reference evapotranspiration as established in the California Model Water Efficient Landscape Ordinance (MWELO) or successor regulations.

4. No new water connections shall be permitted during a Phase II water emergency.

D. During the Phase II water emergency, the following actions shall be carried out by the city:

1. The city shall notify customers of the water usage allocation for each account that would be allowed under a Phase III water emergency.

2. The department of public works shall make available, or arrange to have delivered, nonpotable water from either lower reservoir or, if permitted and available, tertiary treated wastewater to city-owned properties for irrigation purposes.

3. Nothing herein shall restrict the authority of the director of public works from imposing more severe usage restrictions on each class of water customer if circumstances so warrant. (Ord. 16-13 § 5 (Att. 6 (part)): Ord. 15-5 § 1 (part): Ord. 11-7 (part): Ord. 02-7A § 1 (part))

13.04.250 Phase III water regulations.

A. The criteria for establishing Phase III shall be:

1. The volume of water anticipated to be available prior to the next November 1st from all potable water sources is not sufficient to meet the projected demands through November 1st without demand reduction measures beyond the Phase II reductions being implemented.

2. In assessing the need to impose Phase III restrictions, due weight shall be accorded the trigger system developed and defined by the safe yield committee for

use by the director of public works. The trigger system is based on water levels in Bell Canyon Reservoir, with the level necessary to trigger a water emergency being adjusted each month to reflect the supply capacity of groundwater and water to be delivered by the city of Napa at that time. Details of the system can be obtained from the director of public works.

B. All mandatory and voluntary measures established by Section [13.04.221](#), Water Conservation, and Phases I and II, Sections [13.04.230](#)(B), (C) and (D) and [13.04.240](#)(B), (C) and (D), shall be included in Phase III and publicized by the city, except insofar as they are inconsistent with subsections C and D of this section.

C. The following mandatory conservation measures by customers of the department shall be enforced by the department:

1. Commercial, industrial, and institutional users other than dedicated irrigation accounts will receive an allocation per billing period which will be twenty percent (20%) less than the average use during the four winter months of the preceding nonshortage year; provided, that no commercial, industrial, or institutional user will be required to reduce usage to less than fifty (50) gallons per day. Users with no prior record of use shall be governed by comparable facilities' usage records as determined by the department. The allocation for landscape irrigation will be fifty percent (50%) of the allocation in Phase II and will be based on the same meter reading period as for Phase II. Landscape allocations are provided for established nonturf plants only.

2. Residential users in single-family residential, multifamily residential, mobile home and manufactured homes customer classes will receive an allocation per billing period which will be limited to sixty (60) gallons per person per day. The allocation for landscape irrigation will be fifty percent (50%) of the allocation in Phase II and will be based on the same meter reading period as for Phase II. Landscape allocations are provided for established nonturf plants only.

3. For a vineyard or approved field (as approved by the water advisory board) watered or irrigated through a meter dedicated to that use, the allocation shall be limited to thirty percent (30%) of current reference evapotranspiration as established in the California Model Water Efficient Landscape Ordinance (MWELO) or successor regulations, and irrigation will be allowed for established nonturf plants only.

4. All nonessential uses of water shall be prohibited. Nonessential uses shall include, but not be limited to, the following:

- a. The use of water for irrigation of turf, lawns, or landscaping;

b. The refilling of swimming pools, hot tubs and spas, except as required by the fire chief for use as standby neighborhood fire protection. The fire chief shall maintain a list of such pools to be on file at the fire department.

