



**City of St. Helena
Regular City Council Meeting
Tuesday, May 10, 2022 @ 6:00 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.

This meeting will be conducted pursuant to the provisions of Government Code Section 54953 (as amended by AB 361) which authorizes teleconferenced meetings under the Brown Act during certain proclaimed States of Emergency. The Governor of California proclaimed a State of Emergency related to COVID-19 on March 4, 2020. This teleconferenced meeting is necessary so that the City can conduct essential business and is permitted under Government Code 54953 in order to protect public health and safety of attendees.

Consistent with Government Code Section 54953, this City Council Meeting will be held via teleconference only, and will not be physically open to the public. City Council members and staff will teleconference into the meeting by audio and/or video. The meeting will be conducted via Zoom Webinar.

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@cityofsthelena.org. All public comments must be emailed by 4:00 PM prior to the meeting. Emailed public comments will not be read out loud but will be publicly available and attached to the on-line City Council agenda.

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

Simultaneous Spanish interpretation services during meetings can be scheduled upon request. To ensure interpreters are available, requests must be made at least 72 hours in advance by calling the Office of the City Clerk at (707) 968-2640 or emailing cityclerk@cityofsthelena.org.

The schedule of upcoming meetings and published meeting agendas can be found on the City of St. Helena website at <https://sthelena.civicweb.net/portal/>.

Please click the link below to join the meeting:

<https://us02web.zoom.us/j/86343483111>

Or One tap mobile :

US:

+16699006833,,86343483111# or +13462487799,,86343483111#

Or Telephone:

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

US:

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

Meeting ID: 863 4348 3111

International numbers available:

<https://us02web.zoom.us/j/86343483111>

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Esta reunión será realizada conforme a las provisiones del Código de Gobierno Sección 54953 (modificada por AB 361) la cual autoriza las reuniones de teleconferencia bajo el Acta Brown durante ciertos Estados de Emergencia. El gobernador de California proclamó Estado de Emergencia relacionado con el COVID-19 el 4 de marzo del 2020. Esta reunión por teleconferencia es necesaria para que la Ciudad pueda realizar deberes esenciales y es permitido bajo el Código de Gobierno 54953 en orden de proteger la salud pública y seguridad de los asistentes.

Consistente con el Código de Gobierno Sección 54953, esta reunión del Consejo de la Ciudad será realizada vía teleconferencia y no será físicamente abierta al público. Miembros del Consejo de la Ciudad y personal atenderán la reunión por audio y/ o video. La reunión será transmitida vía Zoom.

La reunión del Consejo 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 el ID de la reunión o llamando al número ubicado en la agenda e ingrese el ID de la reunión. Se aceptarán comentarios públicos para la reunión del Consejo de la Ciudad por correo electrónico a [publiccomment@cityofsthelena.org](mailto:publiccomment@cityofsthelena.org). Todos los comentarios públicos se harán públicos y se adjuntarán a la agenda, pero no se leerán en voz alta. Todos los comentarios públicos que se reciban después de las 4:00 PM se adjuntarán a la agenda del Consejo de la Ciudad al día siguiente.

**Servicios de interpretación en español durante la reunión pueden ser solicitados por el público. Para asegurar que los intérpretes estén disponibles, los servicios tienen que ser solicitados al menos 72 horas antes de la reunión llamando a la oficina de la Secretaria de la Ciudad al (707) 968-2640 o por correo electrónico a [cityclerk@cityofsthelena.org](mailto:cityclerk@cityofsthelena.org) .**

**El horario de las reuniones publicadas y próximas puede ser localizado en el sitio de web de la Ciudad en <https://sthelena.civicweb.net/portal/> .**

Habrà traducción en español durante la junta

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

<https://us02web.zoom.us/j/86343483111>

O por iPhone one-tap:

US:

+16699006833,,86343483111# or +13462487799,,86343483111#

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

US: +

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

ID de la Reunión: ID: 8863 4348 3111

International numbers available

<https://us02web.zoom.us/j/886343483111>

Consulte el final de la agenda para obtener instrucciones detalladas de PARTICIPACIÓN PÚBLICA.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Page    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| 1. CALL TO ORDER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |         |
| 2. ROLL CALL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |         |
| Mayor: Geoff Ellsworth, Vice Mayor: Paul Dohring, City Council Members: Anna Chouteau, Eric Hall and Lester Hardy                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |         |
| 3. PLEDGE OF ALLEGIANCE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |         |
| 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 <u>4 minutes</u> . 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. |         |
| 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. Napa County Landmarks (NCL) May is Historic Preservation Month Proclamation presented to Vince Traverso, NCL Board Member                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 15      |
| <a href="#">Proclamation</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |         |
| 7.2. Proclamation Declaring National Older American's Month May 2022 Presented to Julie Spencer, Founding Executive Director for the Rianda House                                                                                                                                                                                                                                                                                                                                                                                                                                     | 17 - 18 |
| <a href="#">Proclamation</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |         |
| 8. CONSENT ITEMS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |         |
| Members of the Council or the public may ask that any items be considered individually for purposes of considering alternative action, for extended discussion, or for public comment. Unless that is done, one motion may be used to adopt all recommended actions. (Roll Call Vote)                                                                                                                                                                                                                                                                                                 |         |

- 8.1. Consideration and proposed approval of Special Meeting Minutes of April 5, 2022 and Regular Meeting Minutes of April 26, 2022 (Forthcoming)
- 8.2. Consideration and Proposed Authorization to Accept a Donation of Art (Mural) to be Installed at the St. Helena Public Library 19 - 24
- CEQA Determination: Not a CEQA project  
Prepared By: Chris Kreiden, Library Director  
Recommendation:  
St. Helena Library Board of Trustees recommends City Council authorize the acceptance of the donation and direct staff and the Library Board of Trustees to oversee the approval process of the mural.
- [Staff Report - Pdf](#)
- 8.3. Proposed approval of a resolution rescinding Resolution 2019-66 and amending Policy P-CC-0001 Outdoor Display of Governmental and Non-Governmental Flags on City Property 25 - 41
- CEQA Determination: Not a CEQA project  
Prepared By: Cindy Tzaopoulos, City Clerk  
Recommendation:  
Staff recommends adopting a resolution rescinding resolution 2019-66 and amending Policy P-CC-0001 Outdoor Display of Governmental and Commemorative or other Governmental Flags on City Property.
- [Staff Report - Pdf](#)
- 8.4. Consideration and Proposed Approval of a Resolution Unfreezing the Police Officer Position 43 - 46
- CEQA Determination: Not a CEQA project  
Prepared By: April Mitts, Administrative Services Director  
Recommendation:  
Staff recommends the City Council adopt the attached resolution.
- [Staff Report - Pdf](#)
- 8.5. Consideration and Proposed Approval of a Resolution authorizing the City Manager to execute Amendment No. 3 to Professional Services Agreement STH Contract: FY2021-071 with Noll & Tam Architects in the amount of \$23,983 for Phase I of the Napa Valley College tenant improvements at the City of St. Helena for a total contract amount not-to-exceed \$191,560. 47 - 56
- CEQA Determination: Not a CEQA project  
Prepared By: Preya Nixon, Asst. to the City Manager  
Recommendation:  
Adopt Resolution authorizing the City Manager to execute Amendment No. 3 to Professional Services Agreement STH Contract: FY2021-071 with Noll & Tam Architects in the amount of \$23,983 for Phase I of the Napa Valley College tenant improvements at the City of St. Helena for a total contract amount not-to-exceed \$191,560
- [Staff Report - Pdf](#)



- 8.6. Consideration of Proposal Approval of a Resolution Authorizing Amendment #4 to the Professional Services Agreement STH Contract: 2017-082 with Dudek for an Additional \$80,393 for a Total Not-to-Exceed Contract Amount of \$446,554 in Order to Complete the Hunter Subdivision Final Environmental Impact Report. 57 - 72
- CEQA Determination: Exempt  
Prepared By: Maya DeRosa, Planning & Building Director  
Recommendation:  
Staff recommends the City Council approve a resolution authorizing Amendment #4 to the professional services agreement with Dudek for an additional \$80,393 for a total not-to-exceed contract amount of \$446,554.  
[Staff Report - Pdf](#)
- 8.7. Consideration and proposed adoption of a resolution authorizing the City Manager or designee to execute Amendment No. 5 to the City of Napa Water Supply Agreement (City of Napa Agreement No. 9381) 73 - 84
- CEQA Determination: Not a CEQA project  
Prepared By: Martin Beltran, Management Analyst  
Recommendation:  
Staff recommends City Council adopt the attached resolution.  
[Staff Report - Pdf](#)
- 8.8. Consideration and Adoption of a Proposed Resolution Approving the Plans and Specifications for the Napa Valley College Tenant Improvements and Authorizing Advertisement for Bids, Project No. C22-0001 85 - 96
- CEQA Determination: Class I Categorical Exemption under Section 15301 of CEQA  
Prepared By: Preya Nixon, Asst. to the City Manager  
Recommendation:  
Consideration of a Resolution approving the plans and specifications for the Napa Valley College Tenant Improvements, Project No. C22-0001 and authorizing advertisement for bids.  
[Staff Report - Pdf](#)
9. OLD BUSINESS
- 9.1. Presentation from Raftelis on Water and Wastewater rate setting, review of different rate structures, and outline of the proposed rate study process and schedule. 97 - 145
- CEQA Determination: Not a CEQA project  
Prepared By: Mandy Kellogg, Asst. Administrative Services Director  
Recommendation:  
Receive and file.  
[Staff Report - Pdf](#)  
[Public Comment.Garry Rose](#)

- 9.2. City Council discussion and direction of proposed responsibilities and criteria for the Citizen Advisory Committee related to the Water and Wastewater Rate Study.

147 - 152

CEQA Determination: Not a CEQA project

Prepared By: Mandy Kellogg, Asst. Administrative Services Director

Recommendation:

Provide direction for proposed responsibilities and criteria for the Citizen Advisory Committee related to the Water and Wastewater Rate Study.

[Staff Report - Pdf](#)

[Public Comment.Garry Rose](#)

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

|       |                                                                                                                                                                                                                                                                                                                                                                                                       |
|-------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10.1. | <b>5/24May City Council Meetings:</b><br><b>5/24 (Staff reports due 5/6)</b>                                                                                                                                                                                                                                                                                                                          |
|       | <b>Presentation</b>                                                                                                                                                                                                                                                                                                                                                                                   |
|       | <b>STAFF BRIEFING:</b>                                                                                                                                                                                                                                                                                                                                                                                |
|       | 5/24 WWTP construction project regular progress/status reports.                                                                                                                                                                                                                                                                                                                                       |
|       | <b>CONSENT:</b>                                                                                                                                                                                                                                                                                                                                                                                       |
|       | 5/24 Consideration and action on a Resolution to amend the existing two year agreement with Housing Authority of the City of Napa to provide contract housing authority services (originally approved for an amount not to exceed \$88,114 for the two year period) for an increased overall contract amount of \$9,347 to cover anticipated increased costs over the remaining term of the contract. |
|       | 5/24 FY23 GANN Limit                                                                                                                                                                                                                                                                                                                                                                                  |
|       | 5/24 Consideration and Proposed Approval of a Resolution Adopting the Five-Year Capital Improvement Program for Fiscal Years 2022-23 to 2026-27.                                                                                                                                                                                                                                                      |
|       | 5/24 Discussion of ACM and Senior Management Analyst Positions                                                                                                                                                                                                                                                                                                                                        |
|       | 5/24 FY 2021 Audited Financials                                                                                                                                                                                                                                                                                                                                                                       |
|       | 5/24 adoption of FY 2023-27 CIP List                                                                                                                                                                                                                                                                                                                                                                  |
|       | 5/24 CTC/CENIC Contract for Library Internet                                                                                                                                                                                                                                                                                                                                                          |
|       | 5/24 C20-06 Emergency Back-up Power Notice of Completion                                                                                                                                                                                                                                                                                                                                              |
|       | 5/24 Vine Trail Improvements                                                                                                                                                                                                                                                                                                                                                                          |
|       | 5/24 Consideration and proposed adoption of a resolution adopting a list of project for Fiscal Year 2022-23 funded by SB1: The Road Repair and Accountability Act of 2017.                                                                                                                                                                                                                            |
|       | <b>PH or OLD / NEW BUSINESS:</b>                                                                                                                                                                                                                                                                                                                                                                      |
|       | 5/24 Gun Safe Storage Resolution                                                                                                                                                                                                                                                                                                                                                                      |
|       | PH 5/24 The purpose of this policy is to provide guidelines for the approval, acquisition, and reporting requirements of military equipment (Government Code § 7070; Government Code § 7071; Government Code § 7072).                                                                                                                                                                                 |
|       | 5/24 Water/Wastewater Citizen Advisory Committee Appointments                                                                                                                                                                                                                                                                                                                                         |
|       | OB 5/24 Water Penalty Discussion                                                                                                                                                                                                                                                                                                                                                                      |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| PH 5/24 CDBG 2022 NOFA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| PH 5/24 Update Purchasing Policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| OB Consideration and proposed approval of a resolution: (1) approving Revision No. 3 to City Council Policy P-FI-0016 Financial Policy related to: (a) compliance with GASB Statement No. 98 updating the name, "Comprehensive Annual Financial Report" to "Annual Comprehensive Financial Report", (b) update language related to financing Capital Improvement Projects and (2) repealing and rescinding any previous policies or administrative memoranda which are inconsistent with City Council Policy P-FI-0016 Financial Policy, Revision No. 3. |
| 5/10 Raftelis contract amendment and Utility Rate Study Council discussion                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 5/10 Water Supply report                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 5/24 Chamber Annual Report                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 5/24 3rd Quarter Finance Report                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>June City Council Meetings:</b><br><b>6/14 (Staff reports due 5/27)</b><br><b>6/28 (Staff reports due 6/10)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>CONSENT:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 6/14 Award of Contract to MarinIT for Information Technology Upgrades as part of the Napa Valley College Tenant Improvements                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>PH or OLD / NEW BUSINESS:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 6/14 Consideration and Proposed Approval of a Resolution Temporarily Waiving Sign Fees for Business Recovery for Additional Twelve Months.                                                                                                                                                                                                                                                                                                                                                                                                               |
| 6/14 Consideration and Proposed Approval of a Resolution Temporarily Waiving Sign Fees for Business Recovery for Additional Twelve Months.                                                                                                                                                                                                                                                                                                                                                                                                               |
| Budget & CIP                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 6/28 Chamber PSA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

11. ADJOURNMENT

The next Regular City Council meeting is scheduled for May 24, 2022, at 6:00 p.m.

I do hereby certify that a copy of the foregoing agenda was posted on the City website on May 6, 2022.



Cindy Tzaferopoulos, City Clerk

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

## CHALLENGING DECISIONS OF CITY ENTITIES

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

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

## SUPPLEMENTAL MATERIAL RECEIVED AFTER THE POSTING OF THE AGENDA

Any supplemental writings or documents distributed to a majority of the City Council regarding any item on this Agenda, after the posting of the Agenda, will be available for public review in the City Clerk's Office located at 1572 Railroad Avenue, St. Helena, California, during normal business hours and by appointment. 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 AB361. 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.

### **4. Alternative Public Comment Via Telephone by Reservation**

If you would like to provide comments via telephone (not using Zoom) during the Council meeting, you can request a reservation from the City Clerk prior to 12:00 p.m. on the meeting day. The reservation request may be submitted to the City Clerk by emailing [publiccomment@cityofsthelena.org](mailto:publiccomment@cityofsthelena.org), or by calling (707) 968-2752. When submitting the request, please identify your name, your telephone number (including the area code first), and the agenda item number you would like to comment on. During the Council meeting, a representative from the City Clerk's Office will call you when public comment is called for the requested item. You will then be able to provide your comments to the Council via telephone.

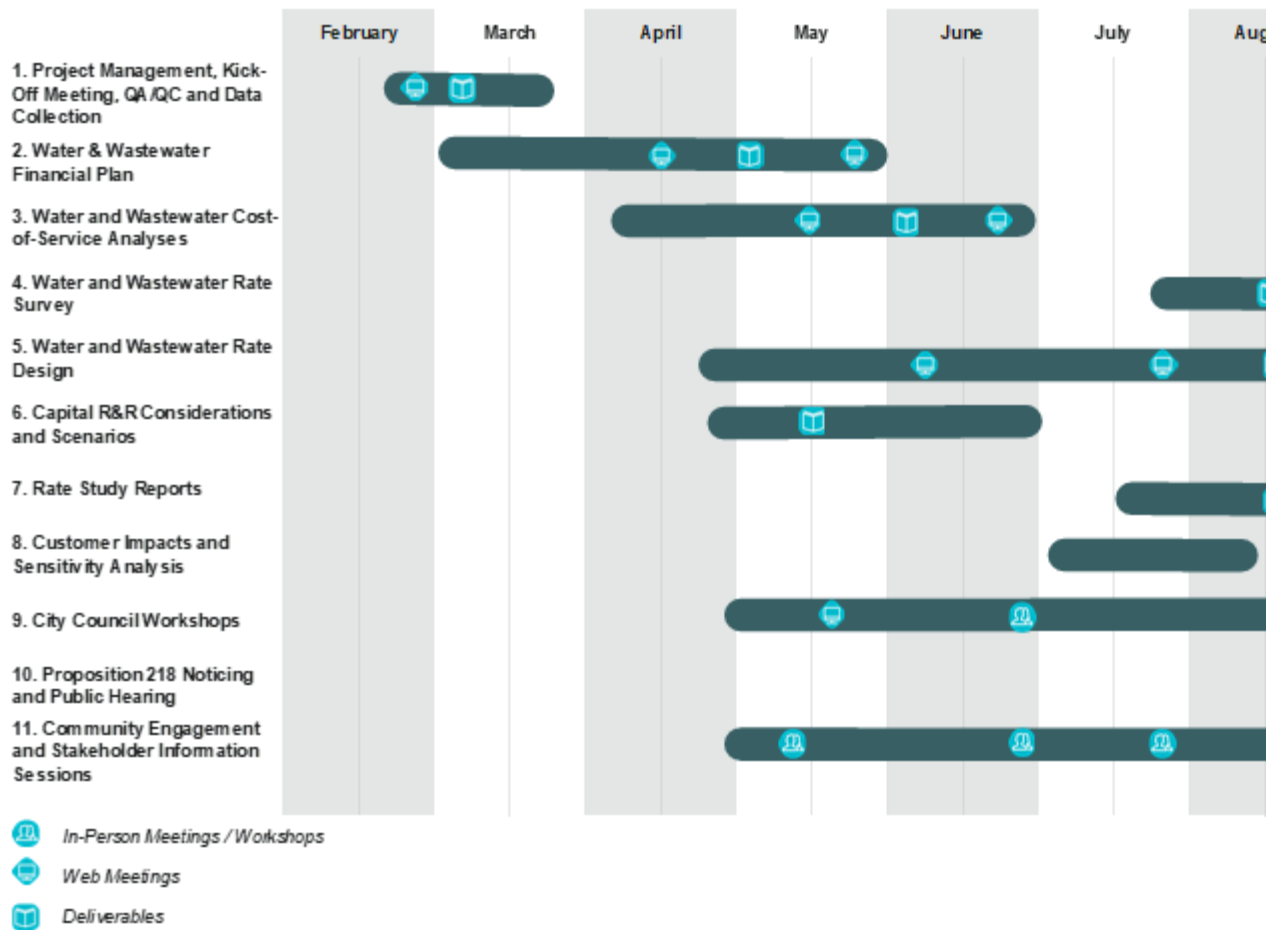
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En cumplimiento de la Ley de Estadounidenses con Discapacidades, si necesita asistencia especial para participar en esta reunión, llame a la Oficina del Secretaría de la Ciudad (707) 967-2792. La notificación 72 horas antes de la reunión, como lo requiere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





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.

City of St. Helena PROCLAMATION

Historic Preservation Month - May 2022

Whereas, the National Park Service's Register of Historic Places is authorized by the National Historic Preservation Act of 1966. The National Register program coordinates and supports public and private efforts to identify, evaluate, protect, and adapt for re-use, America's historic, cultural, and archeological resources; and

Whereas, in 1973, May was designated "Preservation Month" to raise awareness of historic preservation and the continuity it builds between past, present, and future to instill national and community pride, promote heritage tourism and show the social, economic, and environmental benefits of historic preservation; and

Whereas, Napa County is home to irreplaceable historic resources including stone bridges, 19th Century wineries, Victorian-era commercial buildings, our WPA-era Post Offices as well as architect-designed residences; and

Whereas, Napa County Landmarks (NCL), founded in 1974 by John Whitridge, is a non-profit organization that fosters appreciation and preservation of historic buildings, sites and districts through education programs, public policy, research, and technical assistance; and

Whereas, NCL creates community discussion and preservation of our historic resources to protect and re-use them, create jobs, stabilize property values and preserve existing housing stock; and

Whereas, throughout the year, NCL creates awareness of historic preservation through the Holiday Home Tour, Annual Preservation Awards, walking tours of historic areas as well as the creation of the Ten Threatened Treasures list of historic places facing neglect and potential demolition; and

Whereas, NCL provides high school scholarships to promote interest in Napa County history in our local youth as well as distributes *A Napa Coloring Book* free to NVUSD third graders in Napa County; and

Whereas, annually, NCL recognizes Napa County preservation through the Preservationist of the Year award and Awards of Merit to honor those who have restored existing buildings at least 50 years old or have rehabilitated or adapted an historic building or site for a new use; and

Now, Therefore, Be It Resolved that I, Geoff Ellsworth, Mayor of St. Helena, along with the St. Helena City Council, do hereby proclaim, May as Historic Preservation Month and call on our citizens to support preservation and Napa County Landmarks efforts to preserve the rich history of Napa County.

Dated: May 10, 2022

Geoff Ellsworth, Mayor the City of St. Helena

City of St. Helena PROCLAMATION

National Older American's Month May 2022

WHEREAS, during Older Americans Month, the City of St. Helena honors our seniors and the tremendous impact they have made in our community. Older Americans contribute their time and wisdom to make our communities stronger, more informed, and better connected. They are our loved ones, friends, mentors, essential workers, volunteers, and neighbors. We celebrate their achievements and recommit to providing our elders with the support and services they need to thrive and age with dignity.

WHEREAS, The City of St. Helena recognize our responsibility to ensure that every American has the opportunity to age with dignity, and older adults have always been a vital source of strength and resiliency. During the pandemic, many seniors came out of retirement to serve their communities in health care and education roles, filling job vacancies in critical shortage areas. Moving forward, we must ensure that older Americans have the appropriate resources to maintain their independence and stay connected to their communities.

WHEREAS, The residents from St. Helena and surrounding area came together to create Rianda House, the only Senior Center north of Napa to provide opportunities to enrich the lives of individuals of all ages by:

- Involving older adults in the redefinition of aging in our community
- Promoting home and community-based services that support independent living
- Encouraging older adults to participate in healthful, educational, supportive and fun activities.

WHEREAS, Julie Spencer has been the Founding Executive Director since joining Rianda House in 2008, the year they opened and is retiring. The City is honored and deeply grateful for Julie's legacy. We thank her for all she has done to make Rianda House a beloved and vital part of the St. Helena and her unique ability to bring joy and connection to others.

WHEREAS, The face of our community is growing older as older adults are the fastest growing population in Napa County with demographic data showing there are now more residents over the age of 65 than under 20. This growing population is a tremendous asset to our community and we know there is more we must do to ensure that older Americans can live and age with dignity. We are committed to ensuring older Americans can easily access appropriate services they need to stay safe and healthy as they age.

NOW, THEREFORE, BE IT PROCLAIMED that I, Geoff Ellsworth, Mayor of St. Helena, along with the St. Helena City Council, do hereby proclaim May as National Older Americans Month in the City of St. Helena, and call upon our citizens to celebrate older adults and the people who serve them as an influential and vital part of our community.

Dated: May 10, 2022

Geoff Ellsworth, Mayor the City of St. Helena



Report to the City Council
Regular City Council - 10 May 2022

Agenda Section: CONSENT ITEMS

Subject: Consideration and Proposed Authorization to Accept a Donation of Art (Mural) to be Installed at the St. Helena Public Library

CEQA Determination: Not a CEQA project

Prepared By: Chris Kreiden, Library Director

Reviewed By: Cindy Tzaopoulos, City Clerk

Approved By: James C. McCann, Interim City Manager

BACKGROUND

In March, Paige Pohlers Meek, Executive Director of the Friends & Foundation, St. Helena Public Library approached Library Staff with a proposal to donate the creation and installation of a mural on an external wall at the facility. Staff supports the idea and seeks Council authorization to proceed.

DISCUSSION

Staff has reviewed the proposal with Ms. Pohlers Meek and presented it in concept to the Library Board of Trustees for initial input. The St. Helena Library Board of Trustees, at their April 13, 2022 meeting, unanimously recommended that the City Council authorize the acceptance of a donation (approximate value of \$3500) of a mural by Shannon Geis to be installed at the Library.

The mural would be painted and donated by Ms. Geis, a well known and accomplished Bay Area artist. The attached letter introduces the proposal. The Library Board of Trustees unanimously recommended the City Council authorize acceptance of the donation and direct staff and the Library Board to oversee the approval process relative to the mural itself.

If approved by City Council, a committee will be formed to gather input and determine final location and concept. The committee would include three members of the Library Board of Trustees, Paige Pohlers Meek, members of the Board of Friends & Foundation, and the Library Director. The Library Board of Trustees will be the City's lead committee for project review and approval.

The specific location and concept have yet to be determined; however, it has been suggested that the mural be located in the area of the Library's courtyard, near its front entrance.

Upon completion of the project, the resulting mural will be the property of the City of St. Helena. Staff will develop an appropriate agreement to facilitate the installation of the work and address matters related to ownership, maintenance and removal.

This proposal aligns with the City's vision of embracing cultural and artistic opportunities while being financially prudent. A mural will improve the Library's exterior aesthetic and help build an awareness and appreciation of the arts.

FISCAL IMPACT

The value of the mural is approximately \$3,500; however, there will be no fiscal impact to the City for its creation and installation. The mural is being donated by the artist and Friends & Foundation may solicit for a sponsor. Future maintenance costs are expected to be modest.

RECOMMENDED ACTION

St. Helena Library Board of Trustees recommends City Council authorize the acceptance of the donation and direct staff and the Library Board of Trustees to oversee the approval process of the mural.

ATTACHMENTS

[Library Mural Resolution](#)

[Samples of Work](#)

CITY OF ST. HELENA

RESOLUTION NO. 2022-

**Authorizing the Acceptance of a Donation and Approving the
Installation of a Mural by Shannon Geis to be Located at the St.
Helena Public Library**

RECITALS

- A. On April 13, 2022 the St. Helena Library Board of Trustees unanimously approved recommending the St. Helena City Council approve the idea of a mural by Shannon Geis at the library;
- B. The specific location at the library and concept will be determined by a committee made up of members from the Library Board of Trustees, Friends & Foundation Executive Committee, and the Library Director;
- C. Approval of final location and concept to be given by the Library Board of Trustees;
- D. The mural, valued at \$3,500, is being donated by the artist and will be the property of the City of St. Helena.

RESOLUTION

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

- 1. The City Council authorizes the acceptance of an art donation (a donated mural by Shannon Geis) to be installed at the St. Helena Public Library; and
- 2. The City Council approves the finalization of a concept, location, and conditions of approval by the Library Board of Trustees.

