City of St. Helena
Regular City Council Meeting
Tuesday, September 10, 2024 @ 6:00 PM
Vintage Hall Board Room - Second Floor
465 Main Street, St. Helena

PLEASE NOTE: Any person who wishes to speak regarding an item on the agenda or make a comment under the "Oral Communication" portion of the agenda may do so, but please observe the time limit of four minutes. The Mayor may reduce the four minute time limit for all speakers in circumstances where a large number of citizens intend to make public comment.

Public comment **for meetings will be accepted via email to publiccomment@cityofsthelena.org. All public comments must be received three hours prior to the meeting. All other public comments received after the deadline will be attached to the item the next business day or soon thereafter. Public comments will not be read out loud but will be publicly available and attached to the on-line agenda.**

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/.

Page

1. CALL TO ORDER

2. ROLL CALL
   Mayor: Paul Dohring, Vice Mayor Eric Hall:, City Council Members: Anna Chouteau, Patrick Kenealy, Billy Summers

3. PLEDGE OF ALLEGIANCE

4. ADOPTION OF THE AGENDA

5. APPROVAL OF THE MINUTES

   Estimated start time: 6:05 p.m.

   5.1. Consideration and proposed approval of Special Meeting Minutes and Regular Meeting Minutes of August 27, 2024 — 9 - 17

   Special City Council - 27 Aug 2024 - Applicant Interviews - Minutes
   Regular City Council - 27 Aug 2024 - Minutes

6. PUBLIC FORUM:
   Members of the public are entitled to speak on matters of municipal concern not on the agenda during Public Forum. Each person's comments shall be limited to 4 minutes. Each person is entitled to speak on any non-agendized item only once at any meeting. Brief questions by Council Members for clarifications may be posed and answered, and Council Members may make requests that items be placed on future agendas, but in accordance with state law, no substantive discussion or action may take place unless and until the matter properly appears on the agenda.

   Estimated start time: 6:10 p.m.

7. 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.

Estimated start time: 6:20 p.m.

8. PRESENTATIONS AND PUBLIC RECOGNITIONS

8.1. Suicide Awareness Month Proclamation Presented to Mentis Napa's Center for Mental Health Services 19 - 22

Estimated start time: 6:25 p.m.
Proclamation
Suicide Prevention Conference Flyer

8.2. David Shew, Napa County Fire Administrator presentation on effects of fire and climate change 23 - 44

Estimated start time: 6:35 p.m.
Presentation - David Shew
Presentation - Fire Chief John Sorensen

9. STAFF BRIEFING

9.1. Presentation of Capital Improvement Program Project Update by Joe Leach, Public Works Director

Estimated start time: 6:45 p.m.

9.2. Water Quality Update by Joe Leach, Public Works Director 45 - 56

Estimated start time: 6:55 p.m.
Presentation

9.3. Review of City Budgetary and Related Fiscal Issues 57 - 84

Estimated start time: 7:05 p.m.

CEQA Determination: Not a CEQA project
Prepared By: April Mitts, Assistant City Manager
Recommendation:
Receive and file.
Staff Report - Pdf
Presentation

10. CONSENT ITEMS
Members of the Council or the public (present at the meeting) 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)

Estimated start time: 7:35 p.m.

10.1. Consideration and proposed adoption of a resolution (1) Approving temporary street closures; and (2) Authorizing possession of open alcoholic beverages on public streets and parking lots for the 2024 Harvest Festival. 85 - 88

CEQA Determination: Not a CEQA project
Prepared By: Dave Jahns, Director of Community Services
Recommendation:
Staff recommends City Council review and adopt the attached resolution.
Staff Report - Pdf

10.2. Consideration and proposed adoption of a resolution authorizing (1) a temporary street closure of Hunt Avenue from November 25, 2024 until January 3, 2025; and (2) possession of open alcoholic beverages on public streets on November 27, 2024 for the Holiday Wine Barrel Tree installation and lighting ceremony. 89 - 92

CEQA Determination: Not a CEQA project
Prepared By: Dave Jahns, Director of Community Services
Recommendation:
Staff recommends City Council review and adopt the attached resolution.
Staff Report - Pdf

10.3. Waive second reading and adoption of an Ordinance adding Sections 15.18.020 through 15.18.090 of the St. Helena Municipal Code Chapter 15, (Buildings and Construction) to reduce Greenhouse Gas Emissions and the impacts of climate change as discussed as directed by Council at the August 27, 2024 City Council meeting. 93 - 105

CEQA Determination: Exempt
Prepared By: Philip Henry, Chief Building Official
Recommendation:
Waive the second reading of the proposed adoption of the ordinance.
Staff Report - Pdf
Public Comment.Chris Warner
Public Comment.Chris Warner 2

10.4. Consideration and adoption of a Resolution: (1) Establishing R25-81 Downtown Sidewalk Paver Repair Project and Award the Project to TCW Concrete in the amount of $365,280; (2) Authorizing the City Manager to execute the Construction Contract with TCW Concrete; (3) Authorizing the Director of Public Works to approve Change Orders not to exceed 15% of the ontract amount; (4) Authorize a budget transfer from Fund 240 Measure T to Fund 741 Street Capital in the amount not to exceed $420,072, which includes the 15% contingency; and (5) 107 - 112

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

CEQA Determination: Class I Categorical Exemption under Section 15301 of CEQA
Prepared By: Mario Traverso, Project Manager
Recommendation:
Approve the Resolution
Staff Report - Pdf

11. PUBLIC HEARINGS

None

12. OLD BUSINESS

None

13. NEW BUSINESS

13.1. City Council requested information regarding Measure B - Informational Item 113 - 140

Estimated start time: 7:40 p.m.

CEQA Determination: Not a CEQA project
Prepared By: April Mitts, Assistant City Manager
Recommendation:
Receive and file.
Staff Report - Pdf
Public Comment.Tom Belt
Public Comment.Richard Seiferheld 1
Public Comment.Richard Seiferheld 2
Public Comment.Pat Dell
Public Comment.Kelly Wheaton
Public Comment.Julia Bolander
Public Comment.St Helena Citizens No on Measure B

13.2. Request by Fulton Junction Partners LLC for preliminary review of a proposed General Plan Amendment for the property located at 1030 Fulton Lane (APN 009-194-005). 141 - 170

Estimated start time: 8:15 p.m.

CEQA Determination: CEQA will be completed before formal adoption.
Prepared By: Aaron Hecock, Senior Planner
Recommendation:
The City Council should review the proposed General Plan Amendment application and either:

1. Authorize the application to be processed, referring the matter to the Planning Commission or
2. Direct staff to cease processing the application pursuant to St. Helena Municipal Code Chapter 17.06.

Staff Report - Pdf
Public Comment.Mary Stephenson
Presentation 1
Presentation 2

13.3. Consideration and Proposed Approval of: 171 - 199

1. Designating a Voting Delegate on Behalf of the City of St. Helena City Council; and
2. Designating Alternate Voting Delegates; and
3. The City Council authorizes the Voting Delegate and/or Alternate Voting Delegates to vote on any proposed resolution on behalf of the City at the League of California Cities Annual Conference Business Meeting.

Estimated start time: 8:30 p.m.

CEQA Determination: Not a CEQA project
Prepared By: Cindy Tzafopoulos, City Clerk
Recommendation:
Consideration and Proposed Approval of:

1. Designating a Voting Delegate on Behalf of the City of St. Helena City Council; and
2. Designating Alternate Voting Delegates; and
3. The City Council authorizes the Voting Delegate and/or Alternate Voting Delegates to vote on any proposed resolutions on behalf of the City at the League of California Cities Annual Conference Business Meeting.

Staff Report - Pdf

14. CITY COUNCIL REPORTS:

14.1. A. Association of Bay Area Governments (ABAG) - Executive Board

B. Association of Bay Area Governments (ABAG) - General Assembly

C. Napa Valley Tourism Corporation (Umbrella for Napa County)

D. League of California Cities – North Bay Division

E. Napa County City Selection Committee

F. Napa County Flood Control and Water Conservation District

G. Youth Opportunities Commission

H. Napa County Local Agency Formation Commission (LAFCO)

I. Napa Valley Transportation Authority (NVTA)

J. Napa County Watershed Information Center & Conservancy (WICC)

K. Upper Valley Waste Management Agency

L. Napa County Groundwater Sustainability Plan Advisory Committee

M. Napa County Regional Climate Action Committee

N. Council Ad Hoc and Standing Committee Reports

15. ADJOURNMENT

The next Regular City Council meeting is scheduled for September 24, 2024, at 6:00 p.m.