5. No new water connections for new development shall be permitted.

D. During the Phase III water emergency, the following actions shall be carried out by the city:

1. The department shall terminate all nonessential contracts which are terminable. (Ord. 16-13 § 5 (Att. 6 (part)): Ord. 15-5 § 1 (part): Ord. 11-7 (part): Ord. 02-7A § 1 (part): prior code § 18.25)

13.04.270 Termination of water emergency phases.

Water emergency phases shall be terminated or changed to a less critical phase in the same manner as they are established in accordance with criteria set forth in the preceding sections and at the discretion of the city council. (Ord. 16-13 § 5 (Att. 6 (part)): Ord. 15-5 § 1 (part): Ord. 11-7 (part): Ord. 02-7A § 1 (part): prior code § 18.28)

13.04.280 Exception permits.

A. Under a Phase II or Phase III water emergency, the director of public works shall, with such conditions as seem to him or her to be reasonable, grant exception permits in addition to any basic allocation, on application of a water customer submitted under penalty of perjury, based on the conditions defined in this section. The city may provide a process for certification of efficiency, lot size, medical condition, or efficient and essential use prior to declaration of a water shortage emergency condition which could result in a customer being prequalified for exception.

1. For any customer with an allocation based on previous water use, if it can be demonstrated to the satisfaction of the director of public works that water conservation measures beyond those required in Chapter [13.12](#) were in place prior to the preceding nonshortage year, an additional quantity of water may be allocated to recognize the higher efficiency in place prior to the water emergency condition.

2. For single-family residential parcels exceeding seven thousand (7,000) square feet in area, the quantity of up to twenty (20) gallons per day for each one thousand (1,000) square feet that the property area exceeds seven thousand (7,000) square feet for the purpose of maintaining mature landscape or orchard plants. For purposes of this subsection, multiple parcels maintained and fully landscaped as one property may be computed as being one parcel. An exception granted based on this subsection shall allow the use of no more than an additional two hundred fifty (250) gallons per day for this purpose.

3. For medical conditions of a resident, a quantity as required to maintain health standards.

4. For any customer with an allocation based on previous winter water use, if it can be demonstrated to the satisfaction of the director of public works that efficient and essential water uses are not represented in average winter water use, an additional quantity of water may be allocated to provide for these efficient and essential needs.

B. The water advisory board shall meet at least monthly and may grant permits for uses of water or for exceptions to water conservation measures or for water connections otherwise prohibited by Sections [13.04.230](#), [13.04.240](#), and [13.04.250](#) if it finds and determines that such regulations would:

1. Cause an unnecessary and undue hardship to the applicant or to the public;
2. Cause an emergency condition affecting the health, sanitation, fire protection, or safety of the applicant or public; or
3. Promote water conservation by providing for the establishment of water efficient landscaping meeting the standards of Section [17.112.140](#) and such policies and regulations as have been adopted to implement the provisions of that chapter, replacing more water-intensive landscaping.

C. The water advisory board of the city shall prescribe necessary procedures for application for and use of exception permits.

D. Any decision of the director of public works in granting or denying exceptions may be appealed by the applicant or any other person to the water advisory board by filing a written appeal with the city clerk within ten (10) calendar days after the date of mailing of written notice to the applicant of the decision rendered. The water advisory board shall use its best efforts to hear and determine such appeal within twenty (20) days, and shall affirm, reverse, or modify the decision.

E. Any decision of the water advisory board may be appealed by the applicant to the city council according to the provisions of Chapter [1.16](#). (Ord. 16-13 § 5 (Att. 6 (part))); Ord. 15-5 § 1 (part); Ord. 11-7 (part); Ord. 02-7A § 1 (part); prior code § 18.28.1)

13.04.310 Violation—Misdemeanor.

Notwithstanding any provision of this code to the contrary, the provisions of Section [377](#) of the California Water Code shall be applicable to any violation of this article. Any person violating any of the provisions of this article shall be guilty of a misdemeanor. Upon conviction thereof, such person shall be punished by imprisonment in the county jail and/or fined in accordance with the penalties as set forth in the

provisions of Section [377](#) of the California Water Code. (Ord. 16-13 § 5 (Att. 6 (part)):
Ord. 15-5 § 1 (part): Ord. 11-7 (part): Ord. 02-7A § 1 (part): prior code § 18.30)

St. Helena Water Neutral Policy for Development

City Codes Relating to Water Use

The 1993 General Plan provides at policy 9.2.1 that "new development" shall be contingent upon the ability of the City to provide water without exceeding safe yield.