Approved at a Regular Meeting of the St. Helena City Council on May 10, 2022 by the following vote:

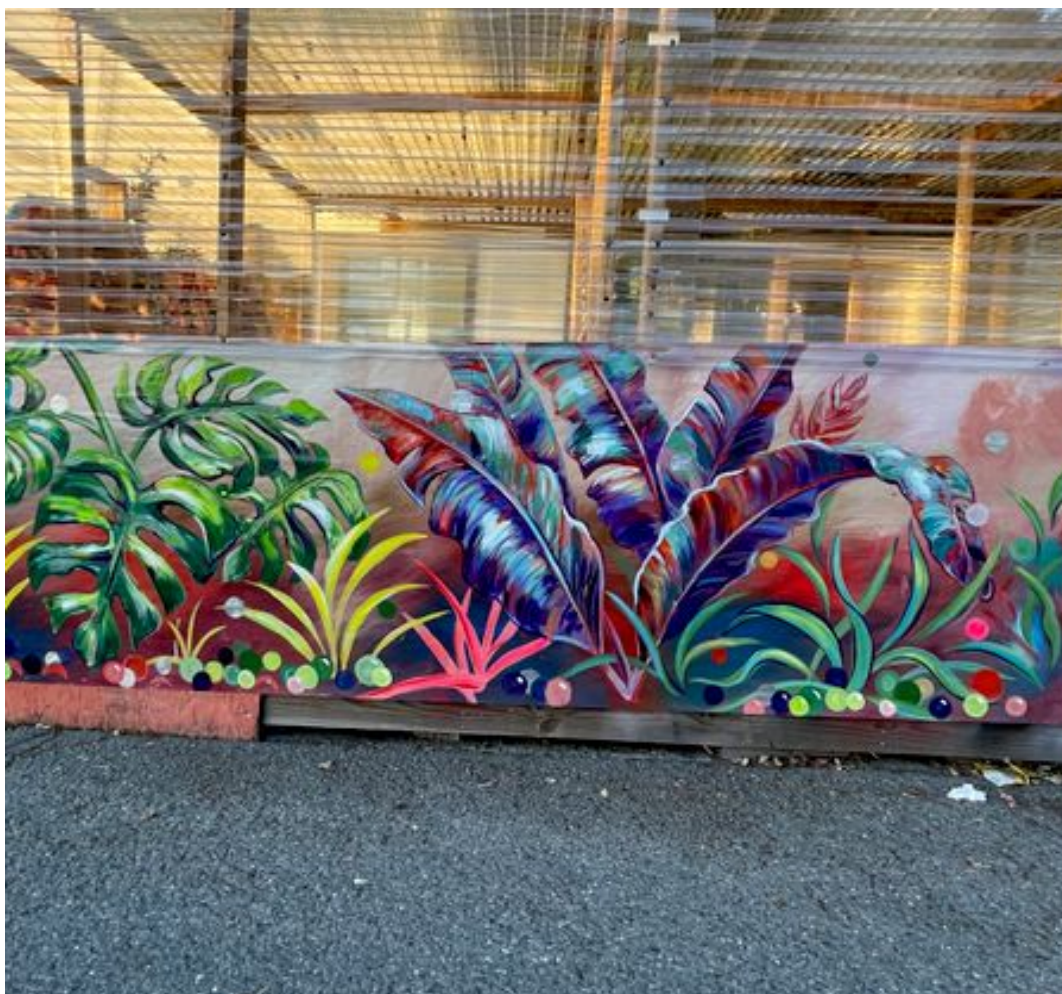
Mayor Ellsworth:	_____
Vice Mayor Dohring:	_____
Councilmember Chouteau:	_____
Councilmember Hall:	_____
Councilmember Hardy:	_____

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzafopolous, City Clerk









Report to the City Council
Regular City Council - 10 May 2022

Agenda Section: CONSENT ITEMS

Subject: Proposed approval of a resolution rescinding Resolution 2019-66 and amending Policy P-CC-0001 Outdoor Display of Governmental and Non-Governmental Flags on City Property

CEQA Determination: Not a CEQA project

Prepared By: Cindy Tzaopoulos, City Clerk

Reviewed By: April Mitts, Administrative Services Director

Approved By: James C. McCann, Interim City Manager

BACKGROUND

The City Council established an outdoor flag display policy on June 13, 2017. The uniform policy established guidelines for flying the National, State, City, and Non-Governmental Flags on City-owned properties.

A member of the public approached Council Member Hall and requested that the City Council consider flying the POW flag on the ceremonial flag pole in perpetuity.

DISCUSSION

At the April 26, 2022 City Council meeting Council discussed the proposal and agreed with the staff recommendation. Staff was directed to bring the outdoor flag display policy back for approval with additional edits related to the POW/MIA flag. The attached redlined version of the current adopted policy reflects Council direction and provides the mechanisms for flying the POW/MIA flag beneath the National flag and the administrative approval process.

FISCAL IMPACT

No fiscal impact.

RECOMMENDED ACTION

Staff recommends adopting a resolution rescinding resolution 2019-66 and amending Policy P-CC-0001 Outdoor Display of Governmental and Commemorative or other Governmental Flags on City Property.

ATTACHMENTS

[Attachment 1 - Outdoor Display of Governmental and Non-Governmental Flags on City Property Policy Amendment #3 Redlined](#)

[Attachment 2 - April 26, 2022 Staff Report](#)

	City of St. Helena Council Policy Administration	Policy Outdoor Display of Governmental and <u>Commemorative or other Governmental</u> Non-Governmental Flags on City Property
		Page 1 of 2

Title:	Policy #	<u>P-CC-0001</u>
Outdoor Display of Governmental and <u>Commemorative or other Governmental</u> Non-Governmental Flags on City Property	Revision #	<u>31</u>
	Implementation Date	2017-06-13
	Last Update Date	<u>05-28-2019</u>
Approval by City Council	Resolution No.	Date Approved

I. Purpose, Overview and Scope of this Policy

The purpose of this administrative policy is to establish a uniform policy to govern Outdoor Display of Governmental and Commemorative or other Governmental ~~Non-Governmental~~ Flags on City Property.

Nothing set forth in this Policy is intended to prohibit or curtail individuals from displaying a flag on private property under his or her control or to wear or carry a flag.

This policy rescinds the previous Outdoor Display of Governmental and Commemorative or other Governmental ~~Non-Governmental~~ Flags on City Property policies and remains in effect until rescinded by City Council.

II. Authority

~~The City Council has authority to update this policy~~The City Manager is hereby authorized to establish and maintain written administrative regulations to document the procedures by which City staff will display flags in accordance with Flag Law.

III. Policy - Flying Flags on City Property at Half-Staff

1. ~~National, California, and/or City flags~~ National flags and/or California flags on City-owned property shall be flown at half-staff upon order of the President of the United States or authorization by the Governor of California.
2. National, California, and/or City flags on City-owned property may also be flown at half-staff at the direction of the Mayor upon the death of:
 - a. A City Councilmember, past or present;
 - b. A City employee whose death occurred during the discharge of duty;
 - c. A City employee or retiree having served the City for 25 or more years; and/or
 - d. A prominent citizen not holding or having held elected public office, whose accomplishments and contributions to the community clearly demonstrated a commitment over and beyond that which would be normally associated with the performance of work.

	City of St. Helena Council Policy Administration	Policy Outdoor Display of Governmental and Commemorative or other Governmental Non-Governmental Flags on City Property Page 2 of 2
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3. For the above circumstances, flags will be flown at half-staff as soon as practicable following the notification of a death, and will ordinarily be continued for 48 hours.

IV. Policy – Display of ~~Commemorative or Other Governmental~~ ~~Non-Governmental~~ Flags on City Property

1. The Mayor and/or a member of the City Council or member of the public may submit a request to the City Manager in writing to display a ~~Non-Governmental~~Commemorative or other Governmental Flag on a Ceremonial Flagpole in conjunction with official actions, ceremonial items, or proclamations of the City Council. The request shall specify:
 - a. the type of flag to be displayed, and
 - b. how display of the flag would relate to a prior or proposed official action, ceremonial item or proclamation of the City Council, and
 - b. the request is consistent with the City Council's mission and vision statements, and
 - c. the proposed time and manner of display.
2. Following consideration of a request, if the ~~Council~~City Manager approves the request, either by minute order or in conjunction with adoption of some other official action, ceremonial item, or proclamation, the City shall display the requested ~~Commemorative or other Governmental~~ ~~Non-Governmental~~ Flag on a Ceremonial Flagpole at the time, place and manner so directed by the ~~Council~~City Manager. If the ~~Council~~City Manager does not approve a request, it shall be deemed to have been denied and shall not be reconsidered for a period of six (6) months.
- ~~3. When a Ceremonial Flagpole is not displaying a Non-Governmental Flag, T~~he City flag may be flown upon the order of the City Manager, in his or her discretion.
- ~~3.~~ 4. The POW/MIA Flag will be flown beneath the National flag.
4. The Ceremonial Flag Pole will be located beside the existing governmental designated flag pole outside of the ~~Police Department~~principal municipal administrative building or other municipal buildings at the City Manager's discretion.



Report to the City Council
Regular City Council - 26 Apr 2022

Agenda Section: OLD BUSINESS

Subject: Discussion and proposed approval of a resolution rescinding Resolution 2019-66 and amending Policy P-CC-0001 Outdoor Display of Governmental and Non-Governmental Flags on City Property

CEQA Determination: Not a CEQA project

Prepared By: Cindy Tzafopoulos, City Clerk

Reviewed By: April Mitts, Administrative Services Director

Approved By: James C. McCann, Interim City Manager

BACKGROUND

The City Council established an outdoor flag display policy on June 13, 2017. The uniform policy established guidelines for flying the National, State, City, and Non-Governmental Flags on City-owned properties.

A member of the public approached Council Member Hall and requested that the City Council consider flying the POW flag on the ceremonial flag pole in perpetuity.

DISCUSSION

At the September 28, 2021 City Council meeting, staff was directed to bring the outdoor flag display policy back for discussion and direction related to the POW/MIA flag. Given the need to amend the policy to address the POW/MIA duration of flying the flag, staff also made additional recommendations. Staff reviewed the City of Napa's flag policy and incorporated some of their language into the draft for consideration. The City of Napa administratively processes flag requests similar to the City of St. Helena's banner requests. Staff is recommending flag requests be handled administratively rather than Council action since the majority of the same requests are routinely made on an annual basis. Following the City Council's request staff is providing a redlined version of the

current adopted policy for consideration with updated mechanisms for flying the POW/MIA flag and the administrative approval process.

FISCAL IMPACT

No fiscal impact.

RECOMMENDED ACTION

Staff recommends adopting a resolution rescinding resolution 2019-66 and amending Policy P-CC-0001 Outdoor Display of Governmental and Commemorative or other Governmental Flags on City Property.

ATTACHMENTS

[Outdoor Display of Governmental and Non-Governmental Flags on City Property Policy Amendment #3 Redlined](#)

[Outdoor Display of Governmental and Non-Governmental Flags on City Property Policy Amendment #3 Clean](#)

[Attachment 3 - 2019-66 Rescinding Reso 2017-75 and Amending the Policy P-CC-0001](#)

[Outdoor Display of Governmental and Non-Governmental Flags on City Property](#)

[Attachment 4 - Resolution St Helena Flag Policy](#)

[Attachment 5 - Eric Hall.POW Flag Request](#)

	City of St. Helena Council Policy Administration	Policy Outdoor Display of Governmental and Commemorative or other Governmental flagNon-Governmental Flags on City Property Page 1 of 2
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Title:	Policy #	<u>P-CC-0001</u>
Outdoor Display of Governmental and Commemorative or other Governmental Non-Governmental Flags on City Property	Revision #	<u>31</u>
	Implementation Date	2017-06-13
	Last Update Date	<u>05-28-2019</u>
Approval by City Council	Resolution No.	Date Approved

I. Purpose, Overview and Scope of this Policy

The purpose of this administrative policy is to establish a uniform policy to govern Outdoor Display of Governmental and ~~Commemorative or other Governmental~~ ~~flagNon-Governmental~~ Flags on City Property.

Nothing set forth in this Policy is intended to prohibit or curtail individuals from displaying a flag on private property under his or her control or to wear or carry a flag.

This policy rescinds the previous Outdoor Display of Governmental and ~~Commemorative or other Governmental~~ ~~flagNon-Governmental~~ Flags on City Property policies and remains in effect until rescinded by City Council.

II. Authority

~~The City Council has authority to update this policy~~The City Manager is hereby authorized to establish and maintain written administrative regulations to document the procedures by which City staff will display flags in accordance with Flag Law.

III. Policy - Flying Flags on City Property at Half-Staff

1. National flags and/or California flags on City-owned property shall be flown at half-staff upon order of the President of the United States or authorization by the Governor of California.
2. National, California, and/or City flags on City-owned property may also be flown at half-staff at the direction of the Mayor upon the death of:
 - a. A City Councilmember, past or present;
 - b. A City employee whose death occurred during the discharge of duty;
 - c. A City employee or retiree having served the City for 25 or more years; and/or
 - d. A prominent citizen not holding or having held elected public office, whose accomplishments and contributions to the community clearly demonstrated a commitment over and beyond that which would be normally associated with the performance of work.

	City of St. Helena Council Policy Administration	Policy Outdoor Display of Governmental and Commemorative or other Governmental flagNon-Governmental-Flags on City Property Page 2 of 2
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3. For the above circumstances, flags will be flown at half-staff as soon as practicable following the notification of a death, and will ordinarily be continued for 48 hours.

IV. Policy – Display of ~~Commemorative or Other Governmental Non-Governmental~~Flags on City Property

1. The Mayor and/or a member of the City Council or member of the public may submit a request to the City Manager in writing to display a ~~Non-Governmental~~Commemorative or other Governmental Flag on a Ceremonial Flagpole in conjunction with official actions, ceremonial items, or proclamations of the City Council. The request shall specify:
 - a. the type of flag to be displayed, and
 - b. how display of the flag would relate to a prior or proposed official action, ceremonial item or proclamation of the City Council, and
 - ~~b.~~ the request is consistent with the City Council's mission and vision statements, and
 - c. the proposed time and manner of display.
2. Following consideration of a request, if the ~~Council~~City Manager approves the request, either by minute order or in conjunction with adoption of some other official action, ceremonial item, or proclamation, the City shall display the requested Commemorative or other Governmental Non-Governmental Flag on a Ceremonial Flagpole at the time, place and manner so directed by the ~~Council~~City Manager. If the ~~Council~~City Manager does not approve a request, it shall be deemed to have been denied and shall not be reconsidered for a period of six (6) months.
- ~~3. When a Ceremonial Flagpole is not displaying a Non-Governmental Flag, T~~he City flag may be flown upon the order of the City Manager, in his or her discretion.
- ~~3-~~ 4. When a Ceremonial Flagpole is not displaying a Commemorative or other Governmental flag, the POW/MIA Flag will be flown.
4. The Ceremonial Flag Pole will be located beside the existing governmental designated flag pole outside of the ~~Police Department~~principal municipal administrative building or other municipal buildings at the City Manager's discretion.

	City of St. Helena Council Policy Administration	Policy Outdoor Display of Governmental and Commemorative or other Governmental flag Flags on City Property
		Page 1 of 2

Title: Outdoor Display of Governmental and Commemorative or other Governmental Flags on City Property	Policy #	P-CC-0001
	Revision #	3
	Implementation Date	2017-06-13
	Last Update Date	05-28-2019
Approval by City Council	Resolution No.	Date Approved

I. Purpose, Overview and Scope of this Policy

The purpose of this administrative policy is to establish a uniform policy to govern Outdoor Display of Governmental and Commemorative or other Governmental flag Flags on City Property.

Nothing set forth in this Policy is intended to prohibit or curtail individuals from displaying a flag on private property under his or her control or to wear or carry a flag.

This policy rescinds the previous Outdoor Display of Governmental and Commemorative or other Governmental flag Flags on City Property policies and remains in effect until rescinded by City Council.

II. Authority

The City Manager is hereby authorized to establish and maintain written administrative regulations to document the procedures by which City staff will display flags in accordance with Flag Law.

III. Policy - Flying Flags on City Property at Half-Staff

1. National flags and/or California flags on City-owned property shall be flown at half-staff upon order of the President of the United States or authorization by the Governor of California.
2. National, California, and/or City flags on City-owned property may also be flown at half-staff at the direction of the Mayor upon the death of:
 - a. A City Councilmember, past or present;
 - b. A City employee whose death occurred during the discharge of duty;
 - c. A City employee or retiree having served the City for 25 or more years; and/or
 - d. A prominent citizen not holding or having held elected public office, whose accomplishments and contributions to the community clearly demonstrated a commitment over and beyond that which would be normally associated with the performance of work.

	City of St. Helena Council Policy Administration	Policy Outdoor Display of Governmental and Commemorative or other Governmental flag Flags on City Property
		Page 2 of 2

3. For the above circumstances, flags will be flown at half-staff as soon as practicable following the notification of a death, and will ordinarily be continued for 48 hours.

IV. Policy – Display of Commemorative or Other Governmental Flags on City Property

1. The Mayor and/or a member of the City Council or member of the public may submit a request to the City Manager in writing to display a Commemorative or other Governmental Flag on a Ceremonial Flagpole in conjunction with official actions, ceremonial items, or proclamations of the City Council. The request shall specify:
 - a. the type of flag to be displayed, and
 - b. how display of the flag would relate to a prior or proposed official action, ceremonial item or proclamation of the City Council, and
the request is consistent with the City Council’s mission and vision statements, and
 - c. the proposed time and manner of display.
2. Following consideration of a request, if the City Manager approves the request, either by minute order or in conjunction with adoption of some other official action, ceremonial item, or proclamation, the City shall display the requested Commemorative or other Governmental Flag on a Ceremonial Flagpole at the time, place and manner so directed by the City Manager. If the City Manager does not approve a request, it shall be deemed to have been denied and shall not be reconsidered for a period of six (6) months.
3. The City flag may be flown upon the order of the City Manager, in his or her discretion.
4. When a Ceremonial Flagpole is not displaying a Commemorative or other Governmental flag, the POW/MIA Flag will be flown.
4. The Ceremonial Flag Pole will be located beside the existing governmental designated flag pole outside of the principal municipal administrative building or other municipal buildings at the City Manager’s discretion.

CITY OF ST. HELENA

RESOLUTION No. 2019-66

**Rescinding Resolution 2017-75 and Amending the Policy
P-CC-0001 Outdoor Display of Governmental and Non-
Governmental Flags on City Property and Authorizing a
Ceremonial Flag Recognizing LGBTQ Pride Month during
the Month of June**

RECITALS

- A. On June 13, 2017, the St. Helena City Council established a uniform policy to govern the flying of the National, State, and City flags on City-owned properties at half-staff to pay homage to the deceased and to govern the display of non-governmental flags on specified City-owned flagpoles; and
- B. The City Council desires to amend the current policy establishing a more prominent place to display non-governmental flags; and
- C. The more prominent location will be a flag pole installed beside the existing governmental designated flag pole outside of St. Helena City Hall; and
- D. A request has been made for the LGBTQ Pride Month flag to be flown the first half of the month of June and the Transgender flag will be flown the second half of June in recognition of LGBTQ Pride Month.

RESOLUTION

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

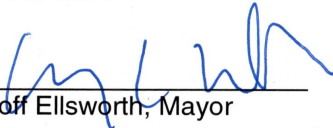
- 1. Approves City Council Policy P-CC-0001 Outdoor Display of Governmental and Non-Governmental Flags on City Property as outlined in the attached Exhibit A; and
- 2. Rescinds Resolution 2017-75; and
- 3. Authorizes a ceremonial flag recognizing LGBTQ Pride Month during the month of June; and
- 4. If any action, subsection, clause or phrase of this Resolution or the policies in Exhibit A shall be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions of this Resolution or of the policy adopted by this Resolution that can be given effect without the invalid provisions; and

5. The City Council finds that the project is exempt from the requirements of CEQA pursuant to section 15303 in that it qualifies for a Class 3 Categorical Exemption.

Approved at a Regular Meeting of the St. Helena City Council on May 28, 2019, by the following vote:

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

APPROVED:


Geoff Ellsworth, Mayor

ATTEST:


Cindy Tzafopoulos, City Clerk



	City of St. Helena Council Policy Administration	Policy Outdoor Display of Governmental and Non-Governmental Flags on City Property Page 1 of 2
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Title: Outdoor Display of Governmental and Non-Governmental Flags on City Property	Policy #	P-CC-0001
	Revision #	1
	Implementation Date	2017-06-13
	Last Update Date	2019-05-28
Approval by City Council	Resolution No. 2019-66	Date Approved 2019-05-28

I. Purpose, Overview and Scope of this Policy

The purpose of this administrative policy is to establish a uniform policy to govern Outdoor Display of Governmental and Non-Governmental Flags on City Property.

Nothing set forth in this Policy is intended to prohibit or curtail individuals from displaying a flag on private property under his or her control or to wear or carry a flag.

This policy rescinds the previous Outdoor Display of Governmental and Non-Governmental Flags on City Property policies and remains in effect until rescinded by City Council.

II. Authority

The City Council has authority to update this policy.

III. Policy - Flying Flags on City Property at Half-Staff

1. National flags and/or California flags on City-owned property shall be flown at half-staff upon order of the President of the United States or authorization by the Governor of California.
2. National, California, and/or City flags on City-owned property may also be flown at half-staff at the direction of the Mayor upon the death of:
 - a. A City Councilmember, past or present;
 - b. A City employee whose death occurred during the discharge of duty;
 - c. A City employee or retiree having served the City for 25 or more years; and/or
 - d. A prominent citizen not holding or having held elected public office, whose accomplishments and contributions to the community clearly demonstrated a commitment over and beyond that which would be normally associated with the performance of work.
3. For the above circumstances, flags will be flown at half-staff as soon as practicable following the notification of a death, and will ordinarily be continued for 48 hours.



City of St. Helena
Council Policy
 Administration

Policy
**Outdoor Display of Governmental and
 Non-Governmental Flags on City Property**

Page 2 of 2

IV. Policy – Display of Non-Governmental Flags on City Property

1. The Mayor and/or a member of the City Council may submit a request to the City Manager in writing to display a Non-Governmental Flag on a Ceremonial Flagpole in conjunction with official actions, ceremonial items, or proclamations of the City Council. The request shall specify:
 - a. the type of flag to be displayed
 - b. how display of the flag would relate to a prior or proposed official action, ceremonial item, or proclamation of the City Council, and
 - c. the proposed time and manner of display.
2. Following consideration of a request, if the Council approves the request, either by minute order or in conjunction with adoption of some other official action, ceremonial item, or proclamation, the City shall display the requested Non-Governmental Flag on a Ceremonial Flagpole at the time, place, and manner so directed by the Council. If the Council does not approve a request, it shall be deemed to have been denied and shall not be reconsidered for a period of six (6) months.
3. When a Ceremonial Flagpole is not displaying a Non-Governmental Flag, the City Flag may be flown upon the order of the City Manager, in his or her discretion.
4. The Ceremonial Flag Pole will be located beside the existing governmental designated flag pole outside of City Hall.

CITY OF ST. HELENA

RESOLUTION No. 2022-

**Rescinding Resolution 2019-66 and Amending the
Policy P-CC-0001 Outdoor Display of Governmental and
Commemorative or other Governmental Flags on City
Property**

RECITALS

- A. On June 13, 2017, the St. Helena City Council established a uniform policy to govern the flying of the National, State, and City flags on City-owned properties at half-staff to pay homage to the deceased and to govern the display of Commemorative or other Governmental flags on specified City-owned flagpoles; and
- B. The City Council desires to amend the current policy to allow the POW/MIA flag to be flown when a commemorative or other governmental flag isn't flown.

RESOLUTION

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

- 1. Rescinds Resolution 2019-66; and
- 2. Approves amending City Council Policy P-CC-0001 Outdoor Display of Governmental and Commemorative or other Governmental Flags on City Property as outlined in the attached Exhibit A; and

Approved at a Regular Meeting of the St. Helena City Council on April 26, 2022, by the following vote:

Mayor Ellsworth: _____

Vice Mayor Dohring: _____

Council Member Chouteau: _____

Council Member Hall: _____

Council Member Hardy: _____

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzaopoulos, City Clerk

Cindy Tzaopoulos

From: Mark Prestwich
Sent: Wednesday, September 8, 2021 6:23 PM
To: Cindy Tzaopoulos
Subject: FW: POW flag on main pole

Hi Cindy,

Please prep this for consideration at the 9/28 meeting. Thanks!

-Mark

From: Eric Hall <EHall@cityofsthelena.org>
Sent: Wednesday, September 1, 2021 12:54 PM
To: Mark Prestwich <MPrestwich@cityofsthelena.org>
Cc: Cindy Tzaopoulos <ctzaopoulos@cityofsthelena.org>
Subject: RE: POW flag on main pole

Thank you for the background and help.
 Best,
 E

On Sep 1, 2021 11:50 AM, Mark Prestwich <MPrestwich@cityofsthelena.org> wrote:
 Hi Eric,

Attached is a link to last year's POW flag request. Please note the attached policy describes the process (your email suffices to get this started) and allows the Council to decide the period a ceremonial flag can be flown so, while the Council has not previously authorized a flag to fly for a year, the Council can consider and make that request permanent. I will work with Cindy to add this to a future agenda.

https://sthelena.civicweb.net/document/40782/Request%20to%20fly%20the%20LGBTQ%20and%20POW_MIA%20flag%20on%20th.pdf?handle=2087EBD3D8F740EBA156F1ED0476B6C5

-Mark

From: Eric Hall <EHall@cityofsthelena.org>
Sent: Tuesday, August 31, 2021 3:25 PM
To: Mark Prestwich <MPrestwich@cityofsthelena.org>
Subject: POW flag on main pole

Mark,

Mike Griffin called to discuss placing a POW flag on the main flag pole, below the CA flag. He says there was a temporary thing done last year for a two-week period and he, the American Legion, Native sons, Rotary and others are now requesting it fly permanently on the main flag pole. I told him I would support the effort, provided they pay for the flag. He agreed.
 I told him I would write a formal letter to you. Let me know if you foresee any issues with this, and anything else to include in the letter. Thanks. Best,

E

Eric Hall
Council Member, City of St. Helena
ehall@cityofsthelena.org
925-708-2686
www.cityofsthelena.org



Report to the City Council
Regular City Council - 10 May 2022

Agenda Section: CONSENT ITEMS

**Subject: Consideration and Proposed Approval of a Resolution
Unfreezing the Police Officer Position**

CEQA Not a CEQA project
Determination:

Prepared By: April Mitts, Administrative Services Director

Reviewed By: Chris Hartley, Chief of Police

Approved By: James C. McCann, Interim City Manager

BACKGROUND

Because of the dramatic shift in the economy due to revenue losses associated with the COVID-19 pandemic, several additional steps were taken in FY 2020-21 and FY 2021-22 budget cycle in an effort to maintain a balanced budget. One item in the multi-faceted approach to balancing the budget included labor strategies and, among other concessions, the freezing of several vacant positions within the organization.

DISCUSSION

Currently a police officer position remains frozen. During the development of the FY 2022-23 budget staff anticipated making a recommendation for the frozen police officer position be restored effective July 1, 2022; however, due to recent unforeseen circumstances, the police department is currently experiencing a significant staffing shortage. The department currently has 12 sworn positions which include the following:

- 1 - Chief of Police
- 1 - Lieutenant
- 2 - Sergeants
- 1 - School Resource Officer
- 7 - Police Officers (1 position is currently frozen)

With the exception of the frozen position, all other sworn officer positions are filled; however, staffing has been affected as follows:

- 1 - Officer currently out on a protected leave of absence
- 1 - Officer will be out on a protected leave of absence starting in June 2022
- 1 - Officer on light duty
- 1 - Officer out on a long-duration Worker's Compensation injury

As a short-term response, the City's police officers have been working overtime hours and both the Chief of Police and Lieutenant have been covering shifts to ensure adequate coverage. Additionally, in 2019, the City entered into a shared services agreement to assist Calistoga Police Department with their personnel shortages. With the most recent long-duration injury (estimated six months to one year), the City has contacted the Calistoga Chief of Police in attempt to fill the intermediary gap in coverage. While this solution will fill the gap, it is not ideal as it relies on: (1) Calistoga being available to provide officers and (2) the rate paid by the City for these officers is at the overtime rate.