This agenda was posted at City Hall, 1088 College Avenue, and at Vintage Hall, 465 Main Street, St. Helena, California on September 5, 2024.

Cindy Tzafopoulos, City Clerk

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

CHALLENGING DECISIONS OF CITY ENTITIES

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

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

SUPPLEMENTAL MATERIAL RECEIVED AFTER THE POSTING OF THE

AGENDA

Any supplemental writings or documents distributed to a majority of the City Council regarding any item on this Agenda, after the posting of the Agenda, will be available for public review in the City Clerk's Office located at 1088 College 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.

MINUTES
City of St. Helena
Special City Council Meeting
Tuesday, August 27, 2024 @ 5:30 PM
Vintage Hall, 465 Main Street, First Floor, Wellness Center, St. Helena

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

Present: Mayor Paul Dohring, Vice Mayor Eric Hall, Council Member Anna Chouteau, Council Member Patrick Kenealy, and Council Member Billy Summers

Absent: None

1. CALL TO ORDER

2. ROLL CALL

3. ADOPTION OF THE AGENDA

3.1 Vice Mayor Eric Hall moved to adopt the agenda. The motion was seconded by Council Member Anna Chouteau and on roll call carried by the following vote:

AYES: Mayor Paul Dohring, Vice Mayor Eric Hall, Council Member Anna Chouteau, Council Member Patrick Kenealy, and Council Member Billy Summers
NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: None

4. PUBLIC COMMENT:

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

5. NEW BUSINESS:

5.1 The City of St. Helena received three applications for the Library Board of Trustees.

Library Board of Trustees

Janet Myers resigned on June 11, 2024 leaving one opening with an expiring term June 30, 2025.

Three applications were received from Hailey Covey, Jonathan Furuta and Nadia Torres.

Hailey Covey, Jonathan Furuta and Nadia Torres addressed the City Council.

6. ADJOURNMENT

Mayor Dohring adjourned the meeting at 5:53 p.m.

APPROVED: **ATTEST:**

_____ _____
Paul Jamison Dohring, Mayor Cindy Tzafopoulos, City Clerk

MINUTES
City of St. Helena
Regular City Council Meeting
Tuesday, August 27, 2024 @ 6:00 PM
Vintage Hall Board Room - Second Floor
465 Main Street, St. Helena

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

Present: Mayor Paul Dohring, Vice Mayor Eric Hall, Council Member Anna Chouteau, Council Member Patrick Kenealy, and Council Member Billy Summers

Absent: None

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. ADOPTION OF THE AGENDA

4.1 Vice Mayor Eric Hall moved to adopt the agenda. The motion was seconded by Council Member Anna Chouteau and on roll call carried by the following vote:

AYES: Mayor Paul Dohring, Vice Mayor Eric Hall, Council Member Anna Chouteau, Council Member Patrick Kenealy, and Council Member Billy Summers
NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: None

5. ADOPTION OF THE MINUTES

5.1 Consideration and proposed approval of Regular Meeting Minutes of August 13, 2024.

Vice Mayor Eric Hall moved to approve the Regular Meeting minutes of August 13, 2024 The motion was seconded by Council Member Anna Chouteau and on roll call carried by the following vote:

AYES: Mayor Paul Dohring, Vice Mayor Eric Hall, Council Member Anna Chouteau, Council Member Patrick Kenealy, and Council Member Billy Summers
NOES: None

ABSENT: None
ABSTAIN: None
RECUSE: None

6. PUBLIC FORUM:

No public comment was made.

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

City Attorney, Ethan Walsh noted there was no reportable action from the August 27, 2024 special City Council closed session meeting.

Reports were made by staff.

8. PRESENTATIONS AND PUBLIC RECOGNITIONS

None

9. STAFF BRIEFING

None

10. 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)

10.1 Consideration and Proposed Approval of a Resolution Establishing the 2025 Tax Rate for General Obligation Bonds.

CEQA Determination: Not a CEQA project
Prepared By: Mandy Kellogg, Administrative Services Director
Recommendation:
Staff recommends approval of the attached resolution.

10.2 Waiver of second reading and approval of an Ordinance amending and restating Chapter 12.08 of the St. Helena Municipal Code to clarify maintenance responsibility of property frontage debris, surveyor requirements and street repair responsibilities as discussed as directed by Council at the July 23, 2024 City Council meeting.

CEQA Determination: Exempt
Prepared By: Eric Janzen, Assistant Public Works Director

Recommendation:
Introduce and waive the second reading of the proposed revisions to the ordinance.

10.3 This item was pulled.
~~Proposed approval of a resolution authorizing Amendment #1 to the Professional Services Agreement with California Consulting in the amount of $25,000, for a total amount not-to-exceed of $50,000 to provide grant research and writing support on an as needed basis~~.

10.4 July 2024 Review and Forecasting of City Water Supply Availability.

CEQA Determination: Not a CEQA project
Prepared By: Ian Dale, Environmental Services Tech
Recommendation:
Receive and file.

Vice Mayor Eric Hall moved to approve Items 10.1, 10.2, and 10.4. The motion was seconded by Council Member Anna Chouteau and on roll call carried by the following vote:

AYES: Mayor Paul Dohring, Vice Mayor Eric Hall, Council Member Anna Chouteau, Council Member Patrick Kenealy, and Council Member Billy Summers
NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: None

10.3 Proposed approval of a resolution authorizing Amendment #1 to the Professional Services Agreement with California Consulting in the amount of $25,000, for a total amount not-to-exceed of $50,000 to provide grant research and writing support on an as needed basis.

CEQA Determination: Not a CEQA project
Prepared By: Mandy Kellogg, Administrative Services Director
Recommendation:
Staff recommends approval of the attached resolution.

Clarification was made on item.

No public comment was received.

Vice Mayor Eric Hall moved to approve Item 10.3. The motion was seconded by Council Member Anna Chouteau and on roll call carried by the following vote:

AYES: Vice Mayor Eric Hall, Council Member Anna Chouteau, Council Member Patrick Kenealy, and Council Member Billy Summers
NOES: Mayor Paul Dohring
ABSENT: None
ABSTAIN: None
RECUSE: None

11. PUBLIC HEARINGS

11.1 Introduction of Ordinance Adding Sections 15.18.020 through 15.18.090 of the St. Helena Municipal Code Chapter 15, (Buildings and Construction) to reduce Greenhouse Gas Emissions and the impacts of climate change.

CEQA Determination: This action is exempt from the requirements of CEQA under the "General Rule", Section 15061 (b) (3), in that it can be seen with certainty that no environmental impacts will result from this action; and Section 15273 given that CEQA does not apply to Rates, Tolls, Fares and Charges.
Prepared By: Philip Henry, Chief Building Official
Recommendation:
Introduce and waive the first reading of the proposed Ordinance to:

1. Find that the proposed addition of Sections 15.18.020 through 15.18.090 to the St. Helena Municipal Code Chapter 15 is exempt from CEQA pursuant to CEQA Guideline Section 15061(b)(3); and .
2. Add Sections 15.18.020 through 15.18.090 to the St. Helena Municipal Code Chapter 15.

Chief Building Official, Philip Henry reported on item.

Public Comment was made by Chris Warner.

Council Member Anna Chouteau moved to approve recommendation by staff to introduce and waive the first reading of the proposed Ordinance to:

1. Find that the proposed addition of Sections 15.18.020 through 15.18.090 to the St. Helena Municipal Code Chapter 15 is exempt from CEQA pursuant to CEQA Guideline Section 15061(b)(3); and .
2. Add Sections 15.18.020 through 15.18.090 to the St. Helena Municipal Code Chapter 15.

The motion was seconded by Council Member Billy Summers and on roll call carried by the following vote:

AYES: Mayor Paul Dohring, Council Member Anna Chouteau, Council Member Patrick Kenealy, and Council Member Billy Summers
NOES: Vice Mayor Eric Hall
ABSENT: None
ABSTAIN: None

RECUSE: None

12. OLD BUSINESS

13. NEW BUSINESS

13.1 Adopting a resolution appointing one applicant to the Library Board of Trustees to fill a vacancy

CEQA Determination: Not a CEQA project
Prepared By: Cindy Tzafopoulos, City Clerk
Recommendation:
Adopt a resolution appointing an applicant to the Library Board of Trustees.

No public comment was made.

Mayor Paul Dohring moved to adopt a resolution appointing Jonathan Furuta to the Library Board of Trustees. The motion was seconded by Vice Mayor Eric Hall and on roll call carried by the following vote:

AYES: Mayor Paul Dohring, Vice Mayor Eric Hall, Council Member Anna Chouteau, Council Member Patrick Kenealy, and Council Member Billy Summers
NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: None

Mayor Dohring called for a recess at 7:13 pm.