Pursuant to the City Council meeting of March 22, 2011, the City Council adopted the definition of "Safe Yield" as proposed by the Safe Water Yield Committee as follows:

"The safe annual yield of the St. Helena water supply system is that quantify of water which can be reliably delivered on an annual basis through most rainfall years, including a Dry year (rainfall at 22" to 25.9") without undue hardship on water customers through water shortage restrictions. It is recognized that the safe annual yield, as so defined, could place significant hardship on water customers in a Critically Dry Year (rainfall at 21.9" or less) or in periods of two or more consecutive Dry Years."

The City's Safe Water Yield Committee recently reported that the St. Helena potable water supply system, under current conditions, **is not currently in balance** under the definition of safe yield as adopted by the City Council.

Per the City Council meeting of March 22, 2011, item 17, the CC adopted the definition of Safe Yield as proposed by the Safe Yield Committee, and it is now City policy. This policy will therefore be applied to new development.

"New development" means any of the following construction projects that have not received a certificate of occupancy from the city or county building department prior to September 13, 1994, or that was issued a building permit and did not construct a foundation prior to September 13, 1994:

1. Any freestanding building that contains water-using fixtures;
2. Any floor area additions to existing nonresidential structures;
3. Any residential additions or remodeling that increases the number of independent living units.

Water Demand Analysis

The applicant must be water-neutral (from the City-delivered water system) through any combination of on-site water conservation measures and/or off-site retrofitting and/or well water. Water neutrality shall be demonstrated in a quantitative water analysis of the project.

The analysis must consist of the calculation of the baseline existing demand, the proposed water demand, a comparison of the two and the proposed retrofits to achieve a zero water use increase from the proposed development. Flows are calculated in gallons per day (gpd) with two (2) occupants per bedroom. Offices, dens, tv rooms, etc. are considered bedrooms with or without a closet.

If onsite retrofits cannot achieve net zero increase, the developer shall identify offsite retrofits. The City does not maintain a list of offsite retrofit needs. Per City Municipal Code 13.12.050, the developer shall be responsible for identifying residential or nonresidential properties eligible for retrofitting and verify to the department of public works that the required number of retrofits have been completed prior to the issuance of a certificate of occupancy.

Existing

Use of the flows from the Napa County Alternative Sewer Treatment System Standards to calculate existing water use is acceptable to the City Public Works Department. The commercial standards are attached; for residential projects, use of 150 gpd/bedroom is accepted. For onsite irrigation with City water, calculation of actual usage is obtained by ascertaining the number of drippers/sprinklers and the time watered and using 75% of the total value, assuming no irrigation in the winter months.

Proposed

Proposed water conservation efforts shall be compared to those existing flows quantitatively. Those standards can be found at websites for the LEED standards, Energy Star standards and major cities like San Francisco's water conservation guides. Water conservation devices proposed in the water analysis will be required by conditions of approval, must be included on the building plans and inspected/verified at certificate of occupancy.

Acceptable theoretical demand for residential flows/uses:

Toilet	3 flushes/day/occupant
Faucet	0.25 min/3 times/day/occupant
Shower	8 min/shower/day/occupant
Kitchen faucet	4 min/day/occupant
Clothes washer	0.37 load/day/occupant
Dishwasher	0.1 load/day/occupant

Typical calculation:

Fixture	Flow Rate		Flow Duration		Daily Uses		Number of Occupants		Gallons per Day
	gal/min or gal/flush		(min., flush, load, etc.)		per Occupant				
Showerheads	2	x	8	x	1	x	10	=	160
Sink Faucets	1.5	x	0.25	x	3	x	10	=	11
Kitchen Faucet	1.5	x	4	x	1	x	10	=	60
Toilet	1.3	x	1	x	3	x	10	=	39
Clothes Washer	19.7	x	1	x	0.37	x	10	=	73
Dish Washer	6.3	x	1	x	0.1	x	10	=	6

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Great strides have been achieved by applicants through the use of low flow toilets, waterless urinals, sensor driven faucets, smart yard sensors, low flow dishwashers and washing machines. Retrofitting off-site is acceptable, though the City does not maintain a list of facilities.