Based on this information, City staff is recommending the police officer position is unfrozen effective immediately. Due to the long process of hiring an officer and in anticipation of having this position available on July 1, 2022, Chief Hartley has an applicant who is an academy graduate, has passed the background check, and is available to start immediately. While this officer will still be required to complete 12 weeks of Field Training, which is required by POST (Police Officer Standards and Training), it will allow the City to start the process up to seven weeks sooner than anticipated.

FISCAL IMPACT

There is no fiscal impact in unfreezing the position to the FY 2021-23 budget as the costs can be absorbed through cost savings of the two police officers who have protected leaves of absence. The estimated max cost for the FY 2022-23 budget is \$160,000; however, unfreezing the position will reduce overtime and it is estimated will result be net neutral.

RECOMMENDED ACTION

Staff recommends the City Council adopt the attached resolution.

ATTACHMENTS

[Police Officer Position Resolution](#)

RESOLUTION NO. 2022-

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
ST. HELENA UNFREEZING THE POLICE OFFICER
POSITION**

RECITALS

- A. Because of the dramatic shift in the economy due to revenue losses associated with the COVID-19 pandemic, several additional steps were taken in FY 2020-21 and FY 2021-22 budget cycle in an effort to maintain a balanced budget; and
- B. One item in the multi-faceted approach to balancing the budget included labor strategies and, among other concessions, the freezing of several vacant positions within the organization; and
- C. Currently a police officer position remains frozen and, during the development of the FY 2022-23 budget, staff anticipated making a recommendation for the frozen police officer position be restored effective July 1, 2022; and
- D. Due to recent unforeseen circumstances, the police department is currently experiencing a significant staffing shortage which includes: one officer out on a protected leave of absence, one officer who will be out on a protected leave of absence starting in June 2022, one officer on light duty, and most recently one officer out on a long-duration Worker's Compensation injury; and
- E. Based on this information, City staff is recommending the police officer position is unfrozen effective immediately.

RESOLUTION

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

1. The City Council hereby approves the unfreezing of the police officer position effective immediately.

Approved at a Regular Meeting of the St. Helena City Council held on Tuesday, May 10, 2022 by the following vote:

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

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzafoopoulos, City Clerk



Report to the City Council
Regular City Council - 10 May 2022

Agenda Section: CONSENT ITEMS

Subject: Consideration and Proposed Approval of a Resolution authorizing the City Manager to execute Amendment No. 3 to Professional Services Agreement STH Contract: FY2021-071 with Noll & Tam Architects in the amount of \$23,983 for Phase I of the Napa Valley College tenant improvements at the City of St. Helena for a total contract amount not-to-exceed \$191,560.

CEQA Determination: Not a CEQA project

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

Reviewed By: April Mitts, Administrative Services Director

Approved By: James C. McCann, Interim City Manager

BACKGROUND

On May 25, 2021, the City Council approved a resolution authorizing the City Manager or designees to execute a lease for a portion of the Napa Valley Community College District Upper Valley Campus to lease space to serve as a City Hall and Police facility. It is anticipated this space will serve the City for at least five years and is in need of Tenant Improvements (TI's) in order to facilitate the specific needs of the City.

DISCUSSION

The City entered into a Professional Services Agreement with Noll and Tam Architects in April of 2021 to provide services related to the Napa Valley College move and are the Architect of Record (AOR) for this project.

In working with Noll and Tam it was determined the tenant improvements (TI) would require a review and permit from the Division of the State Architect (DSA). Submitting plans for TI's to the DSA required detailed site plans that were not anticipated, or included, with the original scope of work with the architect. During this planning phase of the project,

additional items were added which were included in both Amendment #1 and Amendment #2 with Noll and Tam. This allowed the City to successfully submit a permit with DSA and have the plans reviewed with all the necessary engineering work completed, as required.

Upon submittal of project plans and DSA review, additional work was required by Noll and Tam during the backcheck process. Backcheck occurs when DSA has questions on the plan set for the architect. Because of the additional work included in the second amendment to the Noll and Tam contract (addition of a single use restroom, door hardware coordination, closed off Intermediate Distribution Frame (IDF) Room for security, additional bulletproofing needs, planning for a permanent generator, and coordination with the City's construction management firm) the extended timeline it took for DSA to review the plans, including the time it took to conduct backcheck and intake process, and the extension of the construction document phase, a third amendment with Noll and Tam is necessary.

FISCAL IMPACT

The fiscal impact of Amendment No. 3 is an additional \$23,983 for a total not-to-exceed amount of \$191,560. Funds for this amendment have been included in the FY 2021-22 budget for Napa Valley College Tenant Improvements.

RECOMMENDED ACTION

Adopt Resolution authorizing the City Manager to execute Amendment No. 3 to Professional Services Agreement STH Contract: FY2021-071 with Noll & Tam Architects in the amount of \$23,983 for Phase I of the Napa Valley College tenant improvements at the City of St. Helena for a total contract amount not-to-exceed \$191,560

ATTACHMENTS

[Noll and Tam Amendment 3](#)

[Amendment 3 Noll and Tam](#)

[Resolution - Noll and Tam Amendment 3](#)

St Helena City Admin and Police Offices**Amendment #3 Add service request**

April 26, 2022.

**Additional Service Proposal****Noll & Tam**

1. Amendment #3 Scope:

a. Added Construction Documents and DSA permitting efforts (see attached scope description)	\$	21,000
b. Additional Addendum items for Bidding per CM comments 3/30/22 (9.5 hours @ \$175/hr)	\$	1,663

Consultants

2. IDA , Structural engineering Calculations and DSA design drawing for new Generator slab @ Police	\$	1,200
Noll & Tam consultant 10% mark-up	\$	120

Total Amendment #3 fee request	\$	23,983
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Scope of Services

See supporting scope information attached from Noll & Tam 4/26/2022 and IDA 1/24/2022



STRUCTURAL ENGINEERS

January 24, 2022

Project No. 21029

JANET TAM
Noll & Tam Architects
729 Heinz Avenue, #7
Berkeley, CA 94710

SUBJECT: EXTRA SERVICE REQUEST #1
CITY OF ST. HELENA IMPROVEMENTS AT NAPA VALLEY COLLEGE
Upper Valley Center
2277 Napa Vallejo Hwy
Napa, California
Generator Anchorage and Foundation Calculations

SCOPE OF EXTRA SERVICES: Your office has requested the following revision to our construction documents and/or calculations. The scope of the revision is itemized as follows:

1. Structural calculations for anchorage and foundations for new generator.
2. Response to DSA plan check questions if any.

Please confirm the scope of these requested revisions.

FEE PROPOSAL:

The lump sum fee for these revisions is \$1,200.00 plus reimbursable expenses.

AGREEMENT: If the terms are acceptable, please sign below and return a copy for our files.

Accepted:

Jason M. Lee, SE
IDA Structural Engineers, Inc.

1/24/2022
Date

JANET TAM
Noll & Tam Architects

Date

St Helena City Administration and Police Offices at Napa Valley College
Noll & Tam Request for Amendment #3
Construction Documents modifications & Additional DSA Coordination
 April 26, 2022



Background

This Amendment #3 additional fee request is for tasks and extended overall level of effort not anticipated or included in our original fee contract. They include the following categories:

- A. Extended duration of the Construction Document Phase – from 3 months to 5 months.
- B. Late design modifications made to the tenant improvement documentation during the Construction Documents phase and after the DSA permit set submittal
- C. Extended effort for DSA pre-permitting coordination and intake responses
- D. Additional meetings and coordination efforts with the City's Construction Manager not included in our original contract scope.

The additional design effort for Amendment #3 is described in more detail as follows

A. Extended duration of the Construction Documents Phase.

- 1. Our April 13th 2021 original contract and the June 3rd, 2021 Amendment #1 revision to add Police and DSA permitted documents included (7) weeks to complete construction documents for the original contract + (4-6) weeks for Amendment #1, so that the overall level of effort was assumed to be approximately **3 months**. However, our CD's were submitted to DSA Sept 13th, 2021 which reflects a **5 month** CD phase duration. This is indicative of a scope of work, in particular for Police, that was more complex and program intensive than a simple tenant improvement project. It was our original understanding that changes and cost to the existing building should be minimized and decisions would be as straight forward as possible.
- 2. The extended time duration resulted in additional meetings and additional coordination. We also continued to incorporate plan revisions requested by the users as noted below, during the DSA review period.

B. Late design modifications + more complex scope that included:

Police

- 1. Door hardware meeting and coordination - additional doors added + card reader
- 2. Changed open IDF area to a IDF room
- 3. Single occupancy restroom added to Police
- 4. Modular building –
 - o initially considered to be a small footprint with no impact on landscape. Revised to be much larger and did require additional civil and site/landscape scope
 - o Coordination of modular sewer connection options
 - o Required an additional site visit.
- 5. Added bullet resistant panels into the Briefing Room, Evidence Room, Workroom
- 6. Back patio by briefing room – reverted to keep 'as is' after earlier redesign
- 7. Switch from portable generator to permanent generator – required new fencing, structural calcs and changes to the plans

Admin

8. Office 5B – modification to casework, add floor finish
9. Revisions to Open office 5D and 5E: regarding finishes and bookshelves
10. Copy/Room 6I and Workroom 6H changed to Offices
11. Replacement of ceiling panels at multiple locations due to discoloration from leaks
12. Classroom 7B with the moveable panels: added fabric panel to existing panels
13. Office 7A, 7AA- existing casework and floor finish decisions

C. Extended effort for DSA

1. Modular building – (shower modular is not a typical DSA pre-approved modular type such as for a classroom modular)
Extensive effort to communicate with DSA, the modular manufacturers, and Police to determine if modulares were DSA pre-approved or if modulares were subject to DSA review and required to be part of the DSA submittal. Ultimately we issued letter to clarify usage of building and were able to exclude modulares from DSA review.
2. Formal Response to DSA Intake comments in quick 3 day turn around (prior to permit review comments.)

D. Additional efforts required by City's Construction Manager

(not included as part of original contract)

The CM firm of Graystone West was brought onto the project Mid-January 2022

1. Pre-construction conversations with the City's new Construction Manager to assist with clarifying the project for their first constructability review
2. Incorporation of additional CM comments from "page turn" with department heads, dated 3/30/2022 into the Construction Documents set and to be added to a bid addendum that was produced in February, but not issued.

AMENDMENT #3

TO PROFESSIONAL SERVICES AGREEMENT WITH NOLL & TAM ARCHITECTS IN THE AMOUNT OF \$23,983 TO STH CONTRACT NO: FY 2021-071 FOR PHASE I OF THE NAPA VALLEY COLLEGE TENANT IMPROVEMENTS AT THE CITY OF ST. HELENA FOR A TOTAL CONTRACT AMOUNT NOT-TO-EXCEED \$191,560

This Third Amendment to Professional Services Agreement STH Contract: FY 2021-071 dated April 10, 2021 ("Agreement") is made as of this 10 day of May 2022 by and between the City of St. Helena, a municipal corporation ("City"), and Noll & Tam Architects ("Consultant").

RECITALS

- A. On April 13, 2021, the City and Consultant entered into the Agreement for Consultant to provide professional services in connection with the project described tenant improvements at the Napa Valley College Upper Campus for Phase I; and
- B. On May 25, 2021, the City Council approved resolution authorizing the City Manager or designees to execute a lease regarding a portion of the Napa Valley Community College District Upper Valley Campus; and
- C. Based on the required identified tenant improvements, the City and Consultant desired to amend the Agreement with the Consultant to provide additional fees for permitting the Division of State Architect; and
- D. Permitting for the Division of the State Architect requires full engineering consultant drawings and construction administration protocols that were not included in the original scope of work with Noll and Tam Architects; and
- E. Amendment No. 1 was for an additional \$117,622 for a total not-to-exceed amount of \$158,997; and
- F. Additional scope of work has been identified that require mechanical and electrical engineering necessary for Division of State Architect Review; and
- G. Amendment No. 2 was for an additional \$8,580 for a total not-to-exceed amount of \$167,577.
- H. Additional work required during the permit review process with DSA has been identified.
- I. Amendment 3 is for an additional \$23,983 for a total not-to-exceed amount of \$191,560

AGREEMENT

NOW, THEREFORE, in consideration of the promises and of the mutual covenants and agreements herein contained, for good and valuable consideration, the adequacy of which is

Page 1 of 2

Third Amendment to Professional Services Agreement STH Contract: FY 2021-071
Consultant: Noll & Tam Architects

hereby acknowledged, the parties agree to amend the Agreement as follows:

1. Section 4.A. Compensation and Method of Payment, is amended to read as follows:

“Total compensation shall not exceed \$191,560...”.

All other terms of the Agreement shall remain in full force and effect.

Entered as of the day and year first above stated.

CONSULTANT:

CITY OF ST. HELENA
a Municipal Corporation

Signatures of Authorized Persons:

By: _____

By: _____

Print Name: James C. McCann
Title: Interim City Manager

Print Name: _____

APPROVED AS TO FORM:

Title: _____

Ethan Walsh, City Attorney

ATTEST:

City Clerk

CITY OF ST. HELENA

RESOLUTION NO. 2021-_____

AUTHORIZING: (1) THE CITY MANAGER TO EXECUTE AMENDMENT No. 3 TO PROFESSIONAL SERVICES AGREEMENT WITH NOLL & TAM ARCHITECTS IN THE AMOUNT OF \$23,983 TO STH CONTRACT NO: FY 2021-071 FOR PHASE I OF THE NAPA VALLEY COLLEGE TENANT IMPROVEMENTS AT THE CITY OF ST. HELENA FOR A TOTAL CONTRACT AMOUNT NOT-TO-EXCEED \$191,560

RECITALS

- A. On April 13, 2021, the City and Consultant entered into the Agreement for Consultant to provide professional services in connection with the project described tenant improvements at the Napa Valley College Upper Campus for Phase I; and
- B. On May 25, 2021, the City Council approved resolution authorizing the City Manager or designees to execute a lease regarding a portion of the Napa Valley Community College District Upper Valley Campus; and
- C. Based on the required identified tenant improvements, the City and Consultant desired to amend the Agreement with the Consultant to provide additional fees for permitting the Division of State Architect; and
- D. Permitting for the Division of the State Architect requires full engineering consultant drawings and construction administration protocols that were not included in the original scope of work with Noll and Tam Architects; and
- E. Amendment No. 1 was for an additional \$117,622 for a total not-to-exceed amount of \$158,997; and
- F. Additional scope of work has been identified that require mechanical and electrical engineering necessary for Division of State Architect Review; and
- G. Amendment No. 2 was for an additional \$8,580 for a total not-to-exceed amount of \$167,577.
- H. Additional work required during the permit review process with DSA has been identified.
- I. Amendment 3 is for an additional \$23,983 for a total not-to-exceed amount of \$191,560

RESOLUTION

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

Page 1 of 2

1. Approves Amendment No. 3 to STH Contract: FY2021-71 with Toll and Tam Architects for an additional \$23,983 for a total not-to-exceed amount of \$191,560; and
2. Authorizing the City Manager to execute Amendment No. 3.

Approved at a Regular Meeting of the St. Helena City Council on May 10, 2022, by the following vote:

Mayor Ellsworth:	_____
Vice Mayor Dohring:	_____
Councilmember Anna Chouteau:	_____
Councilmember Lester Hardy:	_____
Councilmember Eric Hall:	_____

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzaopoulos, City Clerk



Report to the City Council
Regular City Council - 10 May 2022

Agenda Section: CONSENT ITEMS

Subject: Consideration of Proposal Approval of a Resolution Authorizing Amendment #4 to the Professional Services Agreement STH Contract: 2017-082 with Dudek for an Additional \$80,393 for a Total Not-to-Exceed Contract Amount of \$446,554 in Order to Complete the Hunter Subdivision Final Environmental Impact Report.

**CEQA Exempt
Determination:**

Prepared By: Maya DeRosa, Planning & Building Director

Reviewed By: April Mitts, Administrative Services Director

Approved By: James C. McCann, Interim City Manager

BACKGROUND

On December 12, 2017, the City Council approved a contract with the consulting firm Dudek to prepare an Environmental Impact Report (EIR) for the Hunter Subdivision Project (file no. PL10-040). The total contract amount was not-to-exceed \$234,511.

On November 26, 2019, the City Council approved Contract Amendment #1 with Dudek for an additional \$78,650 for a total contract not-to-exceed amount of \$313,161 for the purpose of completing a Phase II Cultural Resource Evaluation and to complete several other phases of the EIR.

On April 28, 2020, the City Council approved Contract Amendment #2 with Dudek for an additional \$15,410 for a total not-to-exceed contract amount of \$328,571 in order to revise the Traffic Analysis per new CEQA Guidelines to address the project's vehicle miles traveled (VMT) and to update the EIR to reflect both the 1993 General Plan and the 2040 General Plan Update.

On February 9, 2021, the City Council approved Contract Amendment #3 with Dudek for an additional \$22,090 for in order to prepare an updated version of the EIR that addresses City comments received in December 2020, as well as any applicant comments provided. Additionally, the City requested a contingency budget of \$15,500 to be used in responding to comments on the Final EIR if necessary. Therefore, the total requested contract amendment was \$37,590 for a total not-to-exceed contract amount of \$366,161.

DISCUSSION

In December 2020, the City and EIR consultant Dudek began the process of responding to comments on the DEIR. The original scope of work for the Final EIR assumed up to 80 letters. The City received over 120 letters and also had three public hearings with transcripts that will also be included in the Final EIR with responses provided. The extent of the Final EIR work effort to date has exceeded the budgeted hours both in the original contract from 2017 and also the contingency budget approved in February 2021. In order to complete the Final EIR response to comments, provide budget for project management in the final phase of the project, draft CEQA required Findings of Facts and cover out of contract labor expended in prior months, as noted in the attached scope of work, the costs for this portion of the work effort are \$41,470.

The scope of work also includes an optional task (Task 15) budgeted at \$38,230 to fund the work effort should the results of a sewer study underway determine there are new project specific impacts triggering the requirement that the City recirculate the DEIR. If the City does not need to recirculate the DEIR, then these funds will not be necessary, however if this task is needed, it provides the readiness of the City to authorize additional work without an additional contract amendment and delay to the project. Direct costs of \$693 are also included in the optional task work effort.

Therefore, the total requested contract amendment is \$80,393 for a total not-to-exceed contract amount of \$446,554.

FISCAL IMPACT

There is no direct fiscal impact to the City as the costs associated with preparation of the EIR are paid by the project applicant. The City is also billing the applicant a 10% administration fee for contracting with and managing the consultant which is not reflected in the dollar figures in this report.

RECOMMENDED ACTION

Staff recommends the City Council approve a resolution authorizing Amendment #4 to the professional services agreement with Dudek for an additional \$80,393 for a total not-to-exceed contract amount of \$446,554.

ATTACHMENTS

[Dudek Contract Amendment #4 Resolution](#)
[Fourth Amendment to Contract 2017-082 Dudek](#)

CITY OF ST. HELENA

RESOLUTION NO. 2022-_____

**Authorizing Amendment #4 to Professional Services Agreement with Dudek
STH Contract No: FY 2017-082 for an additional \$80,393 for a total contract
amount not-to-exceed \$446,554.**

RECITALS

- A. On December 12, 2017, the City Council approved a contract with the consulting firm Dudek to prepare an Environmental Impact Report (EIR) for the Hunter Subdivision Project (file no. PL10-040). The total contract amount was not-to-exceed \$234,511; and
- B. On November 26, 2019, the City Council approved Contract Amendment #1 in the amount of \$78,650 for a not-to-exceed contract amount of \$313,161 to complete a Phase II Cultural Resource Evaluation; and
- C. On April 28, 2020, the City Council approved Contract Amendment #2 with Dudek for an additional \$15,410 for a total not-to-exceed contract amount of \$328,571 in order to revise the Traffic Analysis per new CEQA Guidelines to address the project's vehicle miles traveled (VMT) and to update the EIR to reflect both the 1993 General Plan and the 2040 General Plan Update; and
- D. On February 9, 2021, the City Council approved Contract Amendment #3, for an additional \$37,590 in funding to prepare an updated version of the EIR that addresses City comments received in December 2020, as well as any applicant comments and that there also be a contingency budget included in this amount to be used in responding to comments if authorized by the City; and
- E. An additional \$80,393 in funding has been requested to 1) complete the response to comments for the Administrative and Screencheck Final EIR and associated project management hours; 2) prepare CEQA required Findings of Fact; 3) provide funding for out of contract labor for work on the Administrative Draft EIR and 4) include funds to support the an optional work effort needed for recirculation of the DEIR pending the outcome of technical studies underway; and
- F. The total requested contract amendment is \$80,393 for a total not-to-exceed contract amount of \$446,554; and
- G. No budget adjustment is necessary because all costs are paid directly by the applicant.

RESOLUTION

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

1. Approval of this resolution is CEQA Categorically Exempt under Section 15323; and
2. Approves Amendment #4 to Professional Services Agreement with Dudek STH Contract No: FY 2017-082 for an additional \$80,393 for a total contract amount not-to-exceed \$446,554 and authorizes the City Manager to execute all necessary documents.

Approved at a Regular Meeting of the St. Helena City Council on May 10, 2022, by the following vote:

Mayor Ellsworth:

Vice Mayor Dohring:

Councilmember Chouteau:

Councilmember Hardy:

Councilmember Hall:

APPROVED:

Geoff Ellsworth, Mayor

ATTEST:

Cindy Tzafopoulos, City Clerk

AMENDMENT #4

TO PROFESSIONAL SERVICES AGREEMENT WITH DUDEK; STH CONTRACT NO: 2017-082 FOR PROFESSIONAL SERVICES IN CONNECTION WITH THE PROJECT DESCRIBED AS EIR FOR THE HUNTER PROPERTY RESIDENTIAL SUBDIVISION PROJECT FOR AN ADDITIONAL \$80,393 FOR A TOTAL CONTRACT AMOUNT NOT-TO-EXCEED \$446,554.

This Fourth Amendment to Professional Services Agreement STH Contract: FY 2017-082 dated ("Agreement") is made as of this _____ day of _____, 2022 by and between the City of St. Helena, a municipal corporation ("City"), and Dudek. ("Consultant").

RECITALS

- A. On December 12, 2017 the City and Consultant entered into the Agreement for Consultant to provide professional services in connection with the project described as EIR for the Hunter Property Residential Subdivision project; and
- B. On November 26, 2019, the City Council approved Contract Amendment #1 in the amount of \$78,650 for a not-to-exceed contract amount of \$313,161 to complete a Phase II Cultural Resource Evaluation; and
- C. On April 28, 2020, the City Council approved Contract Amendment #2 with Dudek for an additional \$15,410 for a total not-to-exceed contract amount of \$328,571 in order to revise the Traffic Analysis per new CEQA Guidelines to address the project's vehicle miles traveled (VMT) and to update the EIR to reflect both the 1993 General Plan and the 2040 General Plan Update; and
- D. On February 9, 2021, the City Council approved Contract Amendment #3 with Dudek for an additional \$37,590 for a total not-to-exceed contract amount of \$366,161 in order provide funding to prepare a second Administrative DEIR and and second screencheck DEIR, including an augment to the Final EIR budget to allow for the preparation of additional responses to comments beyond the original project scope; and
- D. An additional \$80,393 in funding has been requested to 1) complete the response to comments for the Administrative and Screencheck Final EIR and associated project management hours; 2) prepare CEQA required Findings of Fact; 3) provide funding for out of contract labor for work on the Administrative Draft EIR and 4) include funds to support the an optional work effort needed for recirculation of the DEIR pending the outcome of technical studies underway; and

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Fourth Amendment to Professional Services Agreement STH Contract: 2017-082
Consultant: Dudek

- F. The total requested contract amendment is \$80,393 for a total not-to-exceed contract amount of \$446,554; and
- G. The City and Consultant now desire to amend the Agreement with Consultant for the purpose of completing the Final EIR.

AGREEMENT

NOW, THEREFORE, in consideration of the promises and of the mutual covenants and agreements herein contained, for good and valuable consideration, the adequacy of which is hereby acknowledged, the parties agree to amend the Agreement as follows:

1. Section 4.A. Compensation and Method of Payment, is amended to read as follows:

“Total compensation shall not exceed \$446,544,.00...”

All other terms of the Agreement shall remain in full force and effect.

Entered as of the day and year first above stated.

CONSULTANT:

CITY OF ST. HELENA
a Municipal Corporation

Signatures of Authorized Persons:

By: _____

By: _____

Print Name: James McCann

Print Name: _____

Title: Acting City Manager

Title: _____

APPROVED AS TO FORM:

Ethan Walsh, City Attorney

ATTEST:

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Fourth Amendment to Professional Services Agreement STH Contract: 2017-082
Consultant: Dudek

City Clerk

Attachments:

Exhibit A-1, "Scope of Services and Compensation"

EXHIBIT A-1 – SCOPE OF SERVICES AND COMPENSATION

1102 R STREET
SACRAMENTO, CALIFORNIA 95811
T 916.443.8335 F 916.443.5113

May 4, 2022

Maya DeRosa, Building and Planning Director
City of St. Helena
Planning & Community Improvement Department
1572 Railroad Avenue
St. Helena, California 94574

Subject: Hunter Subdivision Project – Final EIR Budget Augment Request

Dear Maya,

As we have discussed, due to the large number of comment letters received on the Draft EIR, as well as public comments received at the two hearings, and new issues raised by the public, Dudek is requesting an augment to complete preparation of the Final EIR and complete other tasks that were not included in our original contract (2017) and scope of work, including preparation of findings and potential recirculation of the Public Utilities section to address updates to the water and wastewater analysis.

The total for this augment (not including the optional task) including expenses is \$41,470. We have also included optional tasks for potential recirculation of the water/wastewater analysis, described in detail below.

Please see Table 1 for summary of the original project budget and previous project augments, and Table 2 for a detailed breakdown of the requested budget augment. Dudek only bills for the time it takes to complete a task and often can complete a task under budget. In addition, the contract does not require continuation of our 2017 bill rates; therefore, we have adjusted our bill rates commensurate with our 2022 bill rate schedule (attached).

Table 1. Contract Summary

Contract Summary	Budget Activity
Original Contract – December 12, 2017 (minus contingency)	\$234,511
Augment #1 (approved November 26, 2019) cultural resources Phase II testing; augment screencheck and draft EIR budgets; project management and meetings budget	\$78,650
Augment #2 (approved March 16, 2020) revise traffic to analyze VMT; update new General Plan goals & policies and provide wildfire update	\$15,410
Augment #3 (approved February 9, 2021) preparation of a 2nd ADEIR and 2nd screencheck draft EIR; augment Final EIR budget	\$37,590
Total Budget Including Augment Requests	\$366,161

Subject: Hunter Subdivision Project

Task 6 Complete Final EIR

This includes completion of the Final EIR for City review and comment. This task includes the following components:

Task 6A Administrative Final EIR

According to our contract, our scope of work to prepare the Final EIR assumed up to 80 individual comments would require responses. Included in our contract with the City (2017) we had a budget of \$22,590 to prepare the Administrative Draft Final EIR, \$4,470 to prepare the Final EIR (no Screencheck draft was included) and \$1,750 to prepare the Mitigation Monitoring and Reporting Program (MMRP). In January 2021 we submitted an augment for completion of the Draft EIR and included a preliminary contingency budget of \$15,500 for the Final EIR. In response to the Draft EIR public review the City received a total of 121 comment letters with more than 500+ individual comments in addition to comments received at two hearings to take comments on the Draft EIR (over 100 comments). Dudek used the Administrative Draft Final EIR budget and contingency budget (\$38,090) to read and bracket each individual comment letter and public hearing comment; prepare a tracking spreadsheet to identify by letter the issues requiring responses; distributed comments to the Dudek team to draft responses which included our technical specialists (air quality/GHG, noise, traffic, hydrology, utilities); commenced drafting responses which included summarizing the comment and providing a response; and coordinated with Dudek staff and the City on various issues. To date we have drafted responses to a majority of the letters approximately 80 letters with partial responses drafted for approximately 12 letters leaving 30 letters remaining that have yet to be addressed and all the public hearing comments that still require responses be prepared.