13.2 Review, Discussion, and Direction of Ad Hoc Water/Wastewater Exploratory Committee Recommendation to City Council.

CEQA Determination: Not a CEQA project
Prepared By: April Mitts, Assistant City Manager
Recommendation:
Review and discuss the WWE Committee recommendation and provide direction to staff.

Assistant City Manager, April Mitts reported on item.

Public Comment was received by Chris Warner, Gene Armsted, Kelly Wheaton and Garry Rose.

Council Member Kenealy made a motion to approve the formation of an Ad Hoc Committee comprised of Mayor Dohring and Council Member Summers to

work with staff to determine specific goals that a water/wastewater committee could be tasked with. The motion was seconded by Council Member Summers.

AYES: Mayor Paul Dohring, Council Member Anna Chouteau, Council Member Patrick Kenealy, and Council Member Billy Summers
NOES: Vice Mayor Eric Hall,
ABSENT: None
ABSTAIN: None
RECUSE: None

Previous to the motion, council had wide ranging discussions including the idea of a one year and two-year committee but no motion was made to create a WWE committee.

14. CITY COUNCIL REPORTS:

14.1 A. Association of Bay Area Governments (ABAG) - Executive Board

B. Association of Bay Area Governments (ABAG) - General Assembly

C. Napa Valley Tourism Corporation (Umbrella for Napa County)

D. League of California Cities – North Bay Division

E. Napa County City Selection Committee

F. Napa County Flood Control and Water Conservation District

G. Youth Opportunities Commission

H. Napa County Local Agency Formation Commission (LAFCO)

I. Napa Valley Transportation Authority (NVTA)

J. Napa County Watershed Information Center & Conservancy (WICC)

K. Upper Valley Waste Management Agency

L. Napa County Groundwater Sustainability Plan Advisory Committee

M. Napa County Regional Climate Action Committee

N. Council Ad Hoc and Standing Committee Reports

15. ADJOURNMENT

Mayor Dohring adjourned the meeting at 8:55 p.m.

CHALLENGING DECISIONS OF CITY ENTITIES

APPROVED: **ATTEST:**

_____ _____
Paul Jamison Dohring, Mayor Cindy Tzafopoulos, City Clerk

CITY OF ST. HELENA
PROCLAMATION

Suicide Prevention Month ~ September 2024

***WHEREAS*,** the Napa County Suicide Prevention Council (NCSPC), a public/private collaborative of people and organizations who are dedicated to reducing stigma around suicide, supporting those who have lost loved ones to suicide, identifying and advocating for resources and promoting a safe, connected and resilient community to reduce the risk of suicide; and

WHEREAS, in the last seven years NCSPC has worked tirelessly to reach their vision of a suicide-free community through education and training, stigma reduction, linkage to services, and provision of resources to combat suicide; and

***WHEREAS*,** from 2020-2022, the suicide rate in California was 10.7 deaths per 100,000 population and Napa County's was 11.9 deaths per 100,000 population, placing Napa County higher than the State average; and

***WHEREAS*,** in Napa County in Calendar Year 2023, residents between the ages of 18-35 had the highest suicide rate with 15 individuals who completed suicide. The most common mechanism for suicide was by firearms (40%) and hanging (40%); and

***WHEREAS*,** in Fiscal Year 23-24, the NCSPC published a 3-year Strategic Plan for Suicide Prevention which reflects the priorities, accomplishments, and needs for suicide prevention in Napa County. The NCSPC also trained 768 community members in the Question, Persuade, Refer model of suicide prevention; and

***WHEREAS*,** in partnership with Napa County Health and Human Services, the NCSPC organized and will host the first annual Suicide Prevention Conference on September 18, 2024 with the theme of Hope Beyond Darkness: Uniting for Suicide Prevention; and

***WHEREAS*,** every City of St. Helena resident can be an ally by knowing the signs of suicide, finding the words to communicate with someone they are concerned about, and reaching out to local resources for help.

NOW, THEREFORE, BE IT RESOLVED that I, Paul Jamison Dohring, Mayor of the City of St. Helena, along with the St. Helena City Council, do hereby proclaim ***September 2024 as Suicide Prevention Month.***

Dated: September 10, 2024

_____
PAUL JAMISON DOHRING, MAYOR
CITY OF ST. HELENA

Napa County Suicide Prevention Council

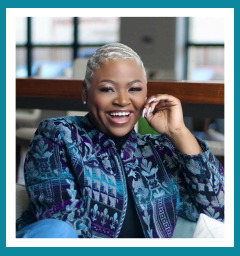
invites you to our first Suicide Prevention Conference:

Hope Beyond Darkness: Uniting for Suicide Prevention

September 18, 2024 ~ 9am-3:30pm

Napa Valley College Performing Arts Center

Join us for a day of learning, sharing, mutual support, and awareness-raising as we explore the complexities of suicide, reduce stigma around mental health issues, and provide practical tools and strategies for prevention, intervention, and postvention.



KEYNOTE SPEAKER

Candace Washington is the Founder and CEO of Restorative Minds Therapeutic & Wellness Services. She is a mother, licensed social worker, psychotherapist, author, minister, Veteran, and a Suicide Survivor. She will be sharing her message of hope and restoration, encouraging others to give tomorrow another chance.

BREAKOUT LEARNING OPPORTUNITIES

QPR Suicide Prevention Training ~ Reducing Access to Lethal Means for Those in Crisis

Supporting Youth Mental Health ~ How to Survive Suicide Loss, a panel presentation

A Faith Leader's Role in Suicide Prevention ~ Supporting the Mental Health of our Elders

Lunch will be Provided ~ Spanish Translation available

Tickets are $20 ~ Space is Limited ~ Please register here: https://bit.ly/SPC-24

We are committed to making sure this conference is accessible to everyone. Please reach out to Jeni Olsen at jolsen@mentisnapa.org about potential discount options.

mentis Napa's Center for Mental Health Services · KAISER PERMANENTE · NAPA COUNTY Health & Human Services Agency · NAPA COUNTY SUICIDE PREVENTION COUNCIL · NAPA VALLEY COLLEGE · Alaina's voice

Consejo de Prevención del Suicidio del Condado de Napa

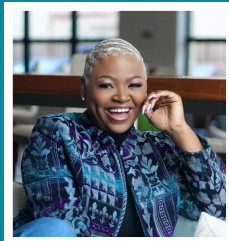
te invita a nuestra primera Conferencia de Prevención del Suicidio:

Esperanza Más Allá de la Oscuridad: Unidos para la Prevención del Suicidio

18 de septiembre de 2024 ~ 9 a. m. a 3:30 p. m.

Napa Valley College Performing Arts Center

Acompañanos para un día de aprendizaje, intercambio, apoyo mutuo y concientización mientras exploramos las complejidades del suicidio, reducimos el estigma en torno a los problemas de salud mental y brindamos herramientas y estrategias prácticas para la prevención, la intervención y la posvención.



ORADORA PRINCIPAL

Candace Washington es la fundadora y directora ejecutiva de Restorative Minds Therapeutic & Wellness Services. Es madre, trabajadora social con lícencia clinica, psicoterapeuta, autora, ministra, veterana y sobreviviente de suicidio. Ella compartirá su mensaje de esperanza y restauración, alentando a otros a darle al dia de mañana otra oportunidad.

OPORTUNIDADES DE APRENDIZAJE

Capacitación de PPR (QPR) para la Prevención del Suicidio ~ Reducción del Acceso a Medios Letales para Quienes se Encuentran en Crisis ~ Apoyando la Salud Mental de los Jóvenes

Cómo Sobrevivir a la Pérdida por Suicidio, una Presentación de Panel

El Papel de un Líder Religioso en la Prevención del Suicidio ~ Apoyando la Salud Mental de Nuestros Mayores

Se proporcionará almuerzo ~ Traducción al español estara disponible

Las entradas cuestan 20 dólares. El espacio es limitado. Regístrese aquí: https://bit.ly/SPC-24

Nos comprometemos a garantizar que esta conferencia sea accesible para todos. Comuníquese con Jeni Olsen a jolsen@mentisnapa.org para obtener información sobre posibles opciones de descuento.

mentis Napa's Center for Mental Health Services · KAISER PERMANENTE · NAPA COUNTY Health & Human Services Agency · NAPA COUNTY SUICIDE PREVENTION COUNCIL · NAPA VALLEY COLLEGE · Alaina's voice

WILDFIRE IMPACTS TODAY

PREVENTION PROJECTS WORK!