Retrofit fees are not being accepted by the Public Works Director in lieu of actual retrofit applications.

TABLE 4

TYPE OF OCCUPANCY	GALLONS PER DAY
Airports	5 per passenger
Campgrounds:	
Campground with central comfort station	35 per person
Campground with flush toilet, no showers	25 per person
Day Camps (no meals)	15 per person
Luxury Camp, private bath	100 per person
Summer and seasonal	50 per person
Churches (sanctuary)	5 per seat
With kitchen wastes	7 per seat
Country Club	125 per person
Factories	35 per person per shift
Hospitals	250 per bed space
Kitchen waste only	25 per bed
Laundry waste only	40 per bed
Hotels/Motels with private bathroom (no kitchen waste)	60 per two person room
Hotels/Motels without private bathroom (no kitchen waste)	50 per two person room
Hotel/Motel with private bath and kitchen	75 gallons per person
Institutions other than hospitals	125 per bed space
Movie Theaters	5 per seat
Offices	20 per employee
Picnic parks with toilets and showers	10 per person
Picnic parks with toilet waste only	5 per person
Resort camps with limited plumbing	50 gallons per person
Restaurants:	
Kitchen waste (multi-use utensils)	5 per meal served
Kitchen waste (disposable utensils)	3 per meal served
And add the following for type of facility present:	
Conventional sit down	10 per person
Short Order	8 per person
Bar and Cocktail	3 per person
School (non-boarding)	20 per student
With gym and showers add	5 per student
With cafeteria using disposable utensils	3 per meal served
Self service laundries	50 gallons per wash
Service station	10 gallons per vehicle served
Retail stores	20 per employee
For public restrooms add	1 per 10 square feet
Swimming pools and bathhouses	10 per person
Tourist camps or mobile home parks with individual bath units	100 per person
Tourist camps or trailer parks with central bathhouse	75 per person
Work or construction camps (semi-permanent)	50 per person
Wine tasting facility (no meals served)	3 per person
Employee	15 per employee



Report to the City Council
Regular City Council - 27 Jul 2021

Agenda Section: NEW BUSINESS

Subject: Consideration and proposed approval of a resolution appointing applicants to the Active Transportation & Sustainability Committee, Parks and Recreation Commission and the Active Transportation Advisory Committee to the Napa Valley Transportation Authority

CEQA Determination: Not a CEQA project

Prepared By: Cindy Tzafopoulos, City Clerk

Reviewed By: Mandy Kellogg, Finance Manager

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

In mid-May, the City Clerk advertised a recruitment seeking applicants from the community to fill expiring and/or vacant Board, Committee and Commission terms of office. The City Council held a Special City Council meeting on June 22, 2021 to interview applicants and made appointments later in the evening at the Regular meeting. After the appointments were made, vacancies still existed for the Active Transportation & Sustainability Committee, Parks and Recreation and the Active Transportation Advisory Committee to the Napa Valley Transportation Authority.

The City received numerous applications for the two Planning Commission openings. The City Clerk inquired with the Planning Commission applicants not appointed to see if they would be interested in applying to a different committee. Three applicants were interested in the other vacant terms.

DISCUSSION

Active Transportation & Sustainability Committee:

Applicant Katherine MacDonnell would like to be considered for the available alternate term of office expiring on June 30, 2022.