Many of the comments reiterate the same concerns on the following topics: water supply and the City's water neutral policy; wastewater conveyance capacity; and adequacy of the Napa River levee. Therefore, to avoid repetition master responses will be prepared to more efficiently respond to comments that address the same concern. This task will require working with City staff to ensure the response accurately represents information specific to City utility infrastructure; background or history of a prior project and/or policy or ordinance, for example. Some of the concerns raised are technical in nature and require information from the City and/or the City's consultant to provide a response. Dudek will prepare Master Responses for the issues listed above to be included in the Final EIR.

Once all the comment letters and comments from the public hearings have been addressed (including the Master Responses described above) the document will be reviewed by the project manager and will go to our production team to edit and format the document and bracket all the comment letters and transcripts of the comments received at the public hearing(s). At this time, the Administrative Final EIR will be submitted to the City for review and comment. (Note, this submittal will also include the MMRP to be prepared under our existing task).

Task 6B Screencheck Final EIR

After receipt of City comments on the Administrative Final EIR and MMRP Dudek will incorporate revisions and address comments and prepare the Screencheck Final EIR and MMRP for City review.

We assume the City review of the Screencheck will confirm the revisions to the Administrative Final EIR and any minor grammatical revisions, and substantive issues will not be added as part of the Screencheck review. Upon receipt of minor comments on the Screencheck Dudek will prepare the public version of the Final EIR (per the existing task) and MMRP.

Subject: Hunter Subdivision Project

Assumptions

- The task assumes Dudek will peer review the wastewater capacity memorandum to be prepared by Carollo Engineers and the information provided will be adequate to prepare the wastewater Master Response. It is assumed that Carollo will provide the information listed below. We assume that the City and/or Carollo will identify necessary mitigation measures (improvements). Note: if it is determined the project would result in a previously unidentified significant impact, public recirculation of this analysis would be required (see optional services) and preparation of this Master Response would no longer be necessary.
 - Carollo will document the current dry and peak wet weather flows downstream of the Hunter Subdivision connection point, as well as the extent of current capacity deficiencies in the system (baseline condition). Carollo will then update the City's hydraulic model to include the Hunter Subdivision, including the following:
 - Estimated dry weather flow (or baseline flow) associated with the Proposed Development
 - Estimated peak wet weather flows (or design flow) associated with the Proposed Development
 - Sanitary sewer infrastructure (i.e., sewer mains and manholes) associated with the Proposed Development
 - The updated hydraulic model will then be run under the following flow conditions:
 - Existing Dry Weather Flow + Proposed Development
 - Existing Peak Wet Weather Flow + Proposed Development
 - Future Dry Weather Flow + Proposed Development
 - Future Peak Wet Weather Flow + Proposed Development
 - Deficiencies flagged under these model runs will be compared against the findings of the Master Plan (the baseline condition), and additional deficiencies and improvements (beyond those called out in the Master Plan) will be identified as appropriate.
- This task assumes preparation of the Master Responses that address water supply and the City's water neutral policy and adequacy of the Napa River levee will be limited to information and technical analyses provided by the City and will not require detailed research to draft an adequate response. It is assumed City staff or the City attorney will address any technical concerns and Dudek will respond to only one round of internal comments.
- Dudek will prepare a map of trails adjacent to the project site provided by the City; City will address trails in the project's staff report.
- This task assumes Dudek will only prepare an Administrative Draft and Screencheck Draft of the Final EIR (preparation of the Final EIR [\$4,470] is included in the original contract) and no other versions of the document or subsections will be routed for internal review. If comments received require preparation of second internal review version of the entire document or any subsections (e.g., individual letters and responses) for additional review and comment it is not included in this scope of work and budget.
- This task does not include meeting time with City staff.
- It is assumed only minor editorial comments will be provided on the Screencheck Draft. If any revisions to the technical analysis are required, it is assumed this would be completed by City staff or the City attorney.

Subject: Hunter Subdivision Project

- If comments received on any of the deliverables are excessive and require more time than available budget Dudek will immediately contact the city. This scope of work and budget assumes a reasonable number of comments from the multiple City departments and City attorney will be received.

Deliverables

- One internal draft version of the Administrative Draft Final EIR and MMRP in MS Word to be submitted either electronically or posted on a Sharepoint site for City review and comment.
- Preparation of a Screencheck version that incorporates all City comments to be submitted electronically in PDF file format for final City review.
- Preparation of the public review version of the Final EIR to be provided to the City in PDF for posting on the City's website, in addition to a version in MS Word. Dudek will print up to 15 hard copies of the Final EIR for City distribution.

Cost estimate (inc expenses).....\$24,910¹

Task 8 Project Management

Additional project management budget is requested to complete the Final EIR. Since work commenced on the EIR in January 2018 additional augments to our project management task have been requested since completion of this EIR has exceeded all project timelines. Prior to stopping work on preparing the Administrative Final EIR we had already exceeded our budget by \$1,840 for project management time spent responding to emails and calls from the City prior to release of the Draft EIR; coordinating internally with Dudek staff on production of the Draft EIR; responding to emails and calls from the City addressing issues associated with the Final EIR; and coordinating with Dudek staff on issues to address in the Final EIR.

In addition to excess project management time spent (\$1,840) we are requesting additional project management funds for the following tasks: respond to city emails and phone calls; revise and update schedule; review invoices and prepare monthly progress reports; coordinate with Dudek staff working on the project to answers questions and provide information (see Task 8 in Table 2).

Assumptions

Project Meetings and Hearings are a separate task from project management. Dudek currently has a remaining budget of \$4,383 under Task 7, Project Meetings and Hearings. It is assumed two planning commission and two city council hearings would be held virtually for a total of 4 hours for each hearing (16 hours = \$3,120 for one person from Dudek to attend the hearings). The remaining budget of \$1,263 would accommodate up to six one hour meetings with City staff through public hearings. Any additional meetings would not be covered under this remaining budget.

Cost estimate \$7,360

¹ Printing and shipping 15 hard copies of the Final EIR is estimated at \$825, due to the anticipated size of the document.

Subject: Hunter Subdivision Project

Additional Tasks

Task 13 Prepare Findings of Fact/Statement of Overriding Considerations

The City has requested Dudek prepare the required Findings of Fact and Statement of Overriding Consideration (Findings) for the project, which was not part of our original contracted scope of work. This task entails drafting the required findings using a template provided by the City's legal firm, BBK. Prior to completion and release of the Draft EIR BBK has partially drafted a version of the Findings. To complete this document Dudek staff will review what has previously been drafted and cross check all page references to the Draft EIR and complete the document. The BBK template is a lengthy document that will require staff time to review, revise, update and finalize a draft of the Findings. Once a draft of the Findings has been completed it will be reviewed by the project manager and sent to our production team to edit and format the document. Once this is done Dudek will submit the Administrative Draft Findings to City staff to review. Upon receipt of City comments on the first draft Dudek will revise the draft version and prepare a final version of the Findings (see Task 13 in Table 2).

Assumptions

This task assumes Dudek will only prepare one internal review draft and final version of the Findings. Additional versions of the Findings are not included in this scope of work or budget. If necessary, it is assumed either City staff or the City attorney would make any final edits to the document. This task does not include meeting time with City staff.

Deliverables

- One internal draft version of the Findings submitted electronically in MS Word for City review and comment.
- Preparation of a final version of the Findings that incorporates all City comments in MS Word and PDF file format to be transmitted electronically. No stand-alone hard copies will be provided.

Cost estimate **\$7,900**

Task 14 Out of Contract Labor

Prior to stopping work on the Administrative Draft Final EIR we exceeded our budget by \$4,036 working on responding to comments to ensure there was no delay in the schedule. Dudek was trying to expediate completion of the Final EIR with the expectation an augment was to be processed in a timely fashion (see Task 14 in Table 2).

Cost estimate **\$4,036**

Optional Services

Task 15 Optional Task #1 – Recirculate Public Utilities Section

There is the potential the Public Utilities section of the Draft EIR may require recirculation depending upon results of the analysis currently underway to evaluate the City's existing wastewater system. In addition, the City is re-evaluating the approach to compliance with its Water Neutral Policy which may require revisions to how the water impact analysis

Subject: Hunter Subdivision Project

is evaluated potentially resulting in the need to recirculate. However, the decision to recirculate is still pending input from the City attorney and the results of the wastewater memorandum. Therefore, we are including an optional task to revise and recirculate the Public Utilities section of the Draft EIR for 45-days. If only wastewater or water requires recirculation the cost would be less; therefore, both options are provided. The cost to complete the Recirculated Public Utilities section will include both the Draft document plus the Responses to Comments document. This task includes the following components:

15.A. Recirculate Public Utilities Section Single Section (Wastewater or Water) Analysis Only: This task includes drafting revisions to a single topic; only wastewater or water analysis contained in the Public Utilities section and preparing the cover, one graphic, and introductory language to be reviewed by the project manager and sent to our production team for edit and format. Once this is done Dudek will submit the Administrative Draft Recirculated section to City staff for review and comment. Upon receipt of City comments on the Administrative Draft Dudek will address comments and prepare a second Administrative Draft document for City review and comment. After receipt of any remaining City comments Dudek will prepare a Screencheck version for final City review prior to publication. Upon receipt of any final, minor comments on the Screencheck document Dudek will prepare the Recirculated document for public review. This includes preparing a Notice of Completion and project summary for submission to the state office of planning and research. This will start the 45-day review period (see Task 15.A. in Table 2). This includes printing 15 hard copies of the Recirculated document.

Cost estimate 15.A (inc expenses)..... \$10,640

15.B. Recirculate Public Utilities Section Combined Wastewater and Water: This task would be the same as described above under wastewater except would include both sections; therefore, the budget is adjusted accordingly (see Task 15.B in Table 2).

Cost estimate 15.B (inc expenses)..... \$14,243

15.C. Responses to Comments (applies to single topic or combined): After close of the comment period Dudek would bracket all comments received and prepare responses to comments and provide the City with an Administrative Draft Responses to Comments document (also identified as the Final Recirculated section) for review. It is assumed the MMRP will also be updated to include any new impacts or mitigation measures. It is assumed up to 80 individual comments would require responses. Upon receipt of City comments on the Administrative Draft Responses to Comments document Dudek will address comments and prepare a second Administrative Draft document for City review and comment. After receipt of any remaining City comments Dudek will prepare a final Responses to Comments document and a revised MMRP, if required. This includes printing 15 hard copies of the Responses to Comments document. (see Task 15.C in Table 2).

Cost estimate 15.C (inc expenses)..... \$21,060

15.D. Optional Hearing: During the public review period the City is proposing to hold a public hearing to take comments, which is not required under CEQA. It is assumed this meeting would be held virtually and one Dudek staff person would attend to hear comments. It is assumed the hearing would only be 2 hours and Dudek would not provide a presentation or address any comments. The City would be responsible for getting all comments transcribed to be addressed in the Responses to Comments document. It assumes up to 20 comments would be received requiring responses (see Task 15.D in Table 2).

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Cost estimate 15.D (inc expenses).....\$460

- 15.E. Update Findings of Fact/Statement of Overriding Considerations:** The Findings document would need to be revised to update the Utilities section if the information is recirculated. It is assumed only the Utilities section of the Findings would be updated for City review and comment. Dudek will revise the Findings and provide a draft version for City review and comment. Upon receipt of comments Dudek will prepare a final Findings document (see Task 15.E in Table 2).

Cost estimate 15.E (inc expenses)..... \$3,160

Assumptions

- This task assumes Dudek will only prepare two Administrative Draft versions, a Screencheck draft and a final version of the Recirculated Utilities section.
- It is assumed only minor editorial comments will be provided on the Screencheck draft.
- If comments received on any of the deliverables are excessive and require more time than available budget Dudek will immediately contact the city. This scope of work and budget assumes a reasonable number of comments from the multiple city departments and city attorney will be received.
- This task does not include meeting time with City staff.
- This task assume Dudek will prepare an Administrative Draft Responses to Comments (including the MMRP) document, Screencheck draft, and a final version. If comments received require preparation of additional review versions of portions of the document or the entire document, it is not included in this scope of work and budget.
- It is assumed most of the comments would not raise any new issues requiring new technical analysis. This scope and budget does not assume receipt of any letters from law firms. If a letter or letters are received from legal counsel Dudek would meet with City staff to discuss options to address comments, but this level of effort is not included in this scope of work.
- This task assumes Dudek will only prepare an internal review draft and final version of the Findings. Additional versions of the Findings are not included in this scope of work or budget. If necessary, it is assumed either City staff or the City attorney would make any final edits to the document.

Deliverables

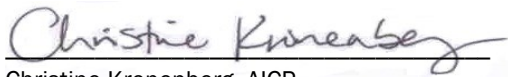
- Two internal draft versions of the Administrative Draft Recirculated Public Utilities section submitted electronically in MS Word for City review and comment.
- Screencheck Recirculated Public Utilities section for City review in PDF file format.
- Final Recirculated Public Utilities section in PDF for posting on the City's website and up to 15 hard copies of the Draft Recirculated Public Utilities provided to the City.
- One Administrative Draft Responses to Comments document (including the MMRP) submitted electronically in MS Word for City review and comment.
- Screencheck draft Responses to Comments document (including the MMRP) for City review in PDF file format.
- Final Responses to Comments document in PDF for posting on the City's website and up to 15 hard copies of the Final Responses to Comments provided to the City.

Subject: Hunter Subdivision Project

- One internal draft version of the Findings submitted electronically in MS Word for City review and comment. Preparation of a final version of the Findings that incorporates all City comments in MS Word and PDF file format to be transmitted electronically. No stand-alone hard copies will be provided.

The base cost of the augment request is \$41,470.00. The total optional tasks cost is \$38,923.00 (that assumes recirculation of both water and wastewater analysis; if only one section is recirculated the cost would be \$35,320.00). The total cost, base tasks plus full water/wastewater recirculation, would be \$80,393.00. If you have any questions or need to discuss any of the items listed above, please feel free to contact me at your convenience.

Sincerely,



Christine Kronenberg, AICP
Sr. Project Manager

Table 2. Budget Augmentation Request

Dudek Labor Hours and Rates												
			Project Director/Environmental	Senior Specialist II	Analyst V	Specialist IV	Publications Specialist II	GIS Analyst II				
			Christine Kronenberg	Brian Grattidge	Angelica Chiu	Eric Schniewind	Publications Specialist II	Rachel Strobridge	TOTAL DUDEK HOURS	DUDEK LABOR COSTS	OTHER DIRECT COSTS	TOTAL FEE
Team Member:												
Billable Rate:			\$230.00	\$210.00	\$130.00	\$175.00	\$100.00	\$130.00				
Task 6	Complete Final EIR											
6.A	Administrative Draft Final EIR		8	6	34	48	28	2	126	\$18,980.00		\$18,980.00
6.B	Screencheck Draft Final EIR		4	4	8		4		20	\$3,200.00		\$3,200.00
Subtotal Task 6			12	10	42	48	32	2	146	\$22,180.00		\$22,180.00
Task 7	Project Management											
8.A	PM		32						32	\$7,360.00		\$7,360.00
Subtotal Task 8			32						32	\$7,360.00		\$7,360.00
Task 13	Additional Tasks - Findings of Fact											
13.A	Administrative Draft			6	34		4		44	\$6,080.00		\$6,080.00
13.B	Final Version			4	6		2		12	\$1,820.00		\$1,820.00
Subtotal Task 13				10	40		6		56	\$7,900.00		\$7,900.00
Task 14	Out of Contract Labor											
14.A	Administrative Final - Responses to Comments				31				31	\$4,030.00		\$4,030.00
Subtotal Task 14					31				31	\$4,030.00		\$4,030.00
		Total Hours	44	20	113	48	38	2	265			
		Total	\$10,120.00	\$4,200.00	\$14,690.00	\$8,400.00	\$3,800.00	\$260.00		\$41,470.00	\$0.00	\$41,470.00
Optional Services												
Task 15	Option #1: Recirculate Public Utilities section											
15.A	Single Topic - Water or Wastewater											
	15.A.1	Administrative Draft #1	2	4	6	12	4	2	30	\$4,840.00		\$4,840.00
	15.A.2	Administrative Draft #2	2	2	6	6	4	2	22	\$3,370.00		\$3,370.00
	15.A.3	Screencheck Draft	2		3		2		7	\$1,050.00		\$1,050.00
	15.A.4	Publication Draft	2		3		2		7	\$1,050.00	\$330.00	\$1,380.00
Subtotal Task 15.A												\$10,640.00
15.B	Both Topics Combined - Water and Wastewater											
	15.B.1	Administrative Draft #1	4	4	8	22	6	3	47	\$7,640.00		\$7,640.00
	15.B.2	Administrative Draft #2	2	4	8	8	4		26	\$4,140.00		\$4,140.00
	15.B.3	Screencheck Draft	2		3		2		7	\$1,050.00		\$1,050.00
	15.B.4	Publication Draft	2		3		2		7	\$1,050.00	\$363.00	\$1,413.00
Subtotal Task 15.B												\$14,243.00
15.C	Responses to Comments/Revised MMRP (single topic or combined)											
	15.C.1	Administrative Draft/Revised MMRP	8	12	20	34	18		92	\$14,710.00		\$14,710.00
	15.C.2	Screencheck Draft	2	4	8	12	3		29	\$4,740.00		\$4,740.00
	15.C.3	Final publication Draft	2		4		3		9	\$1,280.00	\$330.00	\$1,610.00
Subtotal Task 15.C												\$21,060.00
15.D	Public Hearing		2						2	\$460.00		\$460.00
15.E	Update Findings											
	15.E.1	Administrative Draft		4	6		4		14	\$2,020.00		\$2,020.00
	15.E.2	Final Version		2	4		2		8	\$1,140.00		\$1,140.00
Subtotal Task 15.E												\$3,160.00
	Max Optional (15B+15C+15D+15E) Hours and Fee		24	30	64	76	44	3	241	\$38,230.00	\$693.00	\$80,393.00



Report to the City Council
Regular City Council - 10 May 2022

Agenda Section: CONSENT ITEMS

Subject: Consideration and proposed adoption of a resolution authorizing the City Manager or designee to execute Amendment No. 5 to the City of Napa Water Supply Agreement (City of Napa Agreement No. 9381)

CEQA Determination: Not a CEQA project

Prepared By: Martin Beltran, Management Analyst

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

Approved By: James C. McCann, Interim City Manager

BACKGROUND

On September 19, 2000, St. Helena acquired 1,000 acre-feet of State Water Project water entitlements from the Kern County Water Agency under a contract with the Napa County Flood Control and Water Conservation District (NCFCWCD). The City did not, and does not, have entitlement to capacity in the North Bay Aqueduct system nor sufficient treatment or transmission facilities to convey said water entitlements to the point of use of its water customers for domestic purposes and the City desired to put the water entitlements to beneficial use for its intended purpose.

In 2005, the 2050 Napa Valley Water Resources Study (2050 Study) was completed and St. Helena was projected to experience a water supply deficit of nearly 400 acre-feet annually (AFA) in multiple dry-years (six years of below normal rainfall) through the year 2020. The 2006 water supply agreement between Napa and St. Helena provided for a minimum delivery of 200 AFA to eliminate half of the dry-year deficit.

It was determined that St. Helena would face significant capital costs for capacity in the North Bay Aqueduct system in treatment and transmission infrastructure to make beneficial use of their State Water Project entitlements and the City incurred a significant yearly cost to maintain these entitlements without receiving any benefit. Because of these

costs the City determined it was in their best interest to sell said entitlements and that a long-term agreement with Napa for water supply of up to 400 AFA was the preferred solution to meet the majority of dry-year water demand deficits as specified in the 2050 study.

In 2006, the City of Napa and City of St. Helena executed a water supply agreement (Resolution No. 2006-131) to deliver a minimum of 200 AFA and up to 400 AFA of potable water from Napa to St. Helena for the purpose of supplementing dry-year supplies and to provide below normal-year reserves for St. Helena. Water supplies to support the agreement included a permanent transfer of 1,000 acre-feet (AF) of State Water Project water entitlements from St. Helena to Napa and, per the agreement, St. Helena's ability to purchase more than the 200 AF is tied to the availability of State Water Project entitlements to City of Napa.

In 2009, the City Council approved Amendment No. 1 to the Napa Water agreement in which the City of St. Helena added an additional 200 AFA minimum delivery and expanded the season of delivery. The additional water delivery was significant because the minimum 400 acre-feet represented 17-percent and the maximum 800 acre-feet represented 34-percent of the total storage in Bell Canyon Reservoir. The year-round season of delivery was significant as it provided for water delivery during peak demand summer months and sufficient time for St. Helena pumps to move the volume of water.

In 2011, the City of St. Helena performed major upgrades to its pipeline infrastructure and as a result St. Helena was not able to receive delivery of 511 AF of the 600 AF water made available. On January 12, 2011, the City Council approved Amendment No. 2 to the Napa Water agreement to allow St. Helena to take beneficial use of unused water from 2010 water year in this agreement the City of Napa agreed to make the unused 511 AF of water available over the course of the next three years (2011, 2012, and 2013).

On December 15, 2011, Napa and St. Helena entered into Amendment No. 3 to the 2006 Agreement, allowing St. Helena to increase the minimum annual delivery to 600 AFA with no change to the optional delivery up to a total of 800 AFA.

On August 24, 2021, City Council adopted Resolution 2021-105 authorizing Amendment No. 4 to the City of Napa Water Supply Agreement to make available the unused 114 AF of water, characterized by Napa as 'Undelivered Water,' from FY2020-21 available to the City of St. Helena over the course of the next five Fiscal Years 21-22, 22-23, 23-24, 24-25, and 25-26. Under this agreement, no more than 40 AF of that water shall be made available in any one fiscal year, and no more than 114 AF of water shall be made available in all five fiscal years combined.

DISCUSSION

The City of St. Helena will not fully divert its allotted 600 AF for Fiscal Year 2021-22. The diversion shortfall was due to St. Helena operational challenges to increase flow coming from St. Helena's Rutherford Pump Station (RPS) after Napa switched its water source from Lake Hennessey to the Jamison Canyon Water Treatment Plant in November 2021.

During this time (November 2021 - February 2022) the City was unable to take potable water allocation from City of Napa.

These conditions caused a pump failure at RPS, and the secondary pump would have failed as well under the low water pressure the City was experiencing. A more appropriate pump had been on order and due to supply issues it was not delivered until the week of March 7th. Furthermore, the City of Napa continues to make improvements to the Dwyer Pump Station which, when completed, will provide the capacity to increase pressure to the Rutherford area, thus providing a redundant system for water delivery to St. Helena.

The recommended amendment will modify the agreement to allow for the delivery and receipt of the "Undelivered Water" from the City of Napa with the following conditions:

- The minimum amount St. Helena is obligated to pay Napa in FY 2021-22 is reduced to 400 AF and reduced to 550 AF in FY 2022-23 (for a total of 250 AF). The City will be required to utilize the 250 AF unused in FY 21/22 and FY 22/23 during FY 2023-24 through FY 2027-28. This is in addition to the water otherwise provided by Napa to St. Helena under the Agreement.
- St. Helena shall make a written request to Napa identifying the amount of Unused Water - pursuant to Amendment 5 requested for each fiscal year by April 1 in each fiscal year. Compliance with this requirement is essential so that Napa can incorporate the request into its annual water supply planning.
- St. Helena will pay Napa the water rate in effect at the time Unused Water – pursuant to Amendment 5 is delivered to St. Helena.
- Napa has installed a temporary pump station at Dwyer Road which increases the pressure at St. Helena's Point of Delivery:
 - St. Helena agrees to pay a "Pumping Surcharge" for operation of a temporary pump station in the amount of 42% of the total costs for electricity, labor, and other operating costs incurred by Napa for the period wherein the temporary pump station is operated.
 - St. Helena may request Napa to operate the temporary pump station in November, December, January, February, or at other times when Napa is not operating the temporary pump station.

Given the current Phase I water emergency, the City of St. Helena desires to ensure that it receives the full benefit of the allocation it receives through the Water Supply Agreement with the City of Napa. City staff and the City Attorney have worked with City of Napa staff to prepare a proposed amendment (Attachment 2).

FISCAL IMPACT

The City of St. Helena will pay the City of Napa the water rate in effect at the time of receipt of any amount of water allowable under the amended agreement. On July 1, 2028, to the extent that St. Helena has not taken delivery of all or any portion of the Unused Water - pursuant to Amendment 5, Napa will bill St. Helena for the remaining balance up to 250 AF.

RECOMMENDED ACTION

Staff recommends City Council adopt the attached resolution.

ATTACHMENTS

[Attachment 1: Resolution](#)

[Attachment 2: Draft Amendment No. 5](#)

CITY OF ST. HELENA

RESOLUTION NO. 2022-

Resolution authorizing the City Manager or designee to execute Amendment No. 5 to the City of Napa Water Supply Agreement (City of Napa Agreement No. 9381) allowing for the Unused Water Pursuant to Amendment No. 5 be available to St. Helena over the course of five fiscal years commencing with FY2023-24 and ending on June 30, 2028

RECITALS

- A. Resolution 2006-131 adopted Water Supply Agreement between the City of Napa and the City of St. Helena is September 2006 to provide a minimum annual delivery of 200 acre-feet of water to St. Helena; and
- B. Resolution 2009-40 approved Amendment No. 1 to the Water Supply agreement between the City of Napa and the City St. Helena where the City requested an additional minimum annual delivery of 200 acre-feet of water in order to meet dry year demand deficits as specified in the 2050 Study; and
- C. Resolution 2010-23 approved Amendment No. 2 to the Water Supply agreement between the City of Napa and the City St. Helena where the City requested that the City of Napa make available the 511 AF of water that was not delivered in water year 2010; and
- D. Resolution 2011-82 approved Amendment No. 3 to the Water Supply agreement between the City of Napa and the City St. Helena where the City desired additional reliability and requested a third amendment to increase the minimum annual delivery to 600 AFA with no change to the optional delivery up to a total of 800 AFA.; and
- E. Resolution 2021-105 approved Amendment No. 4 to the City of Napa Water Supply Agreement to make available the unused 114 AF of water, characterized by Napa as 'Undelivered Water,' from FY2020-21 available to the City of St. Helena over the course of the next five fiscal years 21-22, 22-23, 23-24, 24-25, and 25-26. Under the proposed agreement, no more than 40 AF of that water shall be made available in any one fiscal year, and no more than 114 AF of water shall be made available in all five fiscal years combined; and
- F. St. Helena will not fully divert its allotted 600 AF for Fiscal Year 2021-22. The diversion shortfall was due to St. Helena operational challenges to increase flow coming from St. Helena's Rutherford Pump Station (RPS) after Napa switched its

water source from Lake Hennessey to the Jamison Canyon Water Treatment Plant in November 2021. During this time (November 2021 - February 2022) the City was unable to take potable water allocation from City of Napa; and

- G. As set forth in Amendment No. 3, in June of each year, Napa shall bill St. Helena for the difference between metered usage and the Base Supply of 600 AF of water to which St. Helena is entitled under the Agreement; and
- H. St. Helena has requested Napa reduce the amount of Base Supply St. Helena is obligated to pay Napa for in FY2021-22 to 500 AFA and in FY2022-23 to 550 AFA and to make the difference from 600 AFA of water (maximum of 100 AF in FY2021-22 and 50 AF in FY2022-23 for a total maximum amount of 150 AF) available for St. Helena's use in future years under the terms of this Amendment No. 5, in addition to the water otherwise provided by Napa to St. Helena under the Agreement; and
- I. Napa has installed a temporary pump station at Dwyer Road which increases the pressure at St. Helena's Point of Delivery; and
- J. Based on total usage in 2020 and 2021 by all customers that will be served by Temporary Pump Station, St. Helena accounts for 42% of the water that will flow through Temporary Pump Station; and
- K. Due to reduced system demands, Napa does not typically operate Temporary Pump Station in the months of November, December, January, and February; and
- L. St. Helena may request Napa to operate the Temporary Pump Station in November, December, January, February, or at other times when Napa is not operating Temporary Pump Station, under the terms of this Amendment No. 5; and
- M. The City of Napa and the City of St. Helena have mutually agreed to the terms of Amendment No. 5.