Presented By:

David Shew, Napa County Fire Administrator

LAHIANA, HAWAII – AUGUST 8, 2023

The “Miracle House” of Lahaina

Really???

Why did this house survive?



BOTANIA NEIGHBORHOOD, QUILPUE, CHILE FEBRUARY 2-3, 2024





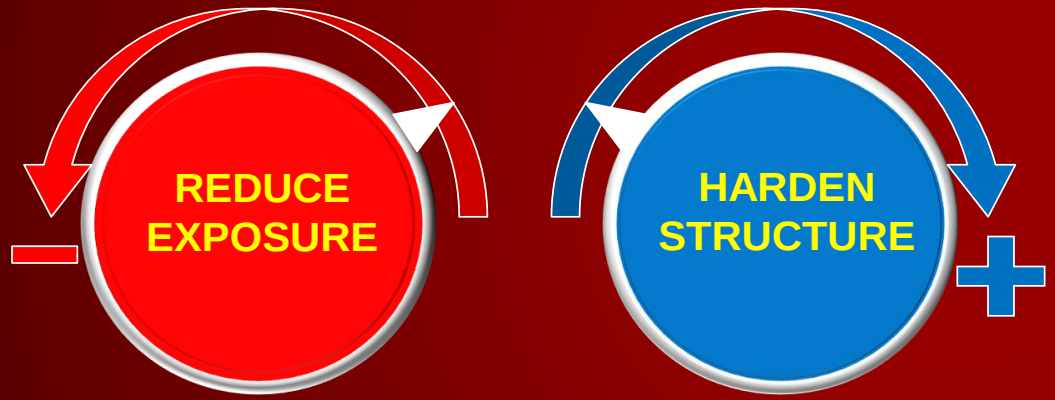
The Botania neighborhood of Quilpué, Chile, was protected by a pilot fireproofing program with funding support from USAID. (Sebastian Helena)

DEFENSIBLE SPACE – GLASS FIRE



HAZARD MITIGATION TECHNOLOGY TO BREAK THE PATH OF FIRE SPREAD

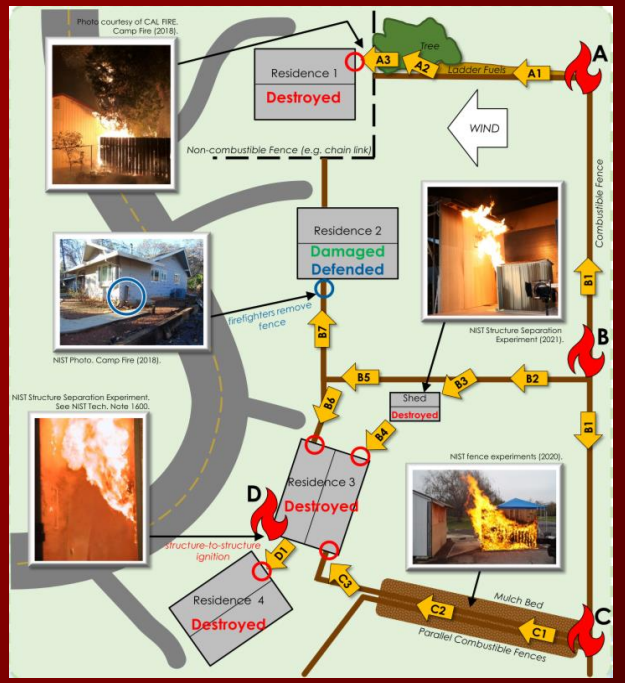
HAZARD MITIGATION METHODOLOGY



- Remove Fuels
- Reduce Fuels
- Relocate Fuels

- Fire Resistant Design
- Community Design
- Ignition/Fire Spread Resistant Material
- Active Systems

BREAK THE IGNITION PATHWAY



SOURCE: NIST

A VISION FOR FIRE RESILIENCY IN NAPA COUNTY

FIRE ADMINISTRATION

MAY 7, 2024




A VISION OF THE FUTURE
RSG 3-D
70
100
100
Aiston Park
Redwood Rd
Partrick Rd
Browns Valley West
Browns Valley South
Henry Rd
Congress Valley Rd

THE PLAN – HOW WE CAN GET THERE

NFPA | OUTTHINK WILDFIRE
WILDFIRE ACTION POLICIES

1. Require all homes and businesses in the WUI to be ignition resistant
2. Current codes and standards, as well as sound land use practices, must be in use and enforced
3. Fire departments for communities in the WUI must be prepared to respond safely and effectively to wildfire
4. Government must increase resources for vegetative fuel management
5. The public must understand their role and take action in reducing wildfire risk

THE PERFECT PLAN FOR OUR FUTURE!!!!!



New Construction Materials, Methods, and Practices



RSG 3-D – New Construction Panel
Bushfire Mesh – Restricts Ember Intrusion
Others



Firewise USA Program – NFPA
Wildfire Prepared Home – IBHS
Land Use Planning Efforts

TOGETHER, WE CAN CHOOSE TO BUILD A MORE FIRE RESILIENT FUTURE FOR NAPA COUNTY!

Thank you!



Actions Taken by The City of St. Helena

- **Wildland Urban Interface (WUI)**
  Policy change 2023
- Vegetation removal requirements increased from 100’ to 150’ from all structures
- Grasses cut below 4” within 150’ from all structures

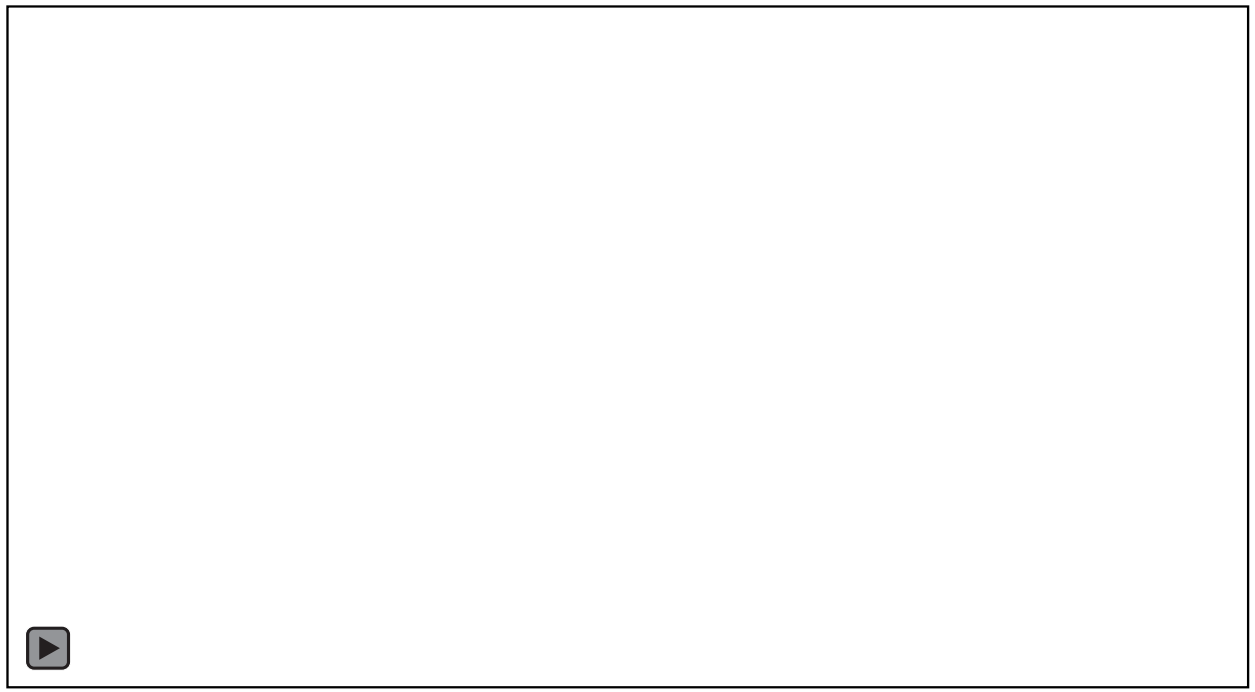
- **City Policy (Valley Floor)**
- All dead, dying, and decaying vegetation removed
- All annual grasses cut below 4”
- Public Education