Parks and Recreation Commission:

Applicant Christopher Warner would like to be considered for the available term of office expiring on June 30, 2022.

St. Helena representative on the Active Transportation Advisory Committee to the Napa Valley Transportation Authority:

Applicant Lee Philipson would like to be considered for the available term of office expiring on June 30, 2023.

FISCAL IMPACT

No fiscal impact.

RECOMMENDED ACTION

Staff recommends adopting a resolution appointing applicants to Active Transportation & Sustainability Committee, Parks and Recreation Commission and the Active Transportation Advisory Committee to the Napa Valley Transportation Authority

ATTACHMENTS

[NVTa Application - Lee Philipson - 07 Jun 2021 - Pdf](#)

[P&R Application - Christopher Warner - 08 Jun 2021 - Pdf](#)

[ATSC Application - Katherine MacDonnell - 11 Jun 2021 - Pdf](#)

[Appointments Resolution](#)



City of St. Helena

CA-21-008

COMMISSION/COMMITTEE APPLICATION

Received Date: June 7, 2021

Application Type: ATAC to NVTA

NAME: Lee Philipson

ADDRESS: 1540 Kearney Street , Saint Helena , California , 94574

PHONE: 7072252548

ALTERNATIVE PHONE: 7079630394

EMAIL ADDRESS: lee.philipson328@gmail.com

LENGTH OF RESIDENCY: 36 years

EMPLOYMENT STATUS: Retired

REASON FOR APPLYING: Desire to contribute to improving this community.

EDUCATIONAL BACKGROUND: Pacific High School 1968; UCLA, 1972, B.A. History; Juris Doctor, California Western School of Law, 1975; California State Bar license, 1976, Attorney in San Bernardino District Attorneys Office, Orange County Public Defenders Office, Private Civil Practice in Napa and Orange Counties; Napa County District Attorneys Office 1984-1986, 1991-2013, Assistant District Attorney in charge of day to day operations (retired 2013); Sonoma County District Attorneys Office, 2014-2016, Chief Deputy District Attorney; Farella, Braun and Martel, Civil Practice (land use) 2017-2019.

REFERENCE 1: Name:Lester Hardy
Address: 1500 Railroad Ave., Saint Helena

Phone Number(s): 707 967-9610
Email: lester@lfhardy.com

REFERENCE 2: Name:Katherine Philippakis
Address: Farella, Braun and Martel, 999 Adams St. Saint Helena
Phone Number(s): 707-967-4000
Email: kp@fbm.com

REFERENCE 3: Name:Allison Haley
Address: Napa County District Attorney, 1127 First Street, Napa 94559
Phone Number(s):707-253-4211
Email: allison.haley@countyofnapa.org

GENERAL QUESTIONS:

Have you ever attended a meeting of the Commission to which you are applying?

Napa County Planning, Solano County Planning

What is your understanding of the role and responsibility of this Commission?

Review land use applications.

THIS DOCUMENT AND ALL ATTACHMENTS ARE AVAILABLE FOR PUBLIC INSPECTION

What would be your goal(s) as a Commissioner?

Contribute to sensible use of our lands within the city to help balance the need for controlled growth with financial viability of our city.

I agree that all of the information contained in my responses to the questions on this application are true and accurate to the best of my knowledge. I further agree that, by checking the box below and submitting this application, online or otherwise, I am affixing my digital signature to this form as of the date submitted. I also agree that if appointed, I will serve on the Commission/Committee for which I have submitted this application.