RESOLUTION

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

- 1. Authorizes the City Manager to execute Amendment No. 5 in substantial conformance with the draft version contained in the May 10, 2022 City Council agenda packet, subject to the review and approval by the City Attorney.

Approved at a Regular Meeting of the St. Helena City Council on May 10, 2022, by the following vote:

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

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzaopoulos, City Clerk

AMENDMENT NO. 5 TO
WATER SUPPLY AGREEMENT BETWEEN
CITY OF NAPA AND CITY OF ST HELENA
(City of Napa Agreement No. 9381
City of St Helena Agreement No. 2006-131)

THIS AMENDMENT NO. 5 TO WATER SUPPLY AGREEMENT BETWEEN CITY OF NAPA AND CITY OF ST HELENA (City of Napa Agreement No. 9381; and City of St Helena Agreement No. 2006-131), hereinafter referred to as “Amendment No. 5” by and between the City of Napa, a California charter city (hereinafter referred to as “Napa”) and the City of St. Helena, a municipal corporation (hereinafter referred to as “St. Helena”) is effective as of the effective date identified on the signature page.

RECITALS

- A. Napa and St. Helena entered into the Water Supply Agreement (City of Napa Agreement No. 9381; and City of St. Helena Agreement No. 2006-131) on September 12, 2006 (“2006 Agreement”) by which Napa agreed to provide water to St. Helena with a minimum delivery amount of 200 acre-feet annually (“AFA”) and a maximum delivery (subject to availability) of 600 AFA.
- B. Napa and St. Helena entered into Amendment No. 1 to 2006 Agreement on April 17, 2009 (“Amendment No. 1”) by which Napa agreed to provide water to St. Helena with an increase in the minimum delivery amount from 200 AFA to 400 AFA, and an increase in the maximum delivery amount (subject to availability) from 600 AFA to 800 AFA.
- C. Napa and St. Helena entered into Amendment No. 2 to 2006 Agreement on January 12, 2011 (“Amendment No. 2”), to allow St. Helena to take beneficial use of unused water from fiscal year 2009-10 over the succeeding three fiscal years.
- D. Napa and St. Helena entered into Amendment No. 3 to 2006 Agreement on December 15, 2011 (“Amendment No. 3”) by which Napa agreed to provide water to St. Helena with an increase in the minimum delivery (Base Supply) amount from 400 AFA to 600 AFA, and maintaining the same maximum delivery amount (subject to availability) of 800 AFA.
- E. Napa and St. Helena entered into Amendment No. 4 to 2006 Agreement on April 8, 2022 (“Amendment No. 4”), to allow St. Helena to take beneficial use of unused water from fiscal year 2020-21 over the succeeding five fiscal years.
- F. The 2006 Agreement as amended by Amendment No. 1, Amendment No. 2, Amendment No. 3, and Amendment No. 4 shall be referred to herein as the “Agreement.”

- G. As set forth in Amendment No. 3, St. Helena is obligated to pay Napa for the Base Supply of 600 AFA of water, whether or not St. Helena is able to make beneficial use of the total quantity of such water.
- H. In the period of July 1, 2021 to June 30, 2022 ("FY 2021-22") and July 1, 2022 to June 30, 2023 ("FY 2022-23"), Napa will make 600 acre-feet ("AF") of water available for delivery to St. Helena, however, due to operational issues on St. Helena's system, St. Helena expects to be unable to take beneficial use of 600 AF in each fiscal year.
- I. As set forth in Amendment No. 3, in June of each year, Napa is required to bill St. Helena for the difference between metered usage and the Base Supply of 600 AF of water to which St. Helena is entitled under the Agreement.
- J. St. Helena has requested Napa reduce the amount of Base Supply St. Helena is obligated to pay Napa for in FY 2021-22 to 400 AFA and in FY 2022-23 to 550 AFA and to make the difference from 600 AFA of water (maximum of 200 AF in FY2021-22 and 50 AF in FY 2022-23 for a total maximum amount of 250 AF) available for St. Helena's use in future years under the terms of this Amendment No. 5, in addition to the water otherwise provided by Napa to St. Helena under the Agreement.
- K. Napa has installed a temporary pump station at Dwyer Road ("Temporary Pump Station") which increases the pressure at St. Helena's Point of Delivery.
- L. Total usage in 2020 and 2021 by all customers that will be served by Temporary Pump Station, indicates that St. Helena accounts for 42% of the water that flows through Temporary Pump Station.
- M. Due to reduced system demands, Napa does not typically operate Temporary Pump Station in the months of November, December, January, and February.
- N. St. Helena may request Napa to operate the Temporary Pump Station in November, December, January, February, or at other times when Napa is not operating Temporary Pump Station, under the terms of this Amendment No. 5.

NOW THEREFORE, the parties mutually agree as follows:

The Agreement is hereby amended by this Amendment No. 5. This Amendment No. 5 incorporates the Agreement by reference, and the Agreement remains in full force and effect, except and only to the extent that any terms or conditions of the Agreement are specifically modified by this Amendment No. 5.

- 1. As a limited and narrow exception to Amendment 3 Section 2 (amending Paragraph 6(b)(vi) of the 2006 Agreement), for St. Helena's use of water

delivered by Napa to the Point of Delivery during FY 2021-22 and FY 2022-23 only, the following shall apply:

- a) For FY 2021-22, St. Helena shall be obligated to pay Napa for all water delivered by Napa to the point of delivery, which amount shall be no less than 400 AFA by June 30, 2022, whether or not St. Helena is able to make beneficial use of the total quantity of such water.
 - b) For FY 2022-23, St. Helena shall be obligated to pay Napa for all water delivered by Napa to the point of delivery, which amount shall be no less than 550 AFA by June 30, 2023, whether or not St. Helena is able to make beneficial use of the total quantity of such water.
2. The phrase “Unused Water-Amend 5” shall mean the difference between:
 - (a) Base Supply of 600 AFA water made available for delivery by Napa, and
 - (b) the amount of water for which St. Helena has an obligation to pay under Section 1 of this Amendment for FY 2021-22 and FY 2022-23. Napa will make the Unused Water-Amend 5 available to St. Helena under the terms of this Amendment No. 5 over the course of five fiscal years commencing with FY 2023-24 (from July 1, 2023 to June 30, 2024) and ending on June 30, 2028. No more than 60 AF of Unused Water-Amend 5 shall be made available in any one fiscal year. No more than 250 AF of Unused Water-Amend 5 shall be made available in all five fiscal years combined.
3. St. Helena shall make a written request to Napa identifying the amount of Unused Water-Amend 5 requested for each fiscal year by April 1 in each fiscal year. Compliance with this requirement is essential so that Napa can incorporate the request into its annual water supply planning.
4. St. Helena will pay Napa the water rate in effect at the time Unused Water-Amend 5 is delivered to St. Helena.
5. The Unused Water-Amend 5 is in addition to the quantity of water to be delivered by Napa to St. Helena (for Base Supply, Optional Supply and Unused Water) in accordance with the Agreement.
6. On July 1, 2028, to the extent that St. Helena has not taken delivery of all or any portion of the Unused Water-Amend 5, Napa will bill St. Helena for the remaining balance of up to 250 AF of Unused Water-Amend 5, and St. Helena will pay Napa the water rate in effect on June 30, 2028.
7. Napa may operate Temporary Pump Station at any time to meet Napa's operational needs and/or to respond to a request from St. Helena pursuant to Section 8 of this Amendment. At all times when Napa operates Temporary Pump Station, whether St. Helena is taking water pursuant to the Agreement or this Amendment No.5 or not, St. Helena agrees to pay a “Pumping Surcharge” in the amount of 42% of the total costs for electricity, labor, and other operating costs incurred by Napa to operate the Temporary Pump Station. Napa will invoice St. Helena for the Pumping Surcharge on the normal billing for water use.

8. St. Helena may request Napa to operate Temporary Pump Station in November, December, January, February, or at other times when Napa is not operating the Temporary Pump Station. Napa in its sole discretion may grant St. Helena's request. Napa's denial of the request shall in no way change the terms of the Agreement or this Amendment No. 5. St. Helena shall submit request 15 days prior to requested operation and Napa shall respond within 10 days.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No.5 to be effective on the Effective Date set forth below.

CITY OF NAPA, a California Charter City:

CITY OF ST. HELENA, a
Municipal Corporation:

Phil Brun, Utilities Director

James McCann, City Manager

ATTEST:

ATTEST:

Tiffany Carranza, City Clerk

Cindy Tzaopoulos, City Clerk

Date: _____
("Effective Date")

COUNTERSIGNED:

COUNTERSIGNED:

Joy Riesenberg, City Auditor

April Mitts, Administrative
Services Director

APPROVED AS TO FORM:

APPROVED AS TO FORM:

Michael W. Barrett, City Attorney

Ethan Walsh, City Attorney



Report to the City Council
Regular City Council - 10 May 2022

Agenda Section: CONSENT ITEMS

Subject: Consideration and Adoption of a Proposed Resolution Approving the Plans and Specifications for the Napa Valley College Tenant Improvements and Authorizing Advertisement for Bids, Project No. C22-0001

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

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

Reviewed By: April Mitts, Administrative Services Director

Approved By: James C. McCann, Interim City Manager

BACKGROUND

Recognizing the deterioration of the City's assets, the City Council set in motion a series of studies, working committees, and reports to categorize assets, provide costs estimates for replacement/repair, and develop funding strategies for the replacement/repair of assets. In particular, the work of the SHAPE Committee and the Financing Civic Infrastructure Taskforce provided resources and recommendations that still have merit and may provide to be direction for future or permanent efforts for municipal facilities.

In December of 2019, a near fire broke out in City Hall located at 1480 Main Street, resulting in smoke damage throughout the building. On January 6, 2020, a Special City Council Meeting was held to discuss the cost and anticipated timing of repairs necessary for City Hall (1480 Main Street) and the City's then Public Works Administration Building (1572 Railroad Avenue). Direction was provided to the City Manager to not move staff back into the current City Hall location (1480 Main Street), and to make minor repairs to the Public Works Administration Building, and explore other alternatives for relocation of City staff. Since March of 2020, Interim City Hall, located at 1572 Railroad Avenue, has housed the following departments: City Administration, Administrative Services, Public Works and the Planning and Building Department.

In 2020, two joint statements were made between the Napa Valley College (NVC) and the City of St. Helena. The first statement, issued on January 15, 2020, announced the City and NVC had recently started exploring opportunities for the NVC Upper Valley Campus (UVC) to collaborate with community organizations that may make use of extra space on the campus, enhance value as a community resource, and contribute to the mission of the college. The second statement, issued on September 4, 2020, noted that, in conjunction with a recent NVC community forum, surveys, and college stakeholder discussions, representatives from the NVC Board of Trustees, designated members of the St. Helena City Council, and their respective administrators, held meetings to evaluate opportunities for strategic collaboration. As a result of these discussions, representatives of both entities announced a commitment to further strengthen and expand their collaboration, and reached an agreement to negotiate a lease with the City for use of a portion of the property.

On May 25, 2021, the City Council approved a Resolution 2021-73 authorizing the City Manager, or designee, to execute a lease for a portion of the Napa Valley Community College District Upper Valley Campus for space to serve as a City Hall and Police facility. The initial term of the lease is for five years with the option to extend the lease for an additional two-year term. Tenant Improvements (TI's) are necessary in order to facilitate the specific needs of the City.

On April 13, 2021, the City entered into a contract with Noll and Tam Architects to assist with the design of Phase I of the Napa Valley College Tenant Improvements.

On August 6, 2021, a formal lease agreement between the City and the Napa Valley Community College Upper Valley Campus was executed.

On January 24, 2022, the Division of State Architect (DSA) officially approved the proposed plans and specifications for the tenant improvements. This is a requirement as the tenant improvements are occurring on a community college site, and are therefore subject to the review and approval of the DSA.

On January 26, 2022, the City entered into a Professional Services Agreement with Greystone West Company to perform construction management in the planning and bidding stage of the project. This contract was executed under the City Manager's signing authority.

DISCUSSION

The Napa Valley Community College (NVC) St. Helena Upper Valley Campus (UVC) has served the St. Helena community for over 20 years with high quality community education, fee-based, and non-credit classes. While portions of the UVC are still in use, an opportunity was realized for the potential re-use of the underutilized portions of this public facility. The City Council created an ad hoc committee consisting of Vice Mayor Dohring to work with City Manager Mark Prestwich to develop and negotiate the lease agreement.

The Ad Hoc committee was able to negotiate very favorable terms resulting in a win-win situation for both the City and NVC, as it allows the College to continue its programming in both the Culinary Building (Building "B") and utilize one classroom in Building "A", while giving the City of St. Helena a space for its Administrative and Police Departments, bringing constructive use of the asset. The opportunity to move City Hall and the Police Department to the NVC site also gives the City additional opportunities for City-owned sites that will no longer be in use once the tenant improvements are made. In particular, 1572 Railroad Avenue and 1480 Main Street.

Proposed Tenant Improvements:

The project consists of nonstructural Tenant Improvements (TIs) to create office space and Police Department facilities on the existing campus. Improvements will include accessibility in accordance with Americans with Disability Act (ADA), security, and telecommunications upgrades that are necessary for City and Police Administration. The City will be making improvements in the "A Building" only. There are one and one-half classrooms not in the project scope and will be used by the College.

The TI's will allow for City Administration (City Clerk, Administrative Services, Planning and Building, Public Works Administration, and Police) to be housed in one building. Currently, Human Resources, the Police Department, and City Administration are working in separate locations.

The TI's will allow for greater collaboration across departments and ease of access for customers coming in to pay a water bill or to have a meeting involving multiple departments. Additionally, the lease agreement allows the City to rent by the hour a large classroom from the College (when not in use by the College). It is anticipated that this space will be used for City Board and Commission meetings as well as larger staff meetings. There will also be a dedicated conference room that will serve as a community space for smaller meetings. The outdoor courtyard will serve as a space for both City and College events and meetings.

While the modifications to the building are fairly straightforward to address general city administrative office needs, the Police Department has special requirements and addressing those has complicated improvements and has extended the City's timeline and added substantial costs to the project. These items are: enhanced security including bulletproofing panels that must be installed, general security for the entire building, enhanced IT needs to meet legal requirements of Police Department servers, and a separate portable building that will serve as a locker/shower room for police officers.

Another critical component of the Police Department improvements is the need for redundant power in the event of a power outage for 9-11/Dispatch. The City applied for grant funds through the Hazard Mitigation Grant Program (HMGP) to fund the cost of the generator necessary for this project, with a estimated 25% City match. The HMGP provides funding to state, local, tribal and territorial governments so they can develop hazard mitigation plans and rebuild in a way that reduces, or mitigates, future disaster

losses in their communities. The City submitted the application on April 8, 2022 for a total project cost of \$603,723. If approved the Federal grant award would be \$452,792, with an estimated required City match of \$150,931. The application review period is anticipated to take approximately 12-18 months based on prior experience. If the grant is awarded, the City will immediately begin the process to apply for the required Bay Area Air Quality Management (BAAQM) permit, order, and install the generator. The City has been advised that with current supply chain delays, a generator may take up to 60 weeks to procure. It is anticipated that Dispatch will be required to stay at their current location (or seek an alternative location) until redundant power is available.

If the HMGP grant is not awarded, then the City will have to either pay for the generator in full, or seek alternative arrangements to ensure that dispatch has redundant power in order to operate. The dispatch area consists of 631 square feet.

The full set of plans and specifications are available to review at the City Clerk's Office. A site plan that includes the floor plan is attached to this item.

Upon receipt of bids, staff will present a recommendation for notice of award to Council, and upon award, issue a notice to proceed for construction. Construction of the administrative portion is anticipated to begin in summer 2022, with move in of administrative staff in fall of 2022 and Police shortly thereafter, with the exception of 911 dispatch.

Next Steps for Existing 1480 Main Street Site and 1572 Railroad Site:

By moving the City Hall and Police Department to the NVC Site, the City has the opportunity utilize both the 1572 Railroad Avenue Site (Current Interim City Hall) and 1480 Main Street (Old City Hall) for other purposes. On November 15, 2021, The City Council held a Special Workshop to discuss City Surplus Property Options, and it was the consensus of the City Council to move forward with using the 1572 Railroad Avenue property for affordable housing, to destruct the 1480 Main Street property to be used as a space for temporary uses by first beginning the RFP process for demolition of the site, to lease out the Carnegie Building for commercial use, and to connect with the Fire Department to discuss the use of the siren and possibility of removing the siren to allow for housing use at the 1480 Main Street property in the future. In most cases, the City will need to amend the General Plan and zoning in order to allow the site to realize its highest land use utilization.

Connection the City Council Adopted Three-Year Workplan

This item is listed on the City Council's adopted workplan as *"Coordinate tenant improvements and relocation of City Hall and Police operations to Napa Valley College Upper Valley Campus"*.

CEQA Analysis:

City Staff have reviewed project scope and determined that this project qualifies for Categorical Exemption under California Environmental Quality Act (CEQA). Staff determination has been reviewed by the City Attorney who has concurred.

Staff is seeking City Council approval of the project as shown in the attached plans and that authorization to the Public Works Director to solicit public bids to construct the tenant improvements. Staff also seeks authorization to file a Notice of Exemption under CEQA with the Clerk's Office of Napa County.

FISCAL IMPACT

Approving the plans and specifications and authorization to bid does not by itself pose a fiscal impact; however, staff has developed an estimated budget as shown in Table 1 below.

The estimated construction costs are preliminary in nature and will be dependent on actual bids received. Interior tenant improvement costs are estimated at \$750,000. Once final bids are received, a revised fiscal impact and plan of finance will be provided prior to award of contract.

Estimated costs for the NVC move are broken down into five categories as designated below. Table 1 provides a summary of the categories, the estimated costs, and costs incurred to-date for each category.

1. Design
 - a. Noll and Tam
 - b. DSA
 - c. Surveying work for Sewer Lateral
 - d. Greystone West - Pre-Project Management Support
2. Construction
 - a. Tenant Improvements (estimated \$750,000)
 - b. Generator (estimated 25% match from grant)
 - c. Police Department Portable Locker
 - d. Security costs (card readers, cameras)
 - e. Construction Contingency
3. Construction Management
 - a. Greystone West - Project Management (percentage based off of bid results)
 - b. Noll and Tam - Construction Administration
 - c. DSA Certified Inspector of Record (percentage based off of bid results)
4. Information Technology
 - a. Cable Discovery
 - b. New Cabling
 - c. Network Hardware & Software/Licensing
 - d. Relocation
 - e. Contingencies
5. Miscellaneous Costs

- a. Storage Containers
- b. Moving Costs
- c. Cleaning
- d. Signage

Table 1 - Estimated Costs

SUMMARY	Budgeted	Expended	Balance
Design	\$241,855	\$147,865	\$93,990
Construction	\$1,097,039		\$1,097,039
Construction Management/IOR	\$172,000		\$172,000
Information Technology	\$233,127	\$14,920	\$218,207
Miscellaneous Costs	\$87,000		\$87,000
TOTAL ESTIMATED COSTS	\$1,831,021	\$162,785	\$1,668,236

To-date the City Council has appropriated \$730,000 for this project. In addition, the FY 2021-22 budget allocated \$226,000 for lease payments. Per the lease agreement, the City was to begin lease payments for the administrative portion of the building 90-days following DSA approval and begin making the full lease payments 180-days following DSA approval (both Administration and Police Departments). Because DSA approval did not occur until February, the City has realized approximately \$200,000 in savings which has been appropriated and is recommended be utilized for TI's. Additionally, the preliminary FY 2022-23 budget includes \$600,000 for the one-time expenditures to complete the TI's from the General Fund and \$205,000 from the Equipment Replacement Fund to cover equipment related costs associated with the NVC move. A summary of the appropriations are included in Table 2.

Table 2 - Appropriations

SUMMARY	Budgeted
FY 2021-22 - Council Appropriations	\$730,000
FY 2021-22 - Rent Savings	\$200,000
FY 2022-23 - Recommended Appropriation from General Fund	\$600,000
FY 2022-23 - Recommended Use of Equipment Replacement Fund	\$205,000
TOTAL ESTIMATED COSTS	\$1,735,000

In comparing the estimated budget and the appropriations, there is a funding gap of approximately \$95,000. However, as noted above, once final bids are received, a revised fiscal impact and plan of finance will be provided to City Council prior to award of contract.

RECOMMENDED ACTION

Consideration of a Resolution approving the plans and specifications for the Napa Valley College Tenant Improvements, Project No. C22-0001 and authorizing advertisement for bids.

ATTACHMENTS

[SITE PLAN](#)
[Resolution - Advertise](#)

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CODE COMPLIANCE

PARTIAL LIST OF APPLICABLE CODES as of January 1, 2020*
ALL WORK SHALL CONFORM TO 2019 TITLE 24, CALIFORNIA CODE OF REGULATIONS (CCR)

GRADING PLANS, DRAINAGE IMPROVEMENTS, ROAD AND ACCESS REQUIREMENTS AND ENVIRONMENTAL HEALTH CONSIDERATIONS SHALL COMPLY WITH ALL LOCAL ORDINANCES

- 2019 CALIFORNIA ADMINISTRATIVE CODE (CAC), PART 1, TITLE 24, C.C.R.*
- 2019 CALIFORNIA BUILDING CODE (CBC), PART 2, TITLE 24, C.C.R.
- 2019 (2018 INTERNATIONAL BUILDING CODE, VOL. 1&2, AND 2019 CALIFORNIA AMENDMENTS)
- 2019 CALIFORNIA ELECTRIC CODE (CEC), PART 3, TITLE 24, C.C.R.
- 2019 (2017 NATIONAL ELECTRIC CODE AND 2019 CALIFORNIA AMENDMENTS)
- 2019 CALIFORNIA MECHANICAL CODE (CMC), PART 4, TITLE 24, C.C.R.
- 2019 (2018 IAPMO UNIFORM MECHANICAL CODE AND 2019 CALIFORNIA AMENDMENTS)
- 2019 CALIFORNIA PLUMBING CODE (CPC), PART 5, TITLE 24, C.C.R.
- 2019 (2018 IAPMO UNIFORM PLUMBING CODE AND 2019 CALIFORNIA AMENDMENTS)
- 2019 CALIFORNIA ENERGY CODE (CEC), PART 6, TITLE 24, C.C.R.
- 2019 CALIFORNIA FIRE CODE (CFC), PART 9, TITLE 24, C.C.R.
- 2019 (2018 INTERNATIONAL FIRE CODE AND 2019 CALIFORNIA AMENDMENTS)
- 2019 CALIFORNIA EXISTING BUILDING CODE AND 2019 CALIFORNIA AMENDMENTS
- 2019 (2018 INTERNATIONAL EXISTING BUILDING CODE AND 2019 CALIFORNIA AMENDMENTS)
- 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE (CALGREEN), PART 11, TITLE 24, C.C.R.
- 2019 CALIFORNIA REFERENCED STANDARDS CODE, PART 12, TITLE 24, C.C.R.
- 2019 TITLE 19, C.C.R., PUBLIC SAFETY, STATE FIRE MARSHAL REGULATIONS
- 2016 ASME A17.1/CSA B44-13 SAFETY CODE FOR ELEVATORS AND ESCALATORS (PER 2019 CBC PART 2 CH 35)
- NOTE: CAL/OSHA ELEVATOR UNIT ENFORCES CCR TITLE 8 AND USES 2004 ASME A17.1 BY ADOPTION

PARTIAL LIST OF APPLICABLE STANDARDS

- NFPA 13 STANDARD FOR THE INSTALLATION OF SPRINKLER SYSTEMS (CA AMENDED), 2016 EDITION
- NFPA 14 STANDARD FOR INSTALLATION OF STANDPIPE & NOSE SYSTEMS (CA AMENDED), 2016 EDITION
- NFPA 17 STANDARD FOR DRY CHEMICAL EXTINGUISHING SYSTEMS, 2017 EDITION
- NFPA 17A STANDARD FOR WET CHEMICAL EXTINGUISHING SYSTEMS, 2017 EDITION
- NFPA 20 STANDARD FOR INSTALLATION OF STATIONARY PUMPS FOR FIRE PROTECTION, 2016 EDITION
- NFPA 22 STANDARD FOR WATER TANKS FOR PRIVATE FIRE PROTECTION, 2013 EDITION
- NFPA 24 STANDARD FOR INSTALLATION OF PRIVATE FIRE SERVICE MAINS, AND THEIR APPURTENANCES, (CA AMENDED), 2016 EDITION
- NFPA 25 INSPECTION, TESTING AND MAINTENANCE OF WATER BASED FIRE PROTECTION SYSTEMS, 2013 CALIFORNIA EDITION
- NFPA 72 NATIONAL FIRE ALARM AND SIGNALING CODE, (CA AMENDED), 2016 EDITION
- NFPA 80 STANDARD FOR FIRE DOORS AND OTHER OPENING PROTECTIVES, 2016 EDITION
- NFPA 170 STANDARD FOR FIRE SAFETY AND EMERGENCY SYMBOLS, 2015 EDITION
- NFPA 2001 STANDARD FOR CLEAN AGENT FIRE EXTINGUISHING SYSTEMS (CA AMENDED), 2015 EDITION
- UL 300 STANDARD FOR FIRE TESTING OF FIRE EXTINGUISHING SYSTEMS FOR PROECTION OF COMMERCIAL COOKING EQUIPMENT, 2005 EDITION (R2010)
- UL 464 AUDIBLE SIGNALING DEVICES FOR FIRE ALARM AND SIGNALING SYTEMS, INCLUDING ACCESSORIES, 2003 EDITION
- UL 521 STANDARD FOR HEAT DETECTORS FOR FIRE PROTECTIVE SIGNALING SYSTEMS, 1999 EDITION
- UL 1971 STANDARD FOR SIGNALING DEVICES FOR THE HEARING IMPAIRED, 2002 EDITION (R2010)
- ICC 300 STANDARD FOR BLEACHERS, FOLDING AND TELESCOPIC SEATING, AND GRANDSTANDS, 2017 EDITION
- ACI 318-14 AMERICAN CONCRETE INSTITUTE-BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE & COMMENTARY
- ADA CODE OF FEDERAL REGULATIONS INCLUDING AMENDMENTS
- AISC AMERICAN INSTITUTE OF STEEL CONSTRUCTION MANUAL, LATEST EDITION
- NRS NATIONAL REFERENCE STANDARDS

FOR COMPLETE LIST OF APPLICABLE NFPA STANDARDS REFER TO 2019 CBC (SFM) CHAPTER 35 AND CALIFORNIA FIRE CODE CHAPTER 80

SEE CALIFORNIA BUILDING CODE, CHAPTER 35, FOR STATE OF CALIFORNIA AMENDMENTS TO THE NFPA STANDARDS

*ALL PARTS OF THE 2019 CALIFORNIA BUILDING CODE BECOME EFFECTIVE JANUARY 1, 2020 EXCEPT THE EFFECTIVE DATE FOR THE USE OF THE 2019 BUILDING ENERGY EFFECTIVE STANDARDS (TITLE 24, PART 1, CHAPTER 10) IS JANUARY 8, 2019 AND EFFECTIVE DATE FOR THE USE OF THE CALIFORNIA ADMINISTRATIVE CODE (TITLE 24, PART 1, CHAPTER 4) IS JANUARY 8, 2019

2019 CALIFORNIA CODE OF REGULATIONS (CCR) TITLE 24 PART 1 CHAPTER 4 ADMINISTRATIVE REGULATIONS (PARTIAL LISTING ONLY) FOR THE DIVISION OF THE STATE ARCHITECT (DSA) - STRUCTURAL SAFETY

- 1. ADMINISTRATION OF CONSTRUCTION SHALL BE PER CCR TITLE 24, PART 1
- 2. A COPY OF CCR TITLE 24, PARTS 1 & 2 SHALL BE KEPT AND BE MADE AVAILABLE AT THE JOBSITE DURING CONSTRUCTION.
- 3. DSA SHALL BE NOTIFIED AT THE START OF CONSTRUCTION AND PRIOR TO THE PLACEMENT OF CONCRETE PER SECTION 4-331.
- 4. THE ARCHITECT AND THE STRUCTURAL ENGINEER SHALL PERFORM THEIR DUTIES IN ACCORDANCE WITH SECTION 4-333(a) AND 4-341
- 5. PROJECT INSPECTOR SHALL BE APPROVED BY DSA. INSPECTOR AND CONTINUOUS INSPECTION OF WORK PER SECTION 4-333(b) AND 4-342.
- 6. SPECIAL INSPECTION PER SECTION 4-333(c)
- 7. SUPERVISION OF CONSTRUCTION BY DSA SHALL BE IN ACCORDANCE WITH SECTION 4-334.
- 8. TESTING LABORATORY SHALL BE APPROVED BY DSA. TESTS AND TESTING LABORATORY PER SECTION 4-335 AND APPROVED TESTING & INSPECTION FORMS. THE DISTRICT SHALL EMPLOY AND PAY THE LABORATORY. COSTS OF RE-TEST MAY BE BACK CHARGED TO THE CONTRACTOR.
- 9. CONTRACTOR, INSPECTOR, ARCHITECT, AND ENGINEERS SHALL SUBMIT VERIFIED REPORTS (FORM DSA-6) IN ACCORDANCE WITH SECTION 4-336 AND 4-343(c).
- 10. THE INTENT OF THE DRAWINGS AND SPECIFICATIONS IS TO CONSTRUCT THE PROJECT IN ACCORDANCE WITH CCR TITLE 24. DURING CONSTRUCTION, SHOULD ANY CONDITIONS DEVELOP THAT ARE NOT COVERED BY THE DSA APPROVED CONTRACT DOCUMENTS, THEN CONSTRUCTION CHANGE DOCUMENTS (CCD) THAT DETAIL AND SPECIFY THE REQUIRED WORK SHALL BE SUBMITTED TO, AND BE APPROVED BY, DSA BEFORE PROCEEDING WITH THE WORK. ALL CCDS AND ADDENDA SHALL BE SIGNED BY THE ARCHITECT AND THE OWNER. CCDS ARE NOT VALID UNTIL APPROVED BY DSA PER SECTION 4-338.
- 11. THE CONTRACTOR SHALL PERFORM THEIR DUTIES IN ACCORDANCE WITH SECTION 4-343.
- 12. DSA IS NOT SUBJECT TO ARBITRATION.