Fuel Load

- Grass
- Brush
- Timber



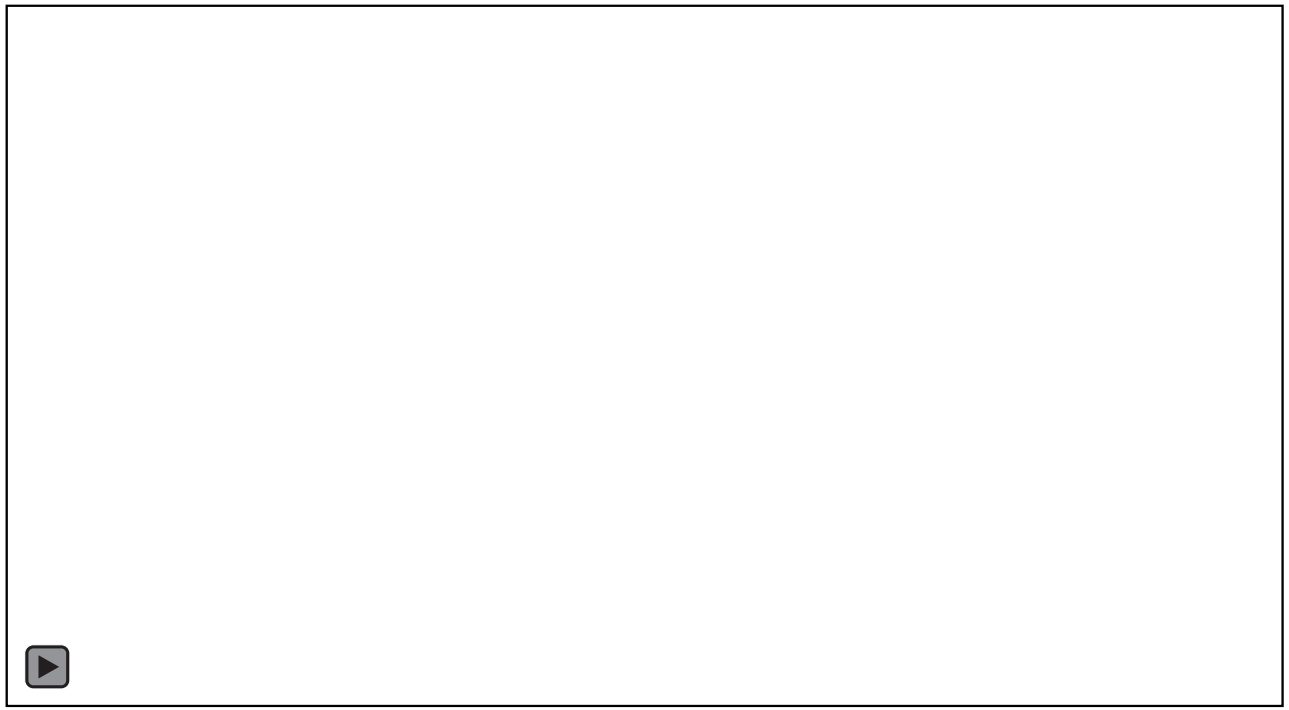
Water Treatment Plant
(Parking lot)
Glass Fire 2020



Water Treatment Plant

(Backside)

Glass Fire 2020



Arundo Bamboo

- Minimal existence in Vineyard Valley area
- Napa Valley flood control continues eradication
- Minimal threat to St. Helena





DEFENSIBLE SPACE COST SHARE

Improve your home's wildfire resiliency with 50% cost-share, up to $3,500 in reimbursements.

STEPS TO PARTICIPATE:

- Complete interest form
- Schedule your free assessment
- Select eligible projects
- Get pre-approved for funding
- Complete the work professionally
- Get reimbursed

LIMITED FUNDING AVAILABLE

SECURE YOURS TODAY

Spread the word. Your house is only as safe as your community.

Scan QR Code to learn more!

napafirewise.org/dspace

dspace@napafirewise.org

NAPAFIREWISE



COMPARTA LOS COSTOS PARA SU ESPACIO DEFENDIBLE

Aumente la resiliencia de su hogar ante los incendios forestales con 50% de costos compartidos y hasta $3,500 de reembolso.

PASOS PARA PARTICIPAR:

- Complete el formulario de interés
- Programe su evaluación gratuita
- Seleccione proyectos elegibles
- Obtenga la preaprobación para la financiación
- Complete el trabajo de manera profesional
- ¡Obtenga su reembolso!

HAY FINANCIAMIENTO LIMITADO DISPONIBLE

ASEGURE EL SUYO HOY MISMO

Corra la voz. Su casa sólo es tan segura como su comunidad.

¡Escanee para obtener más información!

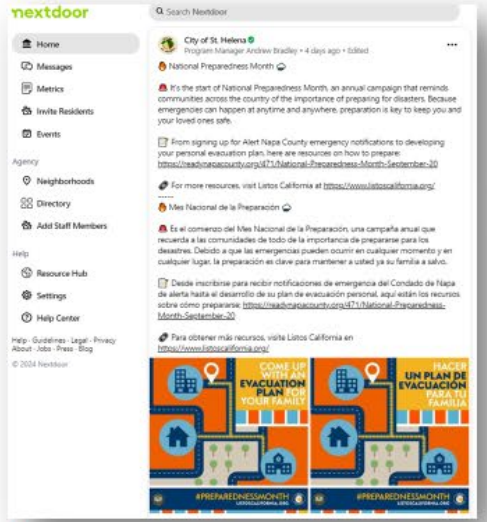
napafirewise.org/dspace

dspace@napafirewise.org

NAPAFIREWISE

Communications

- City Newsletter
- Community Alerts
- Social Media
  - Facebook
  - Instagram
  - X (Twitter)
  - Threads
  - LinkedIn
  - Nextdoor
  - YouTube
- News Media
- Evacuation Drills






ST. HELENA STAR

Hundreds participate in St. Helena evacuation drill

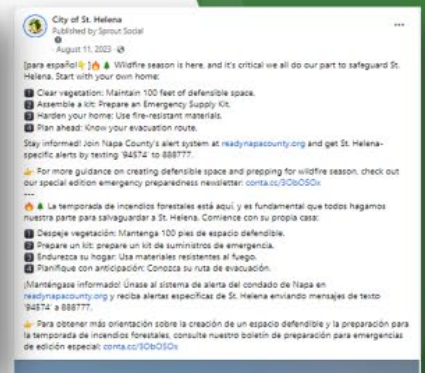
STAR STAFF | Updated Aug 9, 2024

More than 400 people in 172 cars participated in an evacuation drill on Wednesday, June 19.















EVACUATION DRILL

Wednesday, September 25
5 PM to 6:30 PM

Homes and Businesses **EAST** of Main Street

- ☑ **Emergency Alerts will be used (texts, emails)**
- ☑ **Police Department will use Hi-Lo Sirens**
- ☑ **Go to St. Helena City Hall (1088 College Ave)**
- ☑ **Community participation encouraged, but not required**