☒ I AGREE

Lee Bruce Philipson

THIS DOCUMENT AND ALL ATTACHMENTS ARE AVAILABLE FOR PUBLIC INSPECTION



City of St. Helena

CA-21-013

COMMISSION/COMMITTEE APPLICATION

Received Date: June 8, 2021

Application Type: P&R Commission

NAME: Christopher Warner

ADDRESS: 1434 Grayson Ave, Saint Helena, CA, 94574

PHONE: 14153099572

EMAIL ADDRESS: chrisjwarner52@gmail.com

LENGTH OF RESIDENCY: 4 years

EMPLOYER: PG&E (retiring Sept 15, 2021)

EMPLOYMENT STATUS: Retired

REASON FOR APPLYING: Volunteer, provide expertise to support the community

EDUCATIONAL BACKGROUND: J.D, Ohio State College of Law, 1977
Energy and Natural Resources Law Program, University of Denver College of Law, 1976- 1977
B.A. with Honors, Denison University, 1974

OTHER RELEVANT EXPERIENCE: Chief Counsel and Attorney, PG&E, 1988- 2021 (energy and environmental law)
Commissioner, Bay Conservation and Development Commission, 1996- 2001
Board of Directors, Sleepy Hollow Fire Protection District, 2015- 2017
Member, California Bar, 1988 to present

COMMUNITY INVOLVEMENT: Member, Napa Valley Parks Association
Coach, Marin Little League, San Domenico Middle School Basketball, Marin Soccer

REFERENCE 1: Upon request

REFERENCE 2: Upon request

REFERENCE 3: Upon request

GENERAL QUESTIONS:

Have you ever attended a meeting of the Commission to which you are applying?

No

What is your understanding of the role and responsibility of this Commission?

Balanced, environmentally-sustainable, economically efficient planning decisions consistent with St Helena ordinances, general plan, CEQA and other applicable state and local planning requirements

What would be your goal(s) as a Commissioner?

Balanced, environmentally sustainable decisions in compliance with best in class planning standards, protecting the environment and reasonable development to support the citizens of St. Helena

Have you previously served, or do you currently serve, on a St. Helena Commission or Committee? If yes, which one(s) and for what period of time?

No

Is there anything else you would like us to consider when reviewing your application?

THIS DOCUMENT AND ALL ATTACHMENTS ARE AVAILABLE FOR PUBLIC INSPECTION

Happy to respond to questions about my background, training and civic spirit

I agree that all of the information contained in my responses to the questions on this application are true and accurate to the best of my knowledge. I further agree that, by checking the box below and submitting this application, online or otherwise, I am affixing my digital signature to this form as of the date submitted. I also agree that if appointed, I will serve on the Commission/Committee for which I have submitted this application.

☒ I AGREE

Christopher James Warner

June 8, 2021

THIS DOCUMENT AND ALL ATTACHMENTS ARE AVAILABLE FOR PUBLIC INSPECTION



City of St. Helena

CA-21-015

COMMISSION/COMMITTEE APPLICATION

Received Date: June 11, 2021

Application Type: ATSC

NAME: Katherine MacDonnell

ADDRESS: , St. Helena, CA, 94574

PHONE: 5592872238

EMAIL ADDRESS: katie@roundpond.com

LENGTH OF RESIDENCY: 1 year

EMPLOYMENT STATUS:

REASON FOR APPLYING: Retired
 I would like to improve our community. I have lived in Rutherford since 2008. My husband and I, along with our 3 children, grew close to the St. Helena community and became enchanted with the idea of becoming "townies." Last summer, our family moved to St. Helena. As a new resident, I am still learning the magnitude of the very real problems we face as a community. In addition to the concrete problems - water shortage issue, city water infrastructure problems, fire danger, traffic problems, street/bike lane/sidewalk maintenance and safety issues, the fact that a highway is our Main Street, the lack of "town square" or cultural center, lack of affordable housing, empty stores, and our economic reliance on tourism, which has been detrimentally impacted by the pandemic - I have seen a massive ideological divide between those who want to embrace growth, and those who want the town to preserve a small town identity. I would like to get involved in city planning because I am interested in resolving our concrete problems and I am not partisan to either ideology. As a result, I believe that I can neutrally evaluate pros and cons of project applications and whether they conform to the City General Plan and Zoning Ordinances, as well as the City Council approved goals.

EDUCATIONAL BACKGROUND: University of Arizona, BA in History and Communication (1999)
 University of San Francisco, School of Law, JD and Public Interest Law Certificate (2003)

OTHER RELEVANT EXPERIENCE: I am an inactive lawyer. During law school, I earned a Public Interest Law Certificate by studying poverty law, land-use and environmental law. As a lawyer, my practice focused on real estate, land-use and construction law. I have 7 years of experience resolving conflicts through mediation and litigation.

COMMUNITY INVOLVEMENT: I have been a full-time mom for the past 11 years. During that time, I have volunteered at my children's school, teaching needlepoint and knitting in multiple classrooms.

REFERENCE 1: Name: Anna Chouteau
 Address: 1100 Paulson Ct

THIS DOCUMENT AND ALL ATTACHMENTS ARE AVAILABLE FOR PUBLIC INSPECTION

Phone Number(s): 707-968-1965

Email: achouteau@gmail.com

REFERENCE 2:

Name: Matthew Heil

Address: 605 Pope Street

Phone Number(s): 707-738-5291

Email: heil004@gmail.com

REFERENCE 3:

Name: Denise Henquet

Address: 825 Signorelli Circle

Phone Number(s): 646-750-9759

Email: denisehenquet@gmail.com

GENERAL QUESTIONS:

Have you ever attended a meeting of the Commission to which you are applying?

No

What is your understanding of the role and responsibility of this Commission?

The Commission is responsible for reviewing, revising and implementing the City General Plan and Zoning Ordinances. The Commission reviews and makes decisions on project applications and makes recommendations to City Council on Amendments to the General Plan and Zoning Ordinances.

What would be your goal(s) as a Commissioner?

I would like to contribute to the community and improve our town.

Have you previously served, or do you currently serve, on a St. Helena Commission or Committee? If yes, which one(s) and for what period of time?

No

I agree that all of the information contained in my responses to the questions on this application are true and accurate to the best of my knowledge. I further agree that, by checking the box below and submitting this application, online or otherwise, I am affixing my digital signature to this form as of the date submitted. I also agree that if appointed, I will serve on the Commission/Committee for which I have submitted this application.

☒ I AGREE

Katherine MacDonnell

June 11, 2021

THIS DOCUMENT AND ALL ATTACHMENTS ARE AVAILABLE FOR PUBLIC INSPECTION

CITY OF ST. HELENA

RESOLUTION NO. 2021-

**Appointing applicants to the Active Transportation & Sustainability Committee,
Parks and Recreation Commission and Active Transportation Advisory
Committee to the Napa Valley Transportation Authority**

RECITALS

- A. There is one vacancy on each of the following:
1. Active Transportation & Sustainability Committee
 2. Parks and Recreation Commission
 3. Active Transportation Advisory Committee to the Napa Valley Transportation Authority; and
- B. Three applications have been received from community members for the openings.

RESOLUTION

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

Active Transportation & Sustainability Committee

1. Katherine MacDonnell is appointed to the St. Helena Active Transportation & Sustainability Committee filling an alternate term expiring on June 30, 2022; and

Parks and Recreation Commission

2. Christopher Warner is appointed to the Parks and Recreation Commission filling a term expiring on June 30, 2022; and

Active Transportation Advisory Committee to the Napa Valley Transportation Authority

3. Lee Philipson is appointed to the Active Transportation Advisory Committee to the Napa Valley Transportation Authority filling a term expiring on June 30, 2023.

Approved at a Regular Meeting of the St. Helena City Council on July 27, 2021, by the following vote:

Mayor Ellsworth:	_____
Vice Mayor Dohring:	_____
Council Member Chouteau:	_____
Council Member Hall:	_____
Council Member Hardy:	_____

APPROVED:

Geoff Ellsworth, Mayor

ATTEST:

Cindy Tzaopoulos, City Clerk