ST HELENA - NVC TI

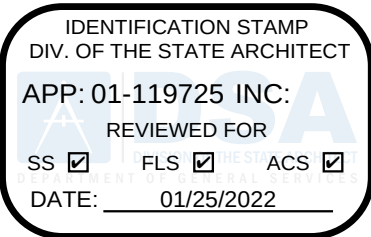
NAPA VALLEY COLLEGE
UPPER VALLEY CENTER

2021-071 - BID SET - 01/19/2022

City of St. Helena

1088 COLLEGE AVE
ST HELENA, CA 94574

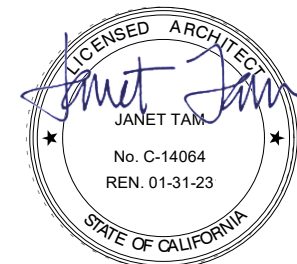
APPROVALS



NOLL
& TAM
ARCHITECTS

729 Heinz Avenue
Berkeley, CA 94710
tel 510.542.2200
fax 510.542.2201

SEAL



PROJECT TITLE

City of St. Helena
ST HELENA -
NVC TI

NAPA VALLEY COLLEGE
UPPER VALLEY CENTER

BID SET

ISSUE DATE	01/19/2022
NAT. JOB NUMBER	22107
REVISIONS	
DATE	DESCRIPTION

SHEET TITLE

COVER SHEET

SHEET NUMBER

G0.00

STATEMENT OF GENERAL CONFORMANCE

FOR ARCHITECTS/ENGINEERS WHO UTILIZE PLANS,
INCLUDING BUT NOT LIMITED TO SHOP DRAWINGS, PREPARED BY OTHER
LICENSED DESIGN PROFESSIONALS AND/OR CONSULTANTS

(Application No. 01-119725 File No. 28-C1)

- ☒ The drawings or sheets listed on the cover or sheet index (S, M, E AND T SERIES SHEETS)
- ☐ This drawing, page of specifications/calculations have been prepared by other design professionals or consultants who are licensed and/or authorized to prepare such drawings in this state. It has been examined by me for:

- 1) design intent and appears to meet the appropriate requirements of Title 24, California Code of Regulations and the project specifications prepared by me, and
- 2) coordination with my plans and specifications and is acceptable for incorporation into the construction of this project.

The Statement of General Conformance "shall not be construed as relieving me of my rights, duties, and responsibilities under Sections 17302 and 81138 of the Education Code and Sections 4-336, 4-341 and 4-344" of the Title 24, Part 1, (Title 24, Part 1, Section 4-317 (b))

- I certify that:
 - ☒ All drawings or sheets listed on the cover or index sheet
 - ☐ This drawing or page

- ☒ is/are in general conformance and
- ☒ have been coordinated

Signature: Janet Tam Date: 1/14/2022

Architect or Engineer designated to be in general responsible charge

Janet Tam, Principal
Print Name

License Number Expiration Date

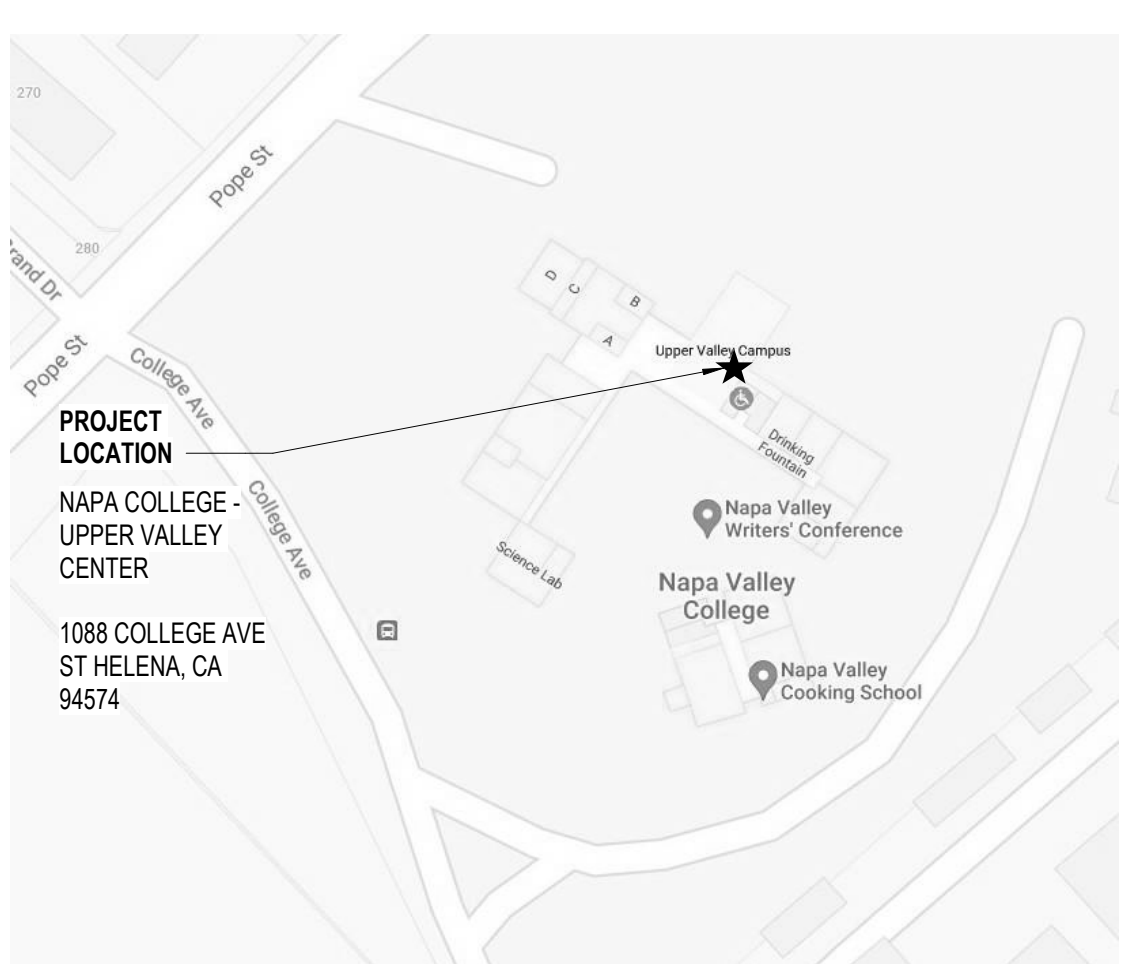
BID ALTERNATE

NONE

DEFERRED APPROVALS

NONE

CAMPUS PLAN



Electrical

Atium Engineering
3533 York Ln
San Ramon, CA 94582
Tel: (913) 961-1658

Mechanical

Eddie Padilla Consulting
Engineers Inc.
274 Devonshire Street
Vallejo CA 94591
Tel: (707) 980-4049
Fax: (707) 644-3656

Structural

IDA Structural Engineers
Inc.
1629 Telegraph Avenue
Suite 380
Oakland CA 94612-2114
Tel: (510) 834-1629

Civil

BKF Engineers
300 Frank Ogawa Plaza,
Suite 380
Oakland CA 94612
Tel: (510) 899-7300

Architect

Noll & Tam Architects
729 Heinz Ave
Berkeley, CA 94710
Tel: 510.542.2200
Fax: 510.542.2201

Client

City of St. Helena
1572 Railroad Avenue
St. Helena, CA 94574
Tel: 707.968.2635

Owner

Napa Valley CCD
2277 Napa Vallejo Hwy
Napa, CA 94558
Tel: 707.266.2570



01 - FLOOR PLAN
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GENERAL NOTES

1. IN ALL SPACES LEASED BY THE CITY, PROVIDE NEW PAINTING AT GYP BD WALLS AND CEILINGS. EXCEPT MEN AND WOMEN RESTROOMS AND MECHANICAL ROOM, CUSTODIAL AND ELECTRICAL ROOM, ALL ROOMS LEASED BY CITY OF ST. HELENA ARE IN BLDG A AND EXCLUDE CLASSROOM 7B AND CONFERENCE ROOM 8.
2. ALL EXISTING FLOORING TO REMAIN, UNLESS OTHERWISE NOTED.
3. ALL EXISTING LIGHT FIXTURES, POWER AND DATA RECEPTACLES, AND SECURITY DEVICES TO REMAIN, UNLESS OTHERWISE NOTED.
4. AT SITE PARKING LOT, PROVIDE ACCESSIBLE PARKING RESTRIPING AND PAVING MODIFICATIONS TO CORRECT SLOPE AND COMPLY WITH CBC CHAPTER 11B FOR ACCESSIBILITY.
5. PROVIDE ASSOCIATED PATCH AND REPLACEMENT OF WALL AND CEILING FINISHES IN KIND, REGARDLESS OF WHETHER SHOWN OR NOT SHOWN, AS AFFECTED BY OTHER WORK (FIRE ALARM, ELECTRICAL, COMMUNICATIONS, ETC.) UNDER THIS PROJECT TO CONCEAL, WIREWAY AND CONDUIT. CONTRACTOR IS RESPONSIBLE FOR COORDINATION AND REVIEW TO UNDERSTAND AND PROVIDE EXTENT OF DEMO AND REPAIR OF FINISHES REQUIRED BY OTHER TRADES.
6. PATCH AND REPAIR FLOOR SLABS, WALLS AND CEILINGS AS REQUIRED TO PROVIDE SMOOTH SURFACE FOR NEW FINISHES.
7. FOR ADDITIONAL WORK, SEE CIVIL, MECHANICAL, ELECTRICAL, FIRE ALARM, AND FIRE SPRINKLER DWGS.
8. WHERE EXISTING FIRE RATED WALL OCCURS, THEY SHALL BE MAINTAINED IN PLACE, WHEN AFFECTED BY SCOPE, REPAIR THEM IN KIND.

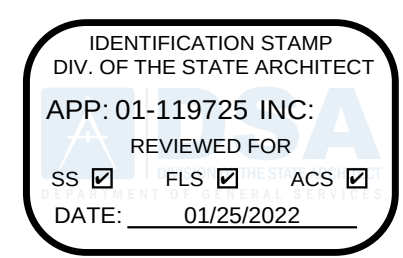
KEY NOTES

KEYNOTE LEGEND	
Key Value	Keynote Text
01-02	EXISTING CONCRETE SITEWORK, TO REMAIN.
02-20	EXISTING CASEWORK, TO REMAIN, PROTECT IN PLACE
02-40	EXISTING HD AND 6X POST TO REMAIN, PROTECT IN PLACE ALONG THIS GRID LINE.
03-01	PROVIDE 6x6 CONCRETE LANDING OUTSIDE NEW EXTERIOR DOOR.
03-04	PROVIDE CONCRETE SLAB REPAIR -MATCH EXISTING THICKNESS- DOWELED INTO EXISTING CONCRETE. SEE A8.10
06-01	BASE CABINET WITH SINK AND SOLID SURFACE COUNTERTOP
06-02	BASE CABINET WITH SOLID SURFACE COUNTERTOP AND UPPER CABINETS. SEE ELEVATIONS
06-03	INSTALL EXISTING SHELVING SYSTEM PROVIDED BY CITY OF ST HELENA -8L X 3'-0" W X 7'-0". SECURE TO WALL WITH ANGLE CLIPS. PROVIDE BLOCKING AS REQUIRED.
06-04	MODIFY EXISTING BASE CABINET FOR 18" MIN DOOR CLEARANCE. PROVIDE 1/2" THICK SIDE PANEL. THE DEPTH OF CABINET, RELAMINATE COUNTERTOP, AND BASE CABINET AS REQUIRED TO MATCH EXISTING.
08-01	PROVIDE WINDOW SHADES OVER EXISTING FULL WINDOW LITE AT DOOR, APPROX 2'-5" X 5'-9". VIF
08-04	PROVIDE ANGLE BRACKETS TO SECURE MOVEABLE PARTITION PANEL TO WALL FOR PERMANENT CLOSURE (TOP, BOTTOM, CENTER)
08-06	PROVIDE BULLET RESISTANT TRANSACTION WINDOW UNIT AND COUNTER AT EXISTING RATED WALL- 40"W X 30" H. SEE WINDOW SCHEDULE
08-07	PROVIDE BULLET PROOF SHEETING FRAME AT WINDOW AND GLAZED DOOR UNITS ALONG CORRIDOR
08-08	PROVIDE DOOR AND FRAME. REFRAME EXISTING FRAMED OPENING. REPAIR EXTERIOR FINISHES.
08-10	PROVIDE 36" TALL VERTICAL DOOR ACTUATOR OR SECOND BUTTON ACTUATOR TO REPLACE SUPPLEMENT. EXISTING SINGLE BUTTON, BOTH SIDES OF DOOR, MOUNT BOTTOM AT 5" MAX FROM FLOOR, ADJUST J-BOX AS REQUIRED AND PATCH CEMENT PLASTER WALL. PAINT FINISHES IN KIND - FULL WALL ELEVATION.
08-11	PROVIDE BULLET RESISTANT DOOR AND WALL (GYP BD OVER BULLET RESISTANT COMPOSITE PANEL)
09-01	REPLACE WALL FINISHES ALONG BEHIND REMOVED CASEWORK MATCH EXISTING LEVEL FINISH. PAINT.
09-02	PROVIDE GYP BD FINISH AND BULLET RESISTANT COMPOSITE PANEL OVER EXISTING STUD
09-05	REPLACE FLOORING IN SELECTED AREA, APPROX. 27' X 10' AREA INCLUDING UNDER DEMO CASEWORK
09-07	PROVIDE GYP BD REPLACEMENT FINISHES BEHIND REMOVED WHITEBOARD, MATCH EXISTING LEVEL FINISH.
09-08	PROVIDE REPAIR TO CEMENT PLASTER SCREEN WALL MATCH EXISTING. REPAINT ENTIRE SCREEN WALL
09-10	PROVIDE LAYER OF 5/8" GYP BD OVER EXISTING GYP BD LAYER. FULL HEIGHT, LEVEL 4 FINISH. PAINT.
09-12	REPLACE GYP BD FINISH ALONG AREAS WHERE VINYL COVERING OCCURRED. PROVIDE LEVEL 4 FINISH. PAINT.
10-06	12" HIGH ALUMINUM LETTERS - BUILDING IDENTIFICATION - WALL MOUNTED. SEE EXT ELEVATION - WEST
11-02	CONEX STEEL STORAGE CONTAINER (8X20') WITH 110V POWER HOOKUP. SED
13-01	6 FT HEIGHT WOOD FENCE WITH FOOTING
13-02	WOOD FENCE GATE
13-04	6 FT HEIGHT WOOD FENCE WITH FOOTING AND 3' WIDE ACCESS GATE WITH CANE-BOLT-LOCK. AROUND GENERATOR AND PAD. CONDENSING UNIT ON HOUSEKEEPING PAD. SMD
23-02	ELECTRICAL GENERATOR ON PAD. SED.
26-11	EXISTING LANDSCAPE GRAVEL, TO REMAIN. UON. SEE SCD, SMD, SPD, SED FOR UTILITY RELATED WORK
31-01	REPAIR EXISTING SITE AND LANDSCAPE AND RETURN TO EXISTING CONDITIONS WHERE UTILITY HOOKUPS IMPACT SITE AND LANDSCAPE. SCD, SMD, SED.
32-04	REPAIR EXISTING SITE AND LANDSCAPING. RETURN TO EXISTING CONDITIONS WHERE UTILITY WORK REQUIRED FOR GENERATOR, PAD, AND FENCING.
32-05	REPAIR EXISTING SITE AND LANDSCAPING. RETURN TO EXISTING CONDITIONS WHERE UTILITY WORK REQUIRED FOR GENERATOR, PAD, AND FENCING.

KEY

- NO DEMO THIS AREA
- (E) WALL/ITEM TO REMAIN
- (E) WALL - 5'-9" PARTIAL HEIGHT WALL
- (E) WINDOW, DOOR TO REMAIN
- (E) WALL - 1HR RATED TO REMAIN DSA # 01-56421; 01-105995
- (E) FIRE EXTINGUISHER CABINET, TO REMAIN
- WALL, SEE PARTITION TYPE TAG
- DOOR, SEE DOOR SCHEDULE
- EXISTING DOOR WITH PANIC EXIT DEVICE, NO WORK AT THIS DOOR, UON
- CONCRETE SITEWORK TO MATCH EXISTING ADJACENT

APPROVALS



NOLL & TAM
ARCHITECTS

729 Heinz Avenue
Berkeley, CA 94710
tel 510.542.2200
fax 510.542.2201

SEAL



PROJECT TITLE

City of St. Helena
ST HELENA - NVCC TI

NAPA VALLEY COLLEGE
UPPER VALLEY CENTER

BID SET

ISSUE DATE

01/19/2022

NAT. JOB NUMBER

22107

REVISIONS

DATE	DESCRIPTION
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SHEET TITLE

FLOOR PLAN

SHEET NUMBER

A2.31

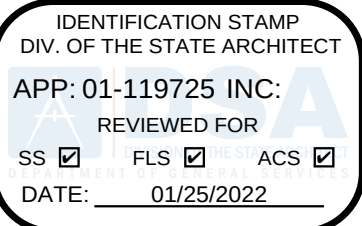
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GENERAL NOTES

1. NEW FURNITURE SHOWN FOR GENERAL LAYOUT PURPOSES ONLY. FINAL LAYOUT AND SELECTION, AND SIZES TO BE DETERMINED BY CITY OF ST. HELENA FROM EXISTING FURNITURE INVENTORY
2. EXISTING FURNITURE, STORAGE ITEMS, AND EQUIPMENT TO BE RE-USED TO BE DETERMINED WITH NAPA VALLEY CCD.
3. FURNITURE LAYOUT SHALL ACCOMMODATE ACCESSIBILITY REQUIREMENTS. PROVIDE ACCESSIBLE ROUTE WIDTH OF 36\"/>

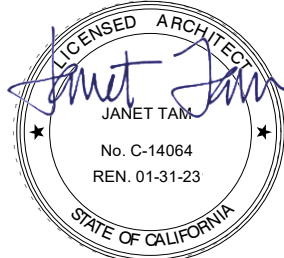
APPROVALS



**NOLL
& TAM**
ARCHITECTS

729 Heinz Avenue
Berkeley, CA 94710
tel 510.542.2200
fax 510.542.2201

SEAL



PROJECT TITLE

City of St. Helena
ST HELENA -
NVC TI

NAPA VALLEY COLLEGE
UPPER VALLEY CENTER

BID SET

ISSUE DATE 01/19/2022
NET JOB NUMBER 22107
REVISIONS
DATE DESCRIPTION

SHEET TITLE
FURNITURE PLAN

SHEET NUMBER
A9.41

CITY OF ST. HELENA

RESOLUTION NO. 2021-_____

Approving the plans and specifications for the Napa Valley College Tenant Improvement Project, Project No. C22-0001 and authorizing advertisement for bids

RECITALS

- A. It has been determined that current City Hall and Police Department facilities have exceeded their functional life, and;
- B. On May 25, 2021, the City Council approved a Resolution 2021-73 authorizing the City Manager, or designee, to execute a lease for a portion of the Napa Valley Community College District Upper Valley Campus for space to serve as a City Hall and Police facility, and;
- C. On April 13, 2021, the City entered into a contract with Noll and Tam Architects to assist with the design of Phase I of the Napa Valley College Tenant Improvements.
- D. On August 6, 2021, a formal lease agreement between the City and the Napa Valley Community College Upper Valley Campus was executed, and;
- E. On January 24, 2022, the Division of State Architect (DSA) officially approved the proposed plans and specifications for the tenant improvements, and;
- F. On January 26, 2022, the City entered into a Professional Services Agreement with Greystone West Company to perform construction management in the planning and bidding stage of the project, and;

RESOLUTION

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

- 1. City Staff have reviewed project scope and determined that this project qualifies for Categorical Exemption under California Environmental Quality Act (CEQA). Staff determination has been reviewed by the City Attorney who has concurred, and;
- 2. The Napa Valley College Tenant Improvement Project, Project No. C22-0001-52 project plans are available for viewing at 1572 Railroad Avenue, are hereby approved, and;

3. The Public Works Director/City Engineer is authorized to advertise the Napa Valley
College Tenant Improvements Project No. C22-0001.

Approved at a Regular Meeting of the St. Helena City Council on May 10, 2022, by the
following vote:

Mayor Ellsworth: _____

Vice Mayor Dohring: _____

Councilmember Anna Chouteau: _____

Councilmember Lester Hardy: _____

Councilmember Eric Hall: _____

APPROVED:

ATTEST:

Geoff Ellsworth, Mayor

Cindy Tzaopoulos, City Clerk



Report to the City Council
Regular City Council - 10 May 2022

Agenda Section: OLD BUSINESS

Subject: Presentation from Raftelis on Water and Wastewater rate setting, review of different rate structures, and outline of the proposed rate study process and schedule.

CEQA Determination: Not a CEQA project

Prepared By: Mandy Kellogg, Asst. Administrative Services Director

Reviewed By: April Mitts, Administrative Services Director

Approved By: James C. McCann, Interim City Manager

BACKGROUND

The City of St. Helena provides water and sewer services for approximately 2,600 residents and businesses both within and outside City limits. The City water and sewer rates are established by City Council.

The purpose of a water and wastewater rate study is to determine the level of funding required over the next five years to ensure that each utility is meeting financial obligations for ongoing operations and maintenance, debt service, and capital improvements while maintaining prudent reserves. Updating the water and wastewater rates to keep up with the rising costs of providing safe and high-quality drinking water and wastewater services is a key component of maintaining the financial viability of the utilities, including maintaining healthy fund balances/reserves for emergencies and applicable bond covenants, and debt coverage ratios for bond covenants, and strong credit ratings. Updates to the rate study are also necessary to fund investments in infrastructure maintenance and improvements which are mandated or otherwise necessary for safe and efficient operation of the utilities.

The City conducted a water and wastewater rate review in 2016 and the City Council adopted its current water and wastewater rates in 2017. The final rate increase approved in the current rate study was implemented in November 2021.

On December 3, 2021, the City released a Request for Proposals (RFP) for professional services to complete an updated Water and Wastewater Rate study. The City received a total of eight proposals. Based on the proposal, consultant's relevant experience, capacity for public engagement, references and interview, staff selected Raftelis.

On March 25, 2022, the City Council awarded a Professional Services Agreement to Raftelis to engage in the activities outlined in the proposal. During the meeting, City Council requested a subsequent meeting to include a rate setting educational presentation, review of different rate structures, and an outline of the proposed rate study process and schedule.

DISCUSSION

Per City Council direction at the March 25th council meeting, Raftelis is delivering a presentation on the rate study process which includes the following:

- Rate-setting in California
- Primary components of a water and wastewater rate study
- Evolution of rate-setting generally
- Common approaches to water, wastewater, and drought rate design, which Raftelis will employ during the study
- Tentative project schedule for completion of the City's study
- Preview of policy and pricing objectives

FISCAL IMPACT

There is no fiscal impact associated with this report.

RECOMMENDED ACTION

Receive and file.