All participants get ice cream



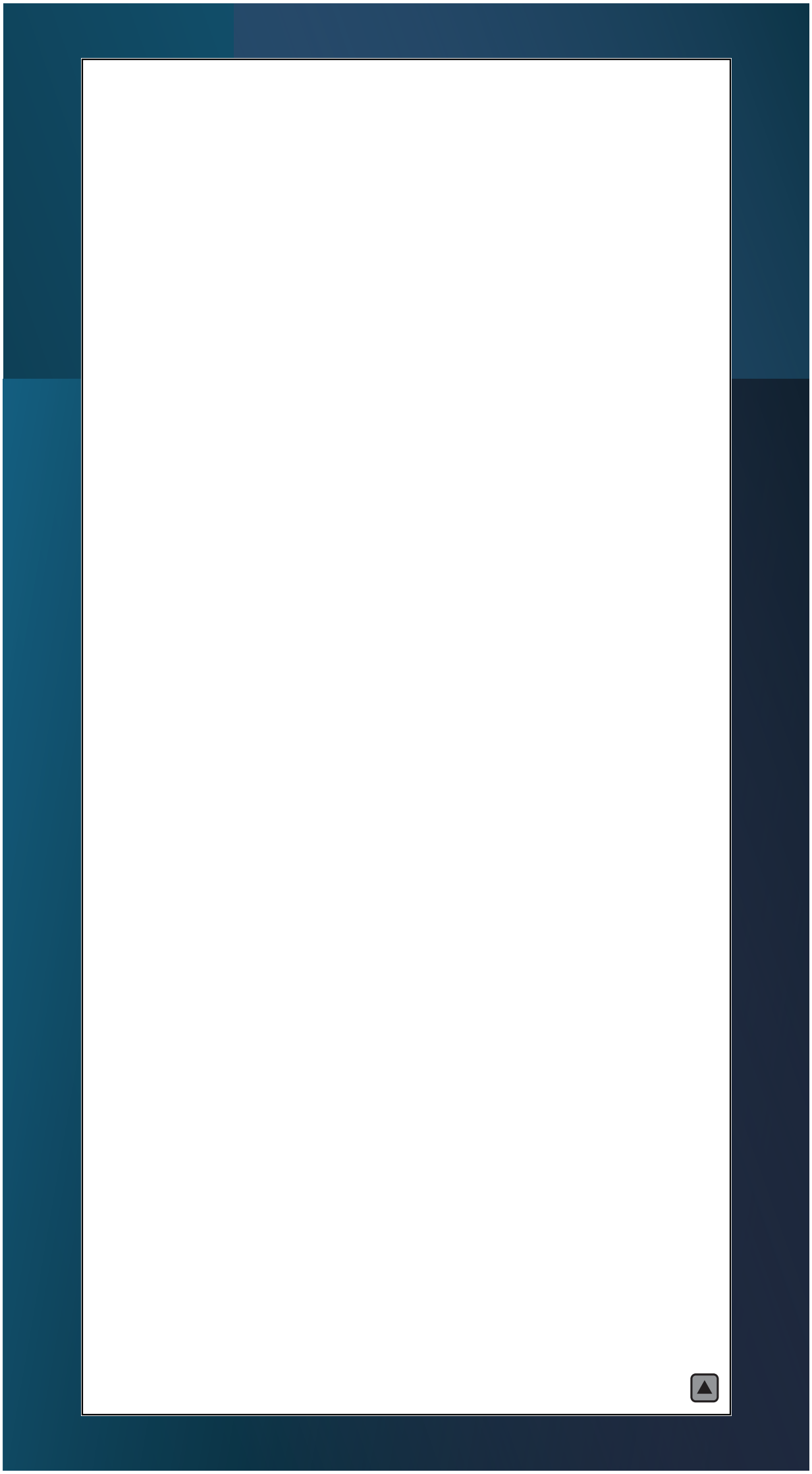
SIMULACRO DE EVACUACIÓN

miércoles 25 de septiembre
5 PM to 6:30 PM

Hogares y negocios al **ESTE** de Main Street

- ☑ **Se utilizarán alertas de emergencia (textos, correos electrónicos)**
- ☑ **El Departamento de Policía utilizará sirenas Altas-Vajas**
- ☑ **Ir al ayuntamiento de St. Helena (1088 College Ave)**
- ☑ **Se fomenta la participación de la comunidad, pero no es obligatoria.**

Todos los participantes reciben helado




Emergency
Warning
System

Water Quality Update

September 10, 2024

Water Quality Efforts

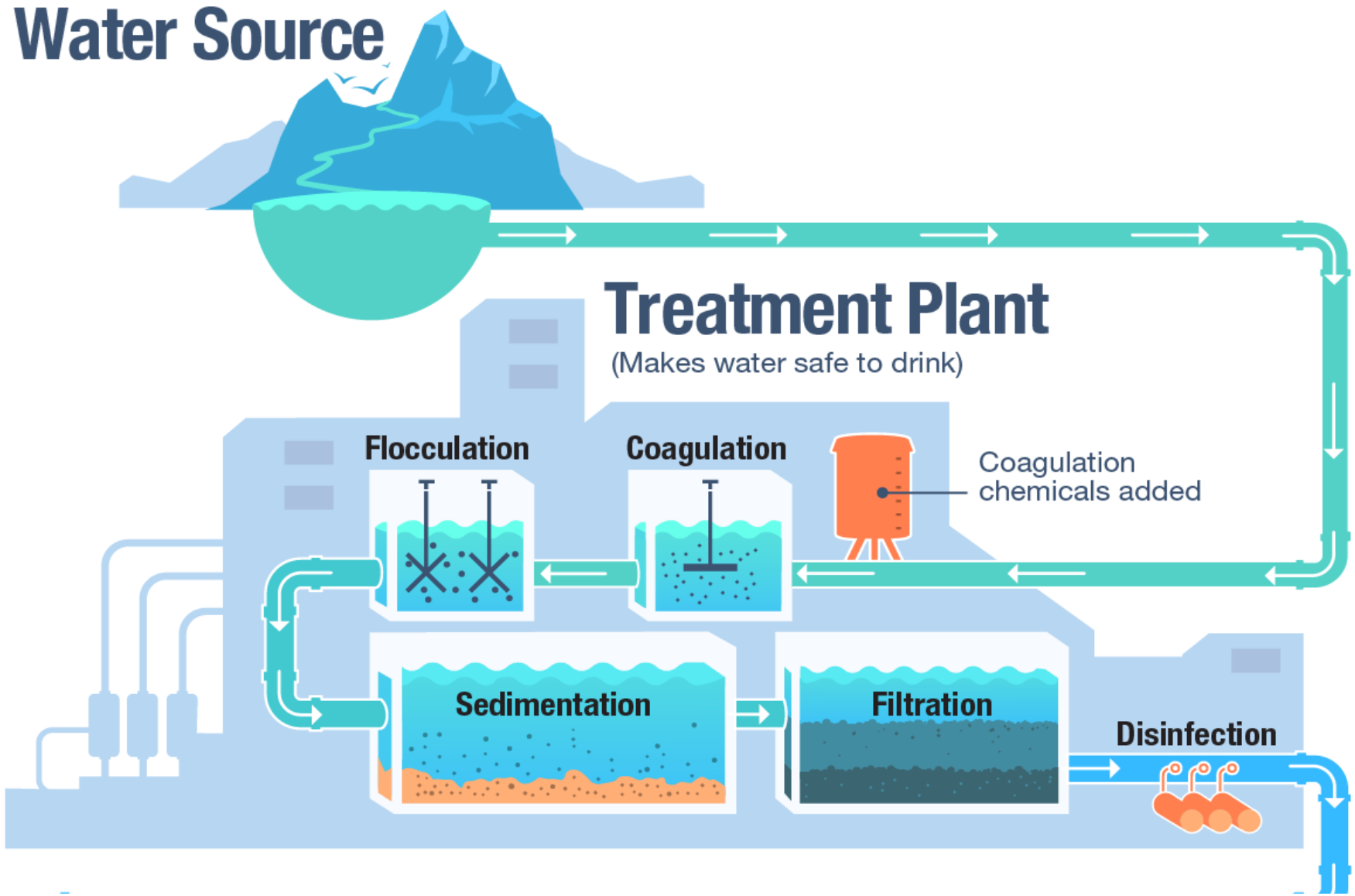
Safe? Yes.



Water Quality Efforts

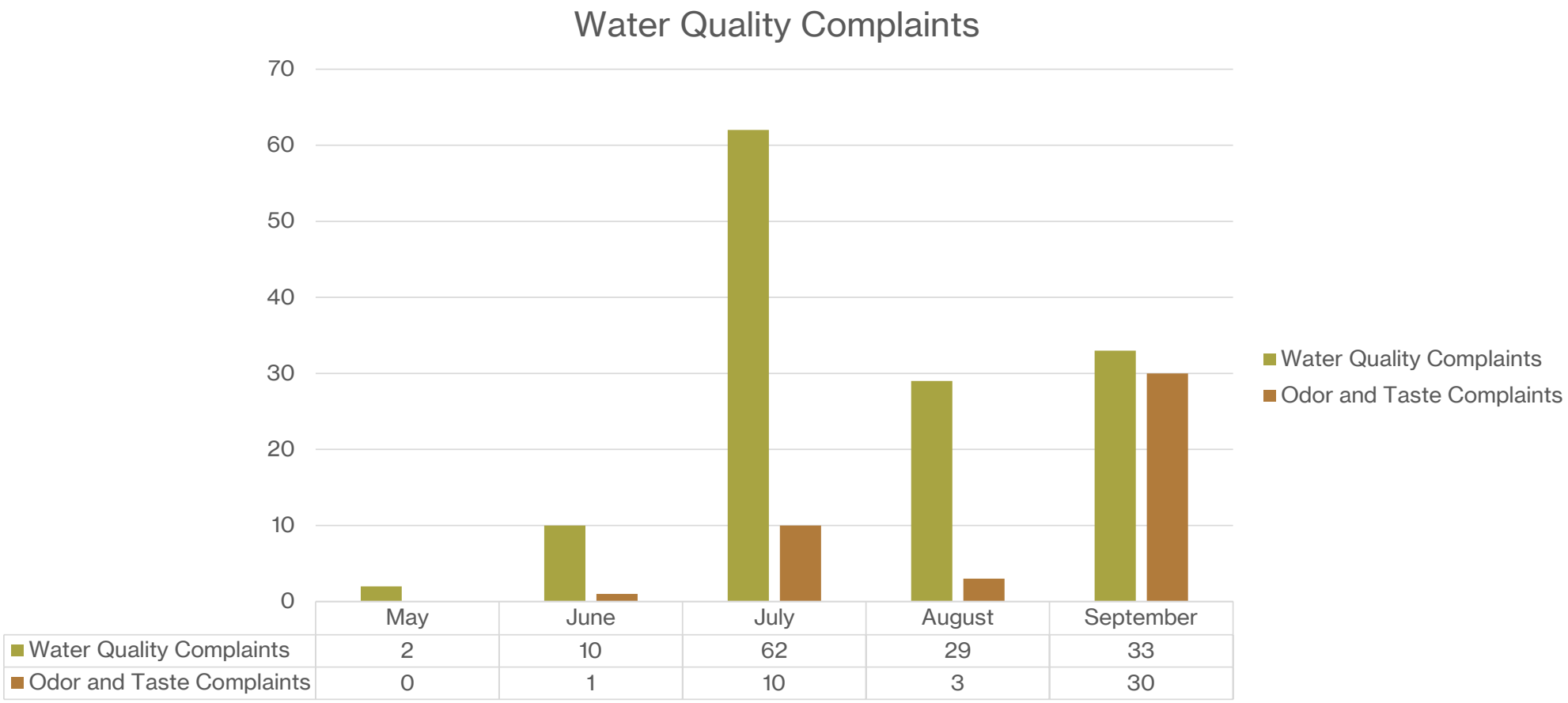
Acceptable? No.




Water Source
Treatment Plant
(Makes water safe to drink)
Flocculation
Coagulation
Coagulation chemicals added
Sedimentation
Filtration
Disinfection


Community
Utility delivers water
to the community

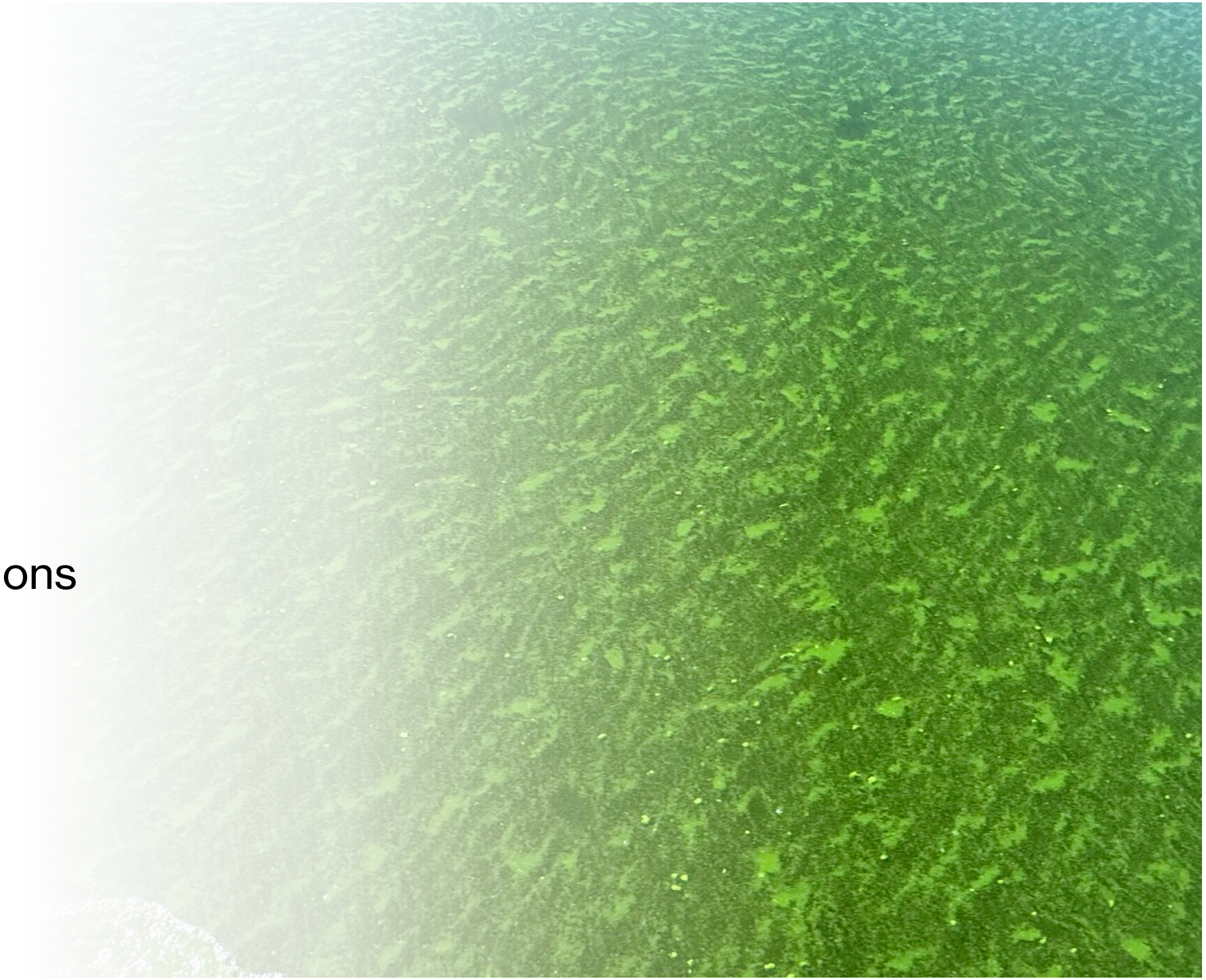
Trends



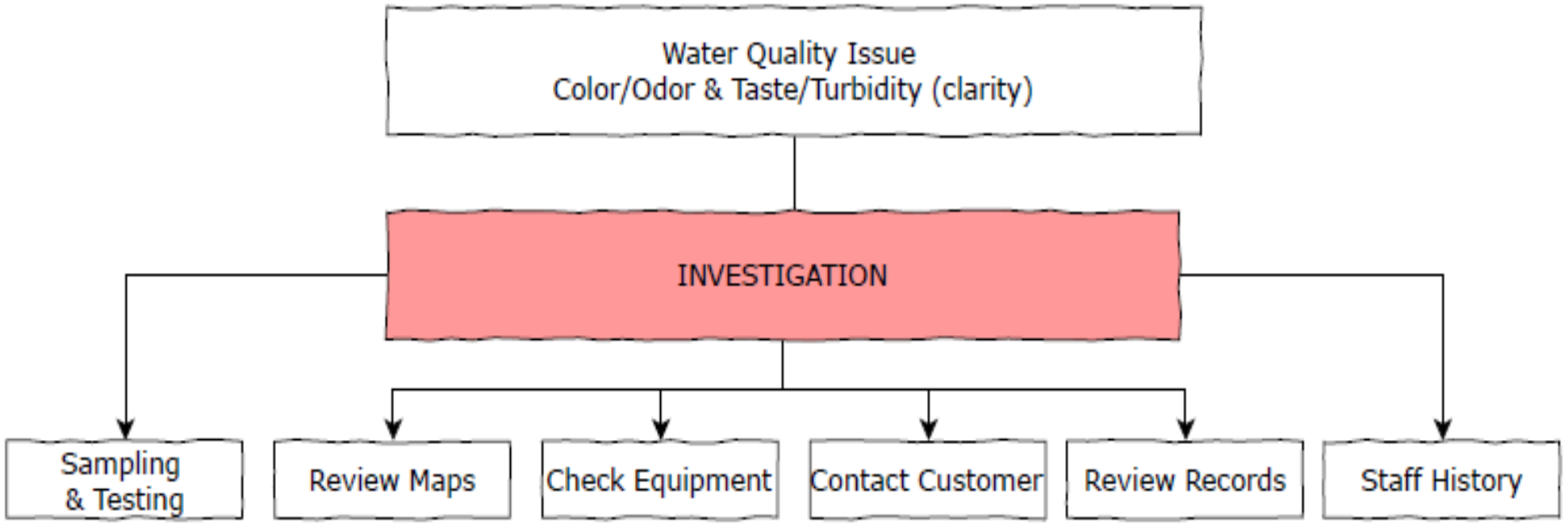
	May	June	July	August	September
Water Quality Complaints	2	10	62	29	33
Odor and Taste Complaints	0	1	10	3	30

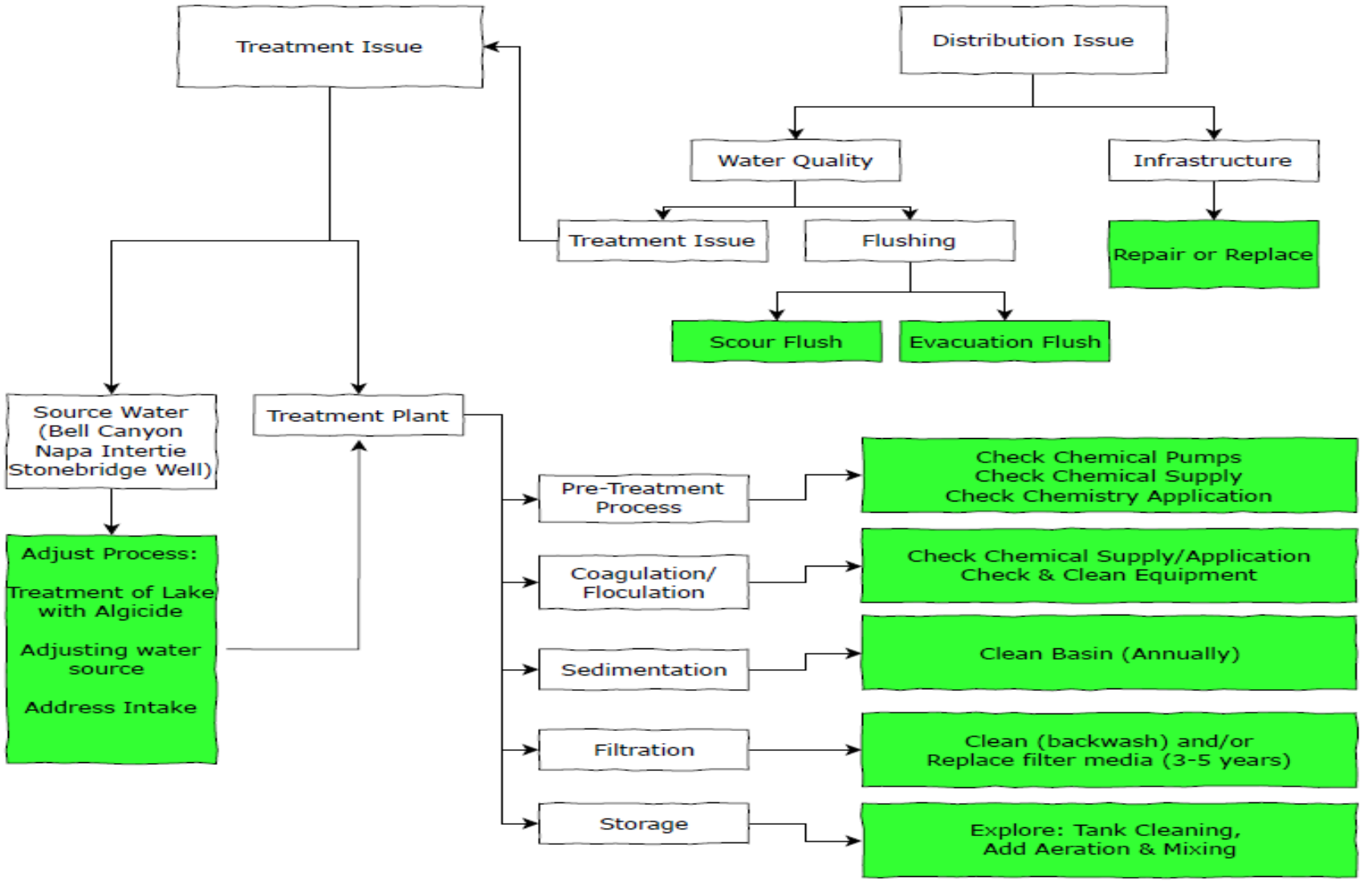
Water Quality Issue Contributors

- Source Water
- Infrastructure
- Maintenance & Operations



Systematic Approach




Treatment Issue
Distribution Issue
Water Quality
Infrastructure
Treatment Issue
Flushing
Repair or Replace
Scour Flush
Evacuation Flush
Source Water (Bell Canyon Napa Intertie Stonebridge Well)
Treatment Plant
Adjust Process:
Treatment of Lake with Algicide
Adjusting water source
Address Intake
Pre-Treatment Process
Coagulation/ Floculation
Sedimentation
Filtration
Storage
Check Chemical Pumps
Check Chemical Supply
Check Chemistry Application
Check Chemical Supply/Application
Check & Clean Equipment
Clean Basin (Annually)
Clean (backwash) and/or
Replace filter media (3-5 years)
Explore: Tank Cleaning,
Add Aeration & Mixing

Water Projects Initiated

Project	Status
Water Tank 2 Rehabilitation (W-101)	PSA Engaged, Inspection complete, Plans at 90%
Water Hydraulic Model (W24-10)	PSA Engaged, in process
Bell Canyon Dam Geotechnical Analysis & Seismic Retrofit (W18-120)	PSA Engaged, in process
Smart Meter Replacement Project (W24-04)	PSA Engaged, Council Approved purchase, In process
Napa Intertie Pump Station (W24-04) & Pipeline (W25-01) Replacement	PSA Engaged, in process
Bell House Valve Replacement (W-85)	Fiscal Year 26-27 Project
Water System SCADA Improvements (W18-113)	PSA Engaged, Work starts August 24
Bell Canyon Phreatic Surface Monitoring & Assessment (W18-120)	In process
Water Treatment Plant Condition Assessment (W18-111)	In Design – Estimated completion September ‘24
Kearney Andrea Water Main Replacement (W21-01)	Completed
Safe Yield Policy and Water Neutrality Policy Update (W24-08)	PSA Engaged, in process
Bell Canyon Intake Tower Replacement (W-109)	PSA Engaged, in process

Water Quality Enhancement Efforts

- Extensive list of Water Capital Improvement Projects **In Process**
- Meeting with State Regulators for approved process modifications
- Exploring & testing for modified treatment processes
- Contacting Consultants, Professionals & Regulators
- Discharging and flushing tank water when past retention
- Citywide hydrant flushing to remove problematic water
- Repair of equipment (Chlorine pump, activated carbon pump, etc)
- Exploring aeration and mixers for tanks for increased retention
- Exploring alternative equipment for improved quality and consistency
- Continuing to test and monitor for safety and compliance

Water Quality Efforts

It’s not enough.
We will do better.



Agenda Report to the City Council

Agenda Section: STAFF BRIEFING

Department: Finance

DATE:	September 10, 2024
FROM:	April Mitts, Assistant City Manager
SUBJECT:	Review of City Budgetary and Related Fiscal Issues
RECOMMENDED ACTION:	Receive and file.
PREVIOUS COUNCIL ACTION:	At the August 27, 2024 City Council meeting, Vice Mayor Hall suggested the formation of a Finance Committee. In the subsequent discussion, council agreed that it would be helpful to have staff provide a briefing on the City's current financial condition.
STATEMENT OF THE PURPOSE:	Provide financial information to the City Council.
FINANCIAL IMPACT:	None.

BACKGROUND:
On May 28, 2024, staff presented to the City Council the FY 2023-24 and 2024-25 Mid-Cycle Budget report.

Since that time, there has been an increased interest in the community regarding the financial issues the City is facing. At the August 27, 2024 City Council meeting, staff was directed to bring back an updated presentation on the City's finances.

DISCUSSION:
City staff will be making a presentation.

ENVIRONMENTAL REVIEW:
None.

GOAL:

Goal 1: Strengthen Financial Sustainability
Goal 4: Provide Effective Community Information & Opportunities for Engagement

City of St. Helena City Council Financial Update

September 10, 2024

Long-Range Financial Needs: 20-year

Total Estimated Need*	Total Estimated Revenues	Estimated 20-Year Shortfall
$330 M	$118 M	$212 M

*Source Documents

- FY 24-28 adopted CIP
- PTAP 24 Report
- ADA Transition Plan
- General Plan
- 2017 Facilities Needs Assessment (escalators applied)
- 2020 Financing Civic Infrastructure Task Force (escalators applied)
- SHAPE committee Final Report (includes EMG Reports)
- FY 23 Water and Wastewater Rate Study
- 2021 20-year Integrated Utility Mater Plan
- Risk & Resilience Assessment
- Staff input

20-Year Comprehensive List: Updated 04.08.24

Long-Range Financial Needs: 20-year

INCLUDES (to name a few)

- Pavement Restoration, increase from 53 to 78
- Bridge Enhancements (Oak/Grayson, Adams/Silverado Trail, and Pratt)
- Downtown Sidewalks Phase I
- Permanent City Hall ($15 million)
- ADA Transition Plan
- Vehicle Replacement
- Equipment Replacement
- WWTP/Napa River Embankment Rehabilitation
- Groundwater Recharge Study
- Stormwater Systems Improvements