ATTACHMENTS

[May 10 Water and Wastewater Rate Study Presentation](#)

City of St. Helena

Water and Wastewater Rate Study

City Council Meeting - May 10, 2022



Agenda

1. Introduction & Rate Study Process
2. Financial Planning
3. Water Cost of Service
4. Water Rate Design
5. Drought Rate Design
6. Sewer Cost of Service
7. Policy Objectives
8. Schedule

Raftelis Project Team



Jim Armstrong
Project Director



Kevin Kostiuk
Project Manager



Jonathan Jordan
Lead Consultant



Matt Wittern, APR, PMP
Outreach Lead

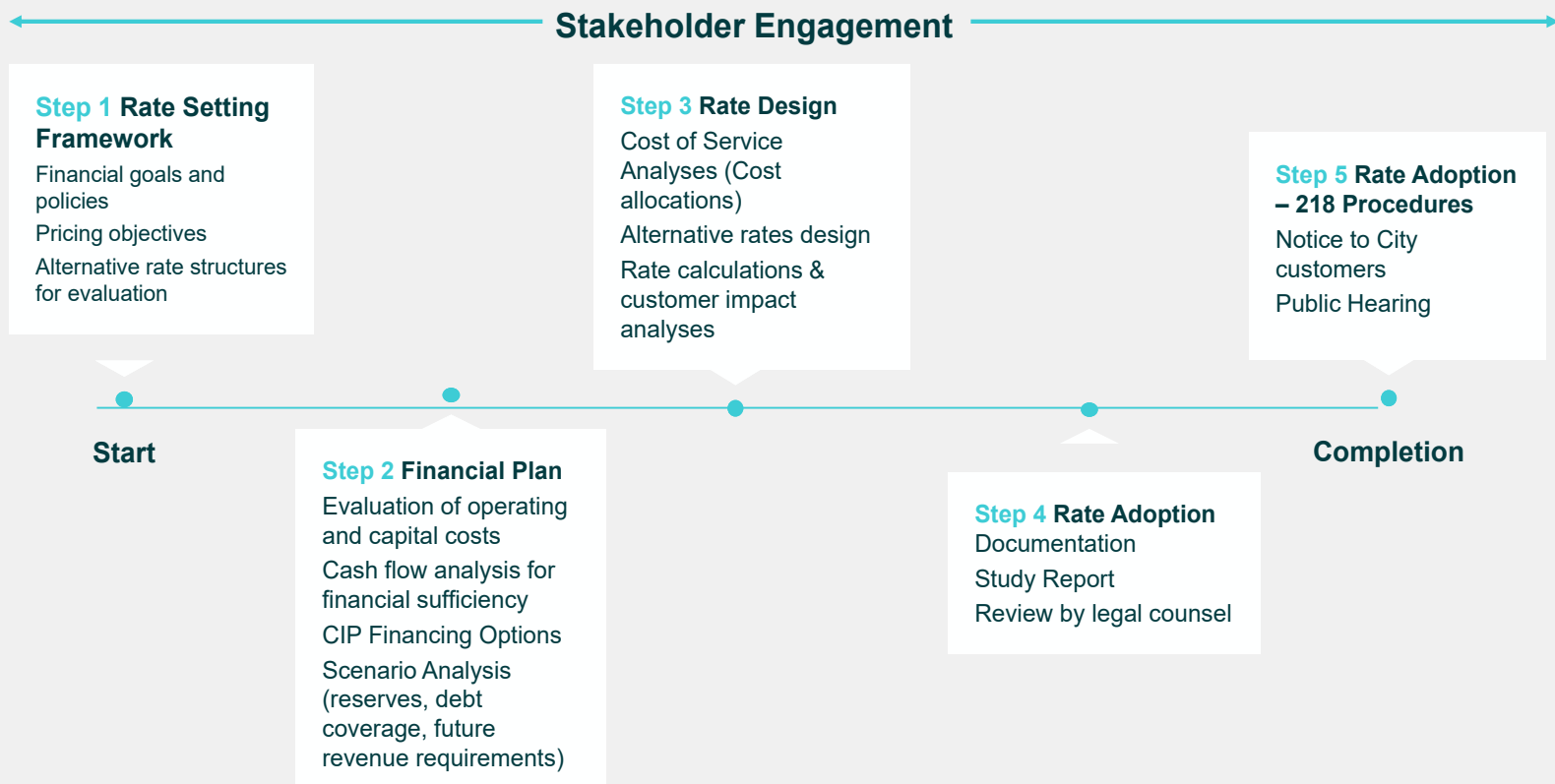


Gina DePinto, APR
Outreach



Sudhir Pardiwala, PE
Technical Advisor

Steps in Conducting a Rate Study



Proposition 218 and Cost-based Rates



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Key California Legal And Regulatory Requirements

- **Cost of Service Requirements**

- › Proposition 218 (Article XIIC and XIID of California Constitution)
- › Proposition 26
- › California Government Code 54999

- **Water Conservation**

- › Article X of California Constitution
- › Water Code Section 106 – Domestic water use prioritized over irrigation
- › SB 606 + AB 1668 – calculated efficiency and reporting
- › SWRCB self certification of three years adequate supplies and set conservation standards equal to their projected supply shortage

Proposition 218 Requirements

- An agency cannot collect revenue beyond what is necessary to provide service
- Revenues derived by the charge shall not be used for any other purpose other than that for which the charge was imposed
- The amount of the fee may not exceed the proportional cost of service for the parcel
- No charge may be imposed for a service unless that service is actually used or immediately available to the owner of property
- A written notice of the proposed charge shall be mailed to the record owner of each parcel at least 45 days prior to the public hearing, when the agency considers all written protests against the charge

case study | City of **San Juan Capistrano**

- Ratepayers (Capistrano Taxpayer Association, CTA) sued the City of San Juan Capistrano over its rates
- The Orange County Appellate Court ruled that the rates did not meet the proportionality requirement of Proposition 218

Key Factors:

- Lack of strong administrative record
- Multipliers to justify the tiered rates without any administrative record of an underlying rationale

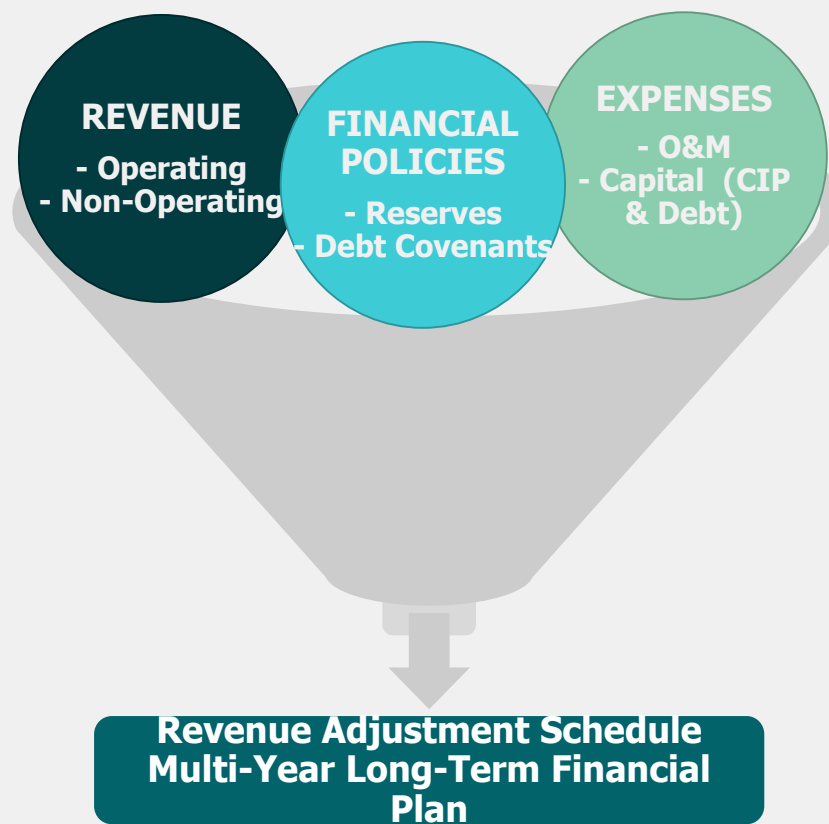
Outcome

- There must be a nexus between cost of providing services and rates
- This nexus needs to be clearly shown in the administrative record (study report)

Financial Plan Overview

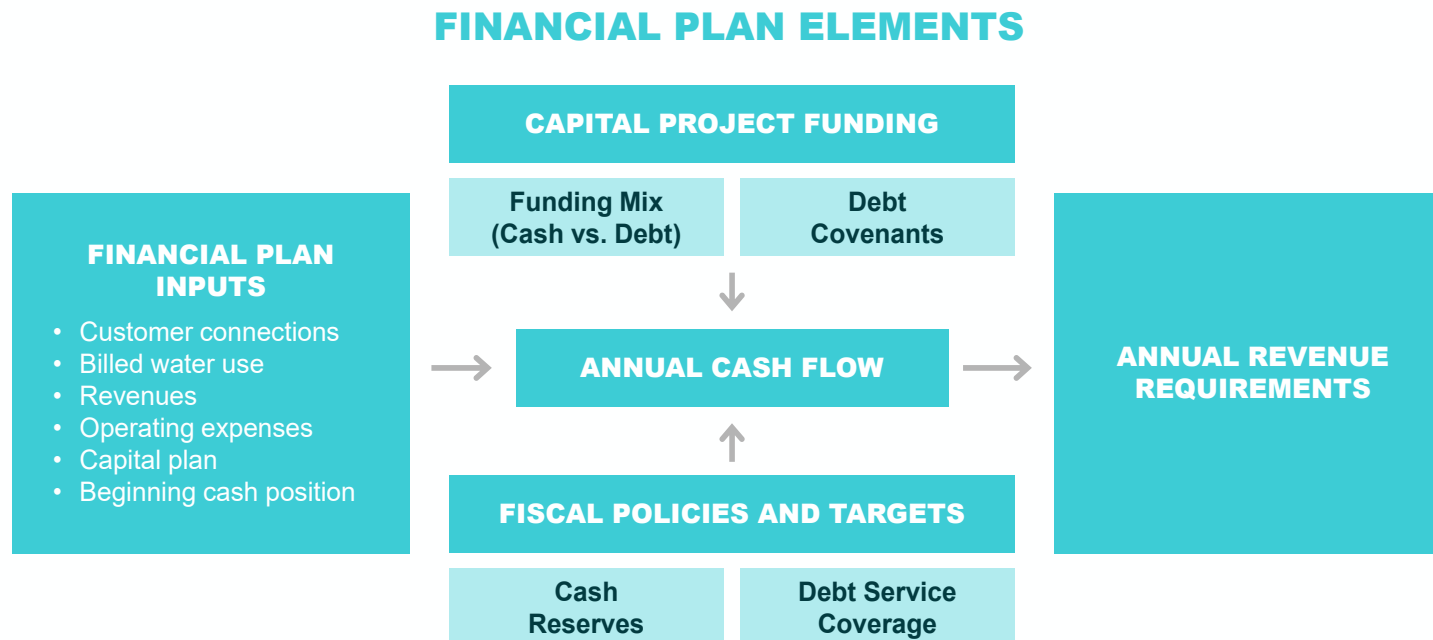


Financial Plan Overview



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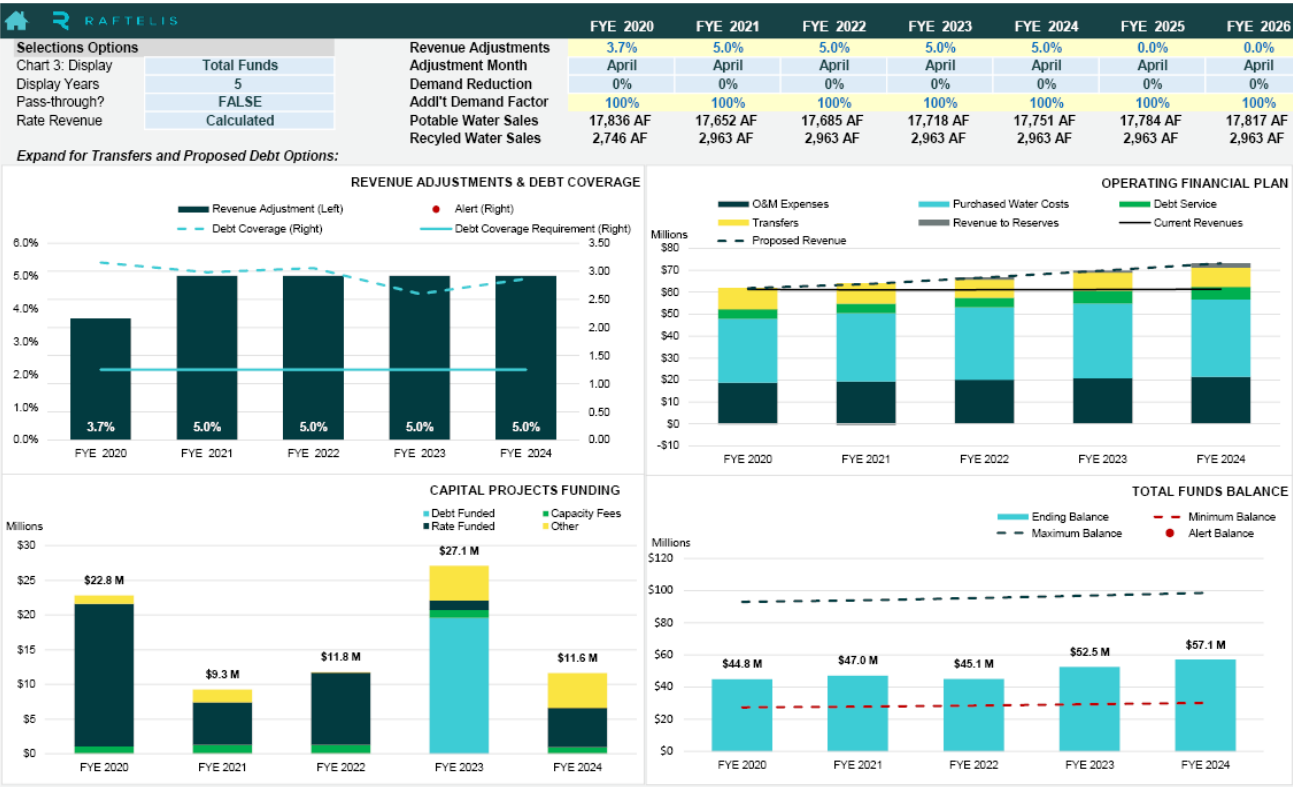
Revenue Requirements & Financial Planning



Financial Model Dashboard

Dashboard Provides:

- Critical model outputs
- Variables for scenario analyses
- Debt coverage and capacity
- Fund balances against reserve policies
- Operating and capital financing plans
- Virtually unlimited scenario planning capabilities



Water Cost of Service



WHAT IS COST OF SERVICE?



- Method to recover costs from users in proportion to their use of the system, recognizing the impact of each class on system facilities and operations
 - › A cost-based process of converting revenue requirements into unit costs
 - › Allocation of cost of service to customer classes is based on customer usage characteristics
- Cost of service is the fundamental benchmark used for establishing utility rates in the United States

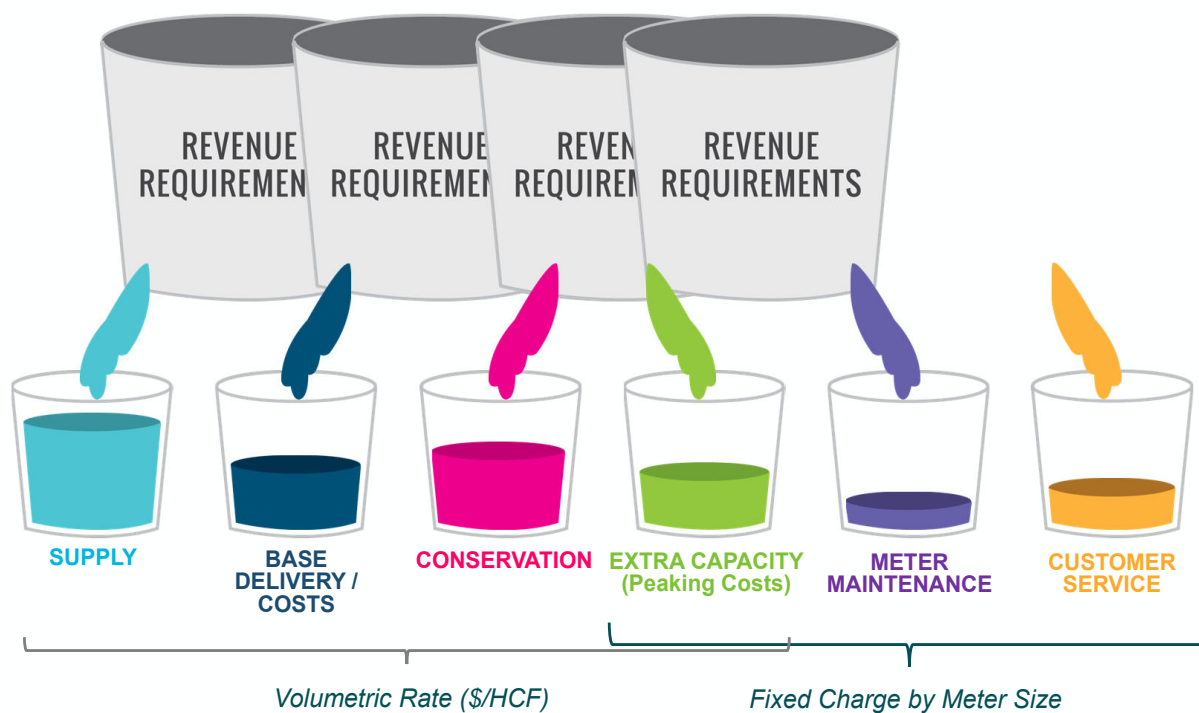
WHAT IS COST OF SERVICE?

- **Rationale:**

- › Different types of customers generate different costs because of their demand characteristics
- › Cost of service allows the matching of the rates charged to each group with the cost incurred to serve them
- › Each group will “pay its own way”; no subsidies

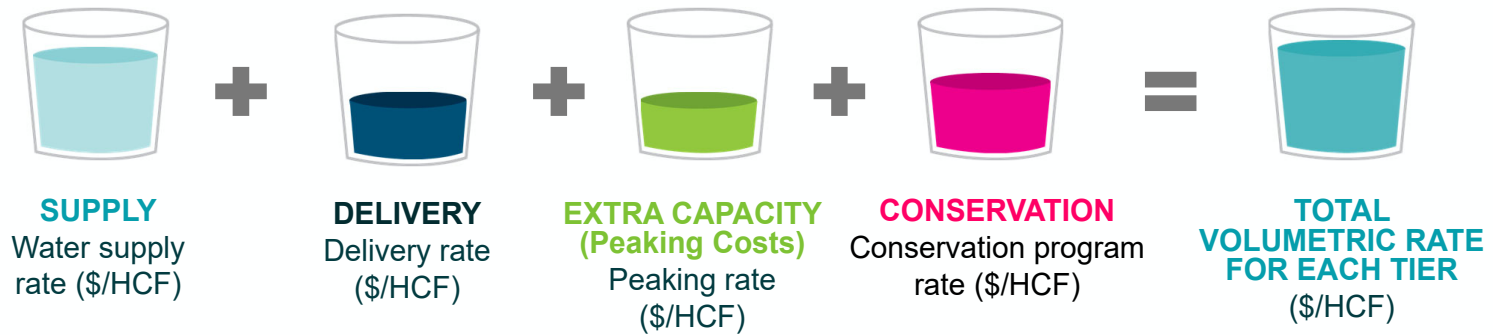
Cost of Service

Allocation to Cost Components



Rate Design

Commodity Rate Derivation



Water Rate Design



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Current Water Rates

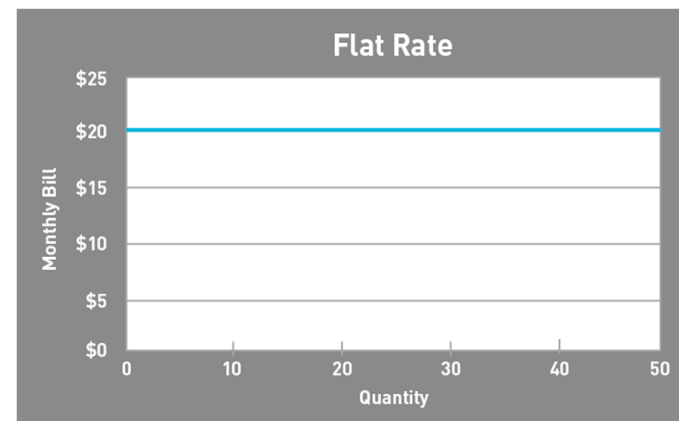
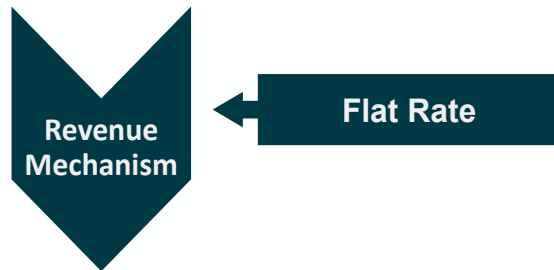
Uniform commodity charges

Seasonal rates

Shortage/non-shortage surcharges

Service Charge		Monthly By Meter Size	
5/8", 3/4" & SF 1"			\$69.89
1"			\$128.22
1.5"			\$225.64
2"			\$342.00
3"			\$654.72
4"			\$1,011.98
6"			\$1,981.63
Private Fire		Monthly By Fireline Size	
4"			\$13.33
6"			\$38.73
8"			\$82.53
Variable		\$	
Raw Water <i>per Gallon</i>			\$0.00397
Treated Variable Charge			
Non-Drought			
Off-Peak (Nov-Apr)			\$6.50
Peak (May-Oct)			\$7.23
Drought			
Non-Peak (Nov-Apr)			\$6.87
Peak (May-Oct)			\$7.63

Water Rate Structure Evolution



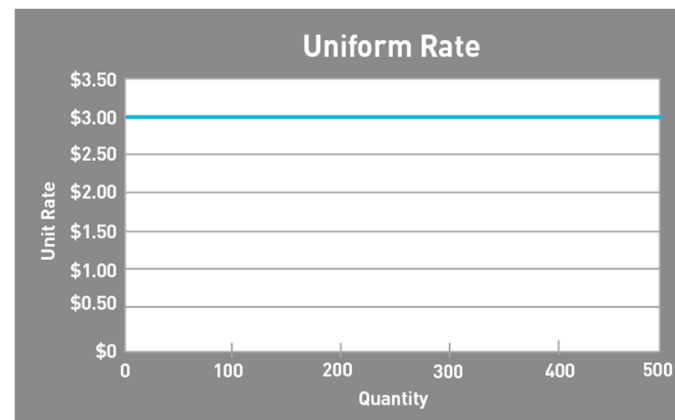
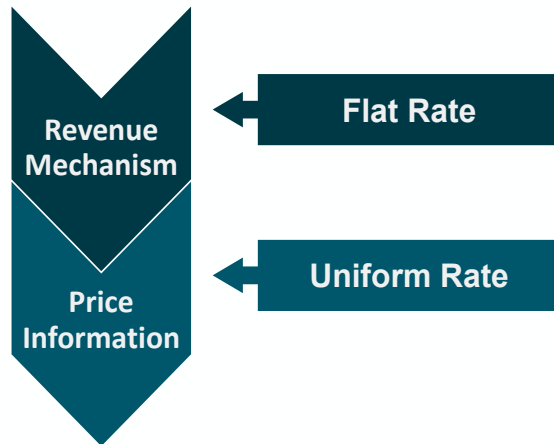
Flat Rate: \$xx / month regardless of usage

Pros: Revenue stability; easy to understand

Cons: Inequitable; no conservation signal; not affordable for essential use

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Water Rate Structure Evolution

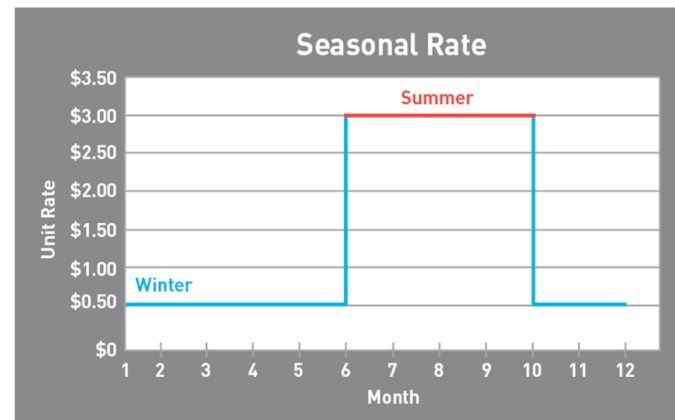
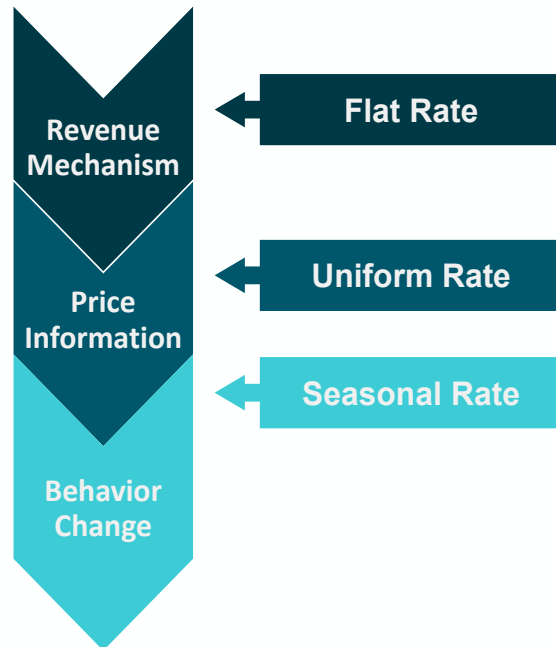


Uniform Rate: \$xx / hcf

Pros: Revenue stability; administrative ease; easy to understand

Cons: Weak conservation signal; not affordable for essential use

Water Rate Structure Evolution

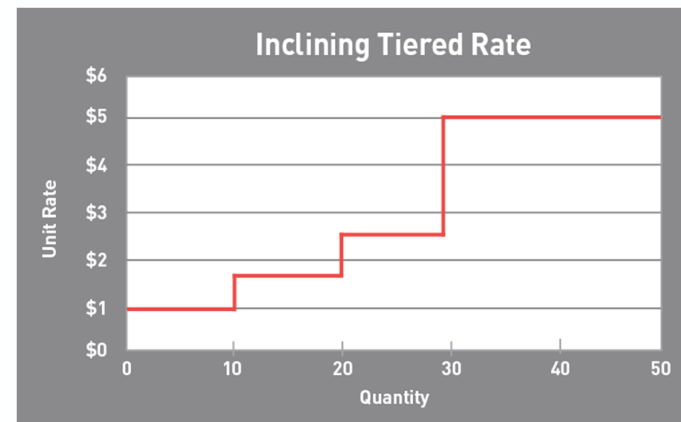
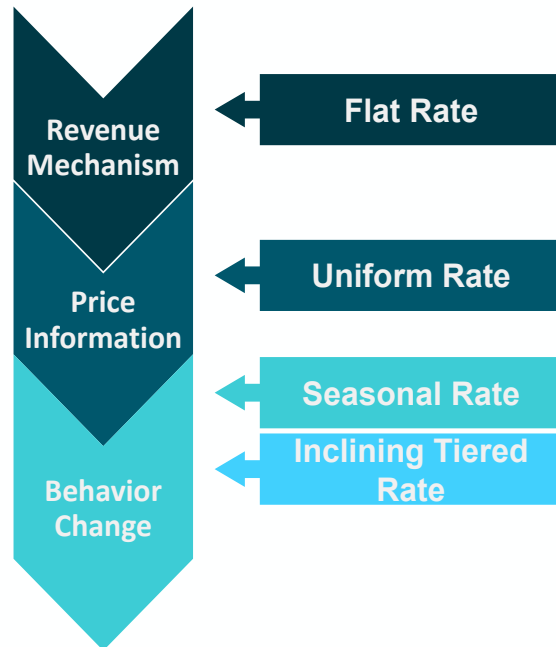


Seasonal Rate: \$ xxx / hcf in Summer,
\$ x/hcf in Winter

Pros: Promote water conservation in the summer; easy to administer

Cons: Revenue instability; not affordable for essential use

Water Rate Structure Evolution



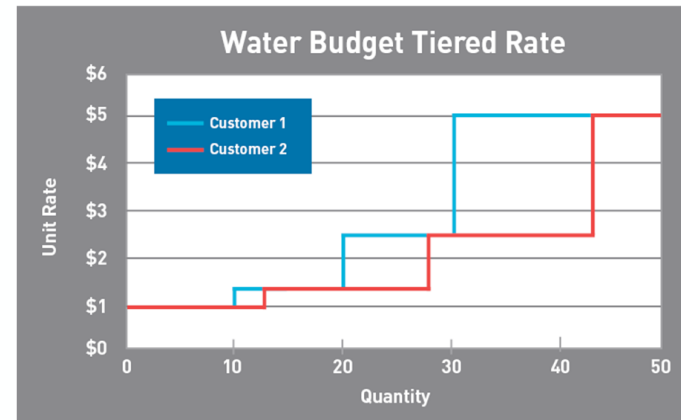
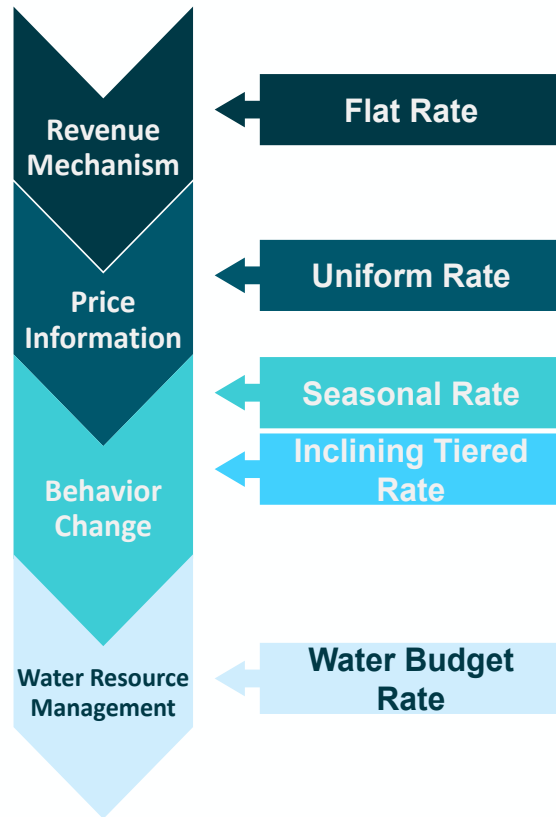
Inclining Tiered Rate:

Pros: Promotes conservation; affordable for essential use; easy to administer; easy to understand

Cons: Targets large users, may generate revenue instability

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Water Rate Structure Evolution



Water Budget Tiered Rate:

Pros: Promote water efficiency; affordable for essential use; drought allocation tool; revenue stability

Cons: High administrative cost; harder to understand than inclining tiers; fairness concerns

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Tier Definition Options

- Based on water supply sources
 - › Directly relate available water and allotment in each tier
 - › Procedure: Identify volume available from lowest cost sources to define the tiers
- Based on peaking
 - › Base tiers on customer water use characteristics
 - › Procedure: Identify seasonal and peak demands to define tiers
- Based on water efficiency target
 - › Determine the appropriate indoor and outdoor water use
 - › Procedure: Utilize household data, efficiency targets, and average irrigated areas to define the tiers

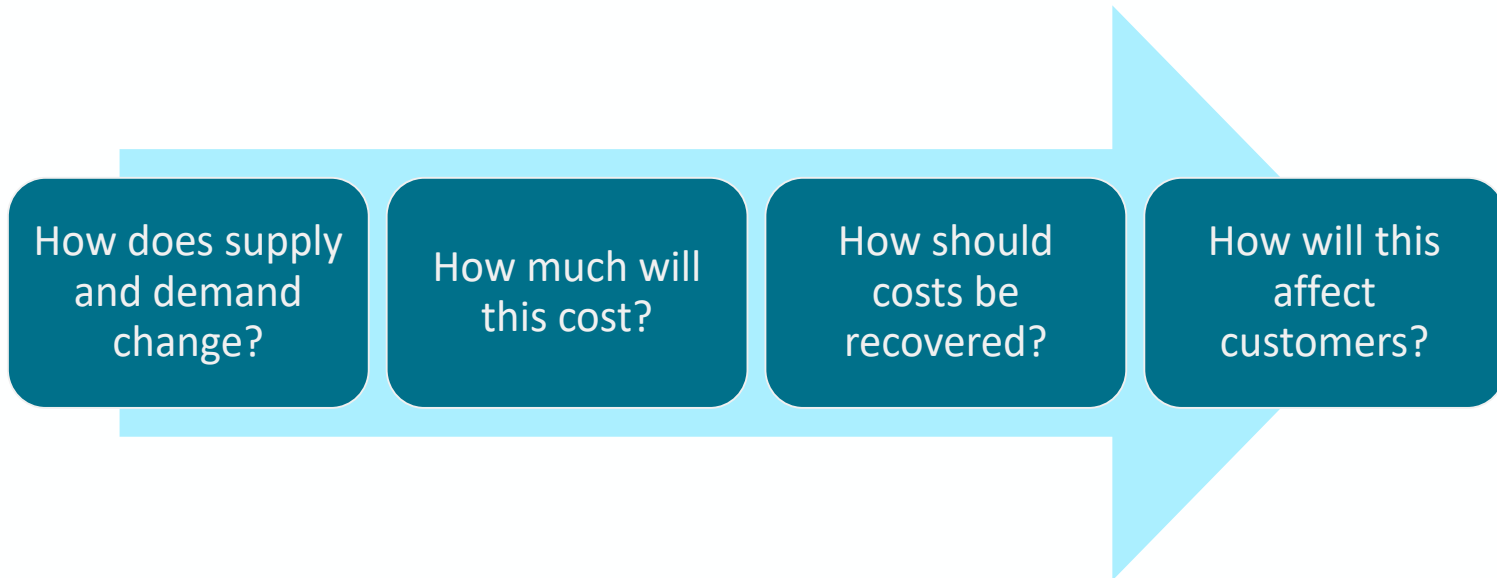
	Ground-Water \$/HCF	Purchased Groundwater \$/HCF	Imported Water \$/HCF	Delivery \$/HCF	Peaking \$/HCF	Conserv- ation \$/HCF	Revenue Offset \$/HCF	Proposed Rates \$/HCF
Residential								
Tier I	\$1.82			\$1.96	\$0.92		(\$0.32)	\$4.39
Tier II		\$4.04		\$1.96	\$1.22		(\$0.32)	\$6.91
Tier III			\$6.45	\$1.96	\$1.91	\$0.10		\$10.43

	Supply	Delivery	Conservation	Proposed Rate (\$/hcf)
Residential				
Tier I	\$4.00	\$2.43	\$0.00	\$6.43
Tier II	\$4.00	\$2.43	\$22.76	\$29.19

Drought Rates Overview



STEPS IN DEVELOPING DROUGHT RATES



DROUGHT IMPLICATIONS

- Demand reduction
 - › Where will the expected cutback occur and by how much?
- Change in operational costs
 - › Supplemental supply costs
 - › Temporary O&M
 - › Avoided variable costs
- Financial impact
 - › Net change in rate revenues and costs
 - › Bridge the difference between revenues from base rates and total revenue needs

Drought Rates Discussion

Drought Penalties

- Utilizes price to enforce water rationing
- Not intended to be revenue generating
- A violation not based on cost of service
- No subject to Prop. 218

Drought Rates

- Recovers the financial cost of shortage
- Revenue generating mechanism
- Requires a nexus between the cost of providing service and the associated rates
- Subject to Prop. 218

Drought Rate Options Comparison

Objectives	Monthly Fixed Charge	Uniform Commodity Charge	Uniform Percentage	Inclining Commodity Charge
Easy to understand and administer	★ ★ ★	★ ★	★ ★	★
Stability and guaranteed recovery of revenue	★ ★ ★	★ ★	★	★
Ability to change the bill	★	★ ★	★ ★ ★	★ ★ ★
Targeted use / conservation	★	★ ★	★ ★ ★	★ ★ ★
Promotes affordability	★	★ ★	★ ★	★ ★ ★

Drought Rate Options – Hypothetical Examples

- Monthly Fixed Charge
 - › \$12 for 3/4" meter
- Uniform Commodity Charge
 - › \$1.40 per HCF for all units of water
- Uniform Percentage applied to each Tier/Class
 - › 20% applied to existing rates for all units of water
- Inclining Commodity Charge
 - › Tier 1 (0 to 6 HCF) no surcharge
 - › Tier 2 (7 to 16 HCF) at \$1.50 per HCF
 - › Tier 3 (>16 HCF) at \$2.50 per HCF

Values shown are for illustration only

Sewer Cost of Service



Current Wastewater Rates

Residential:

Fixed flat charge

Flow by average winter use?

Non-Residential:

Fixed by meter size

Flow by actual water use

Significant spread in non-res flow rates

Residential	\$/Month
Fixed per Dwelling Unit	\$63.66
Variable Residential (\$/HCF)	\$5.58

Non-Residential Fixed	Monthly by Meter Size
5/8"	\$88.34
1"	\$220.86
1.5"	\$441.71
2"	\$706.74
3"	\$1,413.49
4"	\$2,208.57
6"	\$4,417.14

Non-Residential Variable	\$/HCF
Car Wash	\$3.86
Religious Places/Community Centers	\$4.29
Commercial	\$5.07
Commercial (City Buildings)	\$5.07
Groceries and Mortuaries	\$13.62
Laundry	\$4.42
Mixed Retail	\$8.52
Lodging with Food	\$10.22
Lodging without Food	\$5.54
Restaurant	\$13.50
Napa Valley College	\$4.22
Service Station	\$5.83
Winery Pre-Treated	\$5.39
Winery Non-Treated	\$23.75
Schools	\$2.10

Cost Of Service Analysis

1. Determine flow and strength of each customer class

- Examine inflow at the treatment plant and number of customers

2. Determine how much O&M and capital is flow or strength-related

- Allocate O&M costs and sewer assets by function

3. Determine revenues required for flow and strength

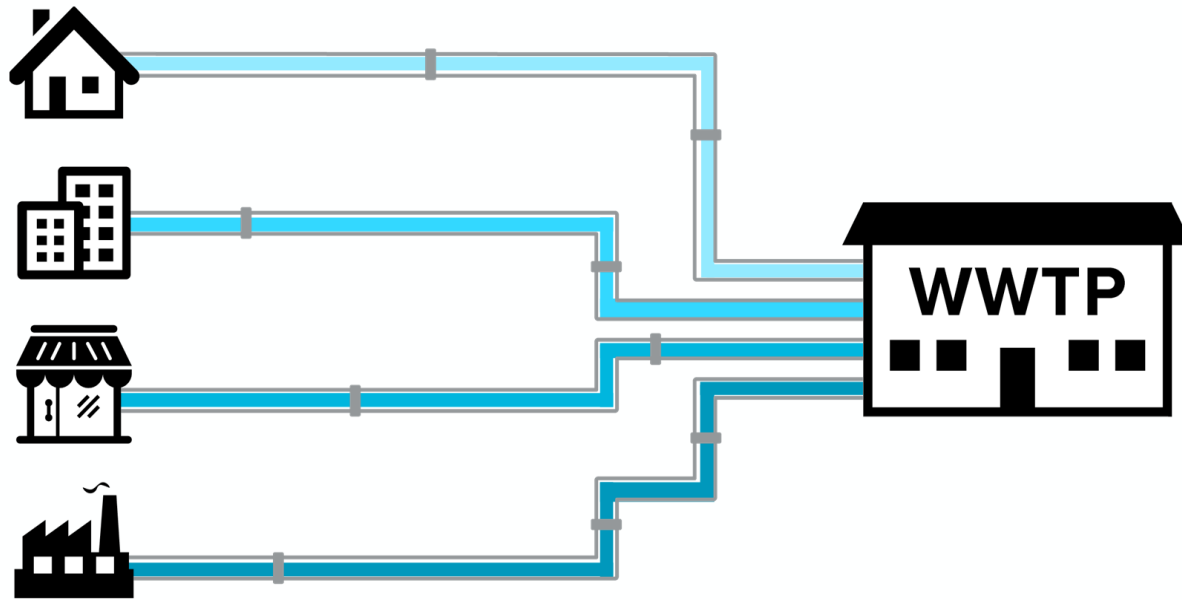
- Allocate revenue requirements based on above allocations

4. Determine customer class characteristics and unit cost

5. Distribution of costs to customer classes

Sewer Cost Of Service Analysis

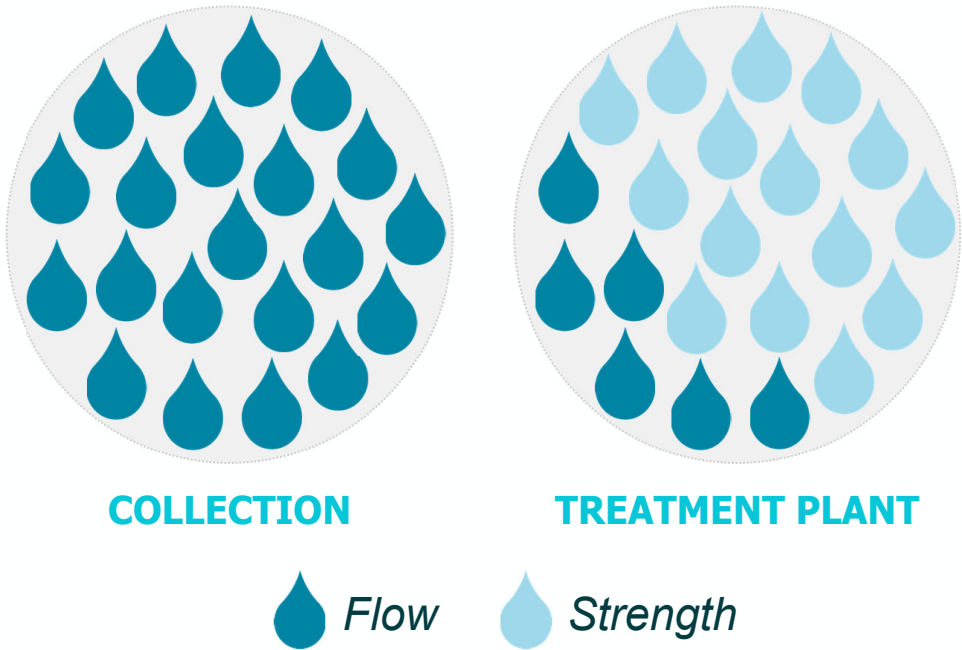
Step 1: Determine flow & strength of customers



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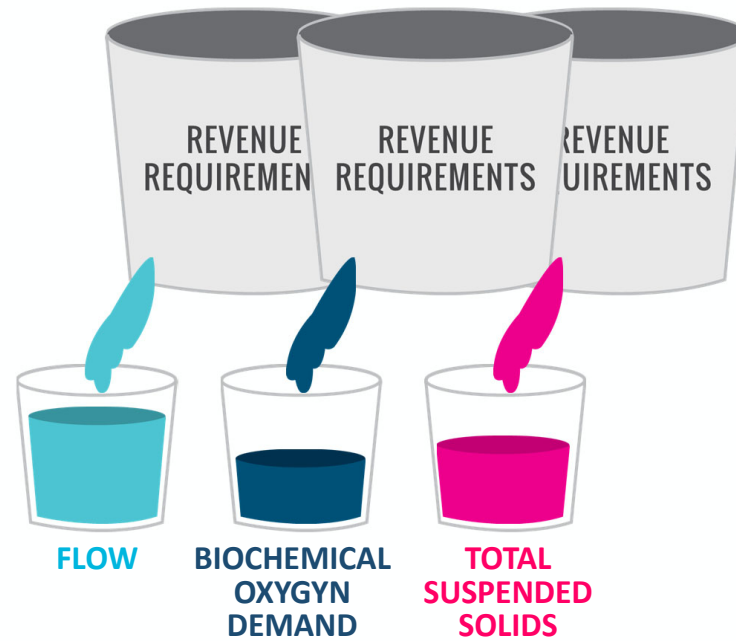
Sewer Cost Of Service Analysis

Step 2: Classify O&M costs & assets by function



Sewer Cost Of Service Analysis

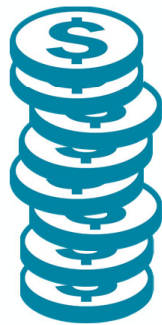
Step 3: Allocation of Revenue Requirements



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Sewer COST OF SERVICE ANALYSIS

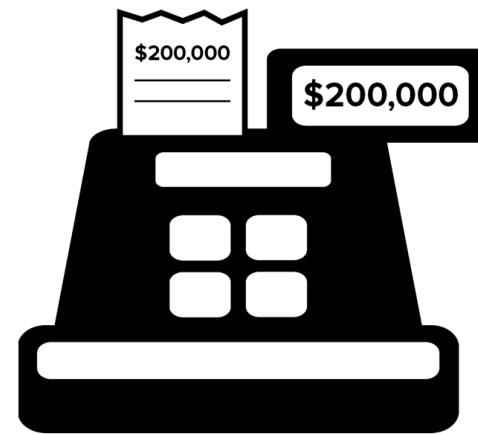
Step 4 and 5: Cost of each customer class



Flow



Strength



Commercial Class

Policy Objectives



Financial Policy Overview

- Goals of Financial/Reserve Policies:
 - › Mitigate financial risk
 - Rate/revenue instability
 - Emergency with asset failure
 - Volatility in working capital
 - › Achieve/maintain a certain credit rating
 - › Determine most opportune time to issue debt
- Prudent financial policies maintain financial solvency, provide guidelines for sound financial management with a long-range perspective, and enhance financial management transparency

Financial Health Indicators

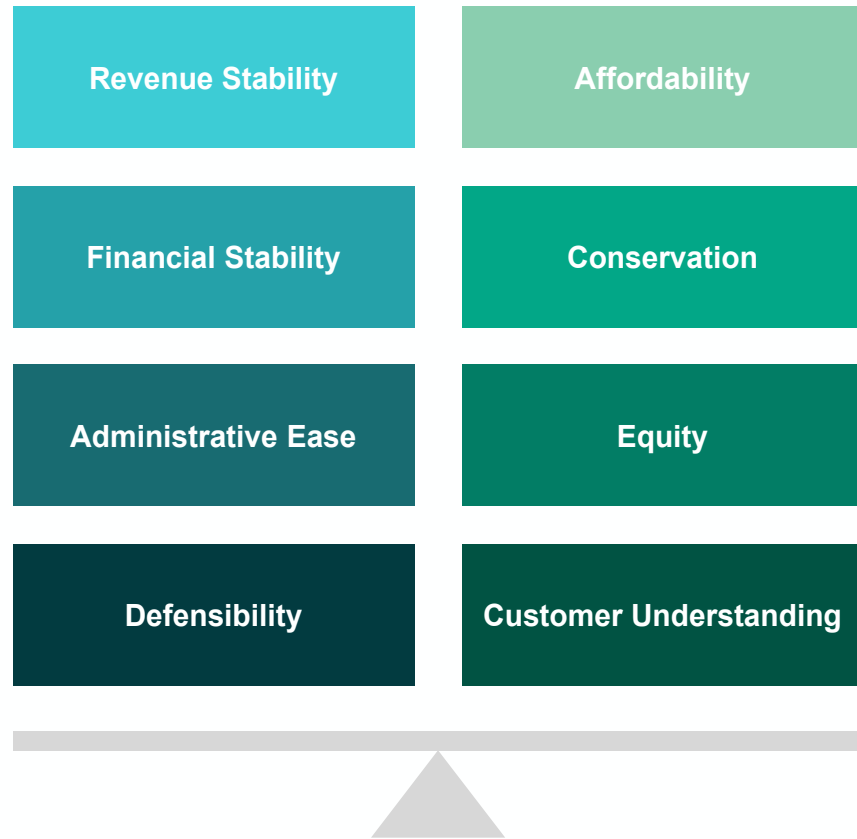
Healthy Reserves

- Operating Reserve – results from positive cash flow
- Capital Reserve – can award contracts quickly and speed up projects if necessary
- Rate Stabilization – funds used during periods of revenue shortages (i.e., drought)
- Emergency – funds available in case of asset failure or natural disaster

Debt Coverage Ratio

- Exceed Official Statement requirements
- Achieve/maintain good credit ratings
- If there is no debt, what is the utility's debt capacity?
 - How much are you able to borrow with current rates?

Pricing Objectives



Common Pricing Objectives

Conservation	Finance	Affordability	Equity	Administration
• Reducing total annual demand • Reducing water waste • Reducing peak demand • Reducing outdoor water usage	• Enhancing revenue stability • Providing funding for alternative water supplies • Mitigating risk	• Minimizing customer impacts • Maintaining low average customer bills • Crafting rates that provide affordable water for essential uses	• Allocating water supplies equitably • Providing a drought management tool • Valuing efficiency of use over total use	• Allowing cost-effective administration • Allowing easy implementation • Enhancing customer understanding

Project Schedule

Task Name	Specifics	Dates
Project Kickoff	N/A	April 2022
City Council Meeting	Rates 101	May 10, 2022
Citizen's Advisory Committee (CAC) Meeting #1	On-Ramp/Rates 101	Mid-June 2022
City Council Workshop #1 & CAC Meeting #2	Pricing, Policy, & Rate Objectives	Late-June 2022
CAC Meeting #3 (tentative)	Rate Design	Mid-August 2022
Stakeholder Information / Community Meeting #1	Open House Format	Summer
City Council Workshop #2 & CAC Meeting #4	Preliminary Rates	September 2022
Stakeholder Information / Community Meeting #2	Open House Format	Fall
City Council Workshop #3	Revised/Final Rate Selection	November 2022
Administrative Record Development	Rate Study Report	December 2022-January 2023
City Council Meeting	Rate Authorization	Late-January 2023
Public Hearing	Rate Adoption	March 2023



Thank you

Contacts:

Kevin Kostiuk – 213.262.9309 / kkostiuk@raftelis.com

Jim Armstrong – 805.395.1674 / jarmstrong@raftelis.com

Cindy Tzaopoulos

From: Garry Rose <garry547@gmail.com>
Sent: Tuesday, May 10, 2022 4:10 PM
To: Public Comment
Subject: [External] May 10 Regular City Council Meeting, Old Business, Item 9.1

This is a question for representatives of Raftelis as well as public comment regarding the May 10, 2022 Regular City Council Meeting, Old Business, Item 9.1.

If Measure H passes, would that portion of Measure H funds that benefit water and wastewater customers outside of the St. Helena City limits justify increased water and wastewater rates for those customers above rates paid by customers within the city limits paying effectively higher rates thru property tax increases?

Thank you,

Garry Rose



Report to the City Council
Regular City Council - 10 May 2022

Agenda Section: OLD BUSINESS

Subject: City Council discussion and direction of proposed responsibilities and criteria for the Citizen Advisory Committee related to the Water and Wastewater Rate Study.

CEQA Determination: Not a CEQA project

Prepared By: Mandy Kellogg, Asst. Administrative Services Director

Reviewed By: April Mitts, Administrative Services Director

Approved By: James C. McCann, Interim City Manager

BACKGROUND

On December 3, 2021, the City released a Request for Proposals (RFP) for professional services to complete an updated Water and Wastewater Rate study. The City received a total of eight proposals. Based on the proposal, consultant's relevant experience, capacity for public engagement, references and interview, staff selected Raftelis.

On March 25, 2022, the City Council awarded a Professional Services Agreement to Raftelis to engage in the activities outlined in the proposal. During the meeting, City Council recommended the formation of a Citizens Advisory Committee to provide feedback on the draft rate study.

The citizen advisory committee would consist of representative group of stakeholders from the community appointed to provide comments and advice on the elements of the study and resulting rate structure. The committee will meet on a regular schedule during the rate study to develop a detailed knowledge of the project and to share their relative perspectives, ideas, concerns, and interests. The committee will work to identify areas of common ground and/or consensus to develop recommendations.

DISCUSSION

During the 2016 and 2017 Water and Wastewater Rate study, the City Council recommended the formation of an Ad Hoc Utility Committee. The Committee reviewed analysis related to the Water and Wastewater Study, and made recommendations to the Council for revisions to the Study and potential adjustments to the rates adopted by the City Council on November 29, 2016. The 2016/17 Ad Hoc Utility Committee was very helpful during the study and a similar group is desired to inform our current water and wastewater rate analysis effort. We recommend a group consisting of five members to serve on the committee.

Recommended responsibilities include:

- Reviewing and confirming financing assumptions and options presented by staff and the consultant for CIP projects in the first five years of the Rate Study, giving due consideration to project prioritization (immediate need, number, and estimated cost) and the proper balance of using cash versus debt.
- Reviewing and confirming significant financial assumptions in the Study, such as reserves, adequacy of sinking funds, and designated and undesignated fund balances in accordance with generally accepted municipal financial principles.
- Review findings and recommendations to ensure equitable allocation of costs related to industrial, commercial, and residential users, rate models, and recommend appropriate rates and changes with consideration given to location, setting, special demands or unique conditions.

In its work the Citizen Advisory Committee shall give due consideration to the following:

1. Bond covenants contained in outstanding bonds of the Water and Wastewater Enterprises and compliance requirements.
2. Any water or wastewater project not included in the Rate Study that the committee believe should be considered for financing in the next five years.
3. Findings, advice, and recommendations provided by City staff and the consultant.

Proposed Membership Criteria:

1. One City Council member appointed by the City Council.
2. At least three of the members shall reside, own properties, or own businesses within the St. Helena city limits.
3. All members must reside, own properties, or own businesses within the boundaries of St. Helena's water and wastewater service area.

Preferred Membership Composition:

1. One member of the City Council.
2. One member at-large representing general residential customer interests.
3. One member representing the lodging industry.
4. One member with demonstrated knowledge and/or expertise in financing, accounting, or engineering.
5. One member representing the agricultural or winery industry.

Staff is seeking Council direction regarding any potential amendments to the responsibilities outlined above and the criteria for committee membership. Staff will immediately update the responsibilities based on Council direction and will open the application period for the advisory committee on May 11, 2022 and close the application period May 20, 2022. Appointments will be completed at the May 24th Council meeting along with approval of related materials.

FISCAL IMPACT

There is no fiscal impact associated with this report.

RECOMMENDED ACTION

Provide direction for proposed responsibilities and criteria for the Citizen Advisory Committee related to the Water and Wastewater Rate Study.

ATTACHMENTS

[Citizen Advisory Committee Tentative Meeting Schedule](#)



CITY OF ST. HELENA CITIZEN ADVISORY COMMITTEE

SAVE THE DATE!



Tentative Special Meeting Dates:

- Tuesday, June 14th | 10am - 12pm
- Tuesday, June 28th | 10am - 12pm
- Tuesday, August 9th | 10am - 12pm
- Tuesday, September 7th | 10am - 12pm

*Locations are to be determined. Be on the lookout for
your e-agenda for the noticed meeting date, time & site!*

www.cityofstheleena.org

Garry L. Rose
St. Helena, CA

May 9, 2022

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

St. Helena City Council
1572 Railroad Avenue
St. Helena, CA 94574

Dear Mayor Ellsworth, Vice Mayor Dohring, Council Member Hardy, Council Member Hall, and Council Member Chouteau,

I am writing concerning the Regular City Council Meeting, May 10, 2022, Old Business, Line Item 9.2, "City Council discussion and direction of proposed responsibilities and criteria for the Citizen Advisory Committee related to the Water and Wastewater Rate Study."

In the staff report there are two paragraphs, one titled "Proposed Membership Criteria", the other "Preferred Membership Composition". I would like to suggest changes to these two (2) criteria, for the following reasons.

1. The membership being discussed is a "Citizens" committee and is intended as an advisory body to the City Council and to the Rate Study Contractor, Raftelis. Since the Ad Hoc committee is advising the City Council, I think it is NOT appropriate to have a City Council Member as a member of the Ad Hoc committee. The Power of Position of a city council member gives the appearance of unequal standing or rank of the committee members. Eliminating elected officials from citizens committees enhances public trust between citizens and those elected officials. The proposed meeting schedule contained in the Raftelis Project schedule provides adequate City Council and Citizens Advisory Committee interaction without a need for a city council member to be on the Citizens Advisory Committee.
2. The Preferred Membership Composition wording makes it appear as if committee members are acting as lobbyists for the different interests. Again, this committee is titled a "Citizens" committee. The committee certainly benefits by having people knowledgeable about residential customers concerns as well as knowledge of the agricultural and hospitality industries. The constraints of determining an equitable rate structure are hopefully well understood by Raftelis, and the Citizens Committee should be assisting Raftelis by adding local knowledge. Lobbying for advantages of one group or another is not appropriate.

I would suggest the Proposed Membership Criteria and Preferred Membership Composition be revised to something like the following.

Proposed Membership Criteria:

1. Four of the members shall reside or own properties within the St. Helena city limits.
2. One of the members shall reside or own properties outside of the St. Helena city limits.
3. All members must reside, own properties, or own businesses within the boundaries of St. Helena's water and wastewater service area.

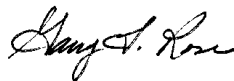
Preferred Membership Composition:

1. Two members at-large with general residential customer interests.
2. One member knowledgeable of the Hospitality Industry.
3. One member knowledgeable of the Agricultural and/or Winery Industries.
4. One member with demonstrated knowledge and/or expertise in finance, accounting, or engineering, and NOT associated with commercial water usage.

The above criteria and composition will enhance trust in the process from the citizens of St. Helena and help Raftelis and the St. Helena City Council establish equitable water rates that satisfy the Water and Wastewater customers.

Thank you for your consideration on this matter.

Best regards,

A handwritten signature in black ink, appearing to read "Garry L. Rose". The signature is fluid and cursive, with the first name "Garry" being more prominent.

Garry L. Rose P.E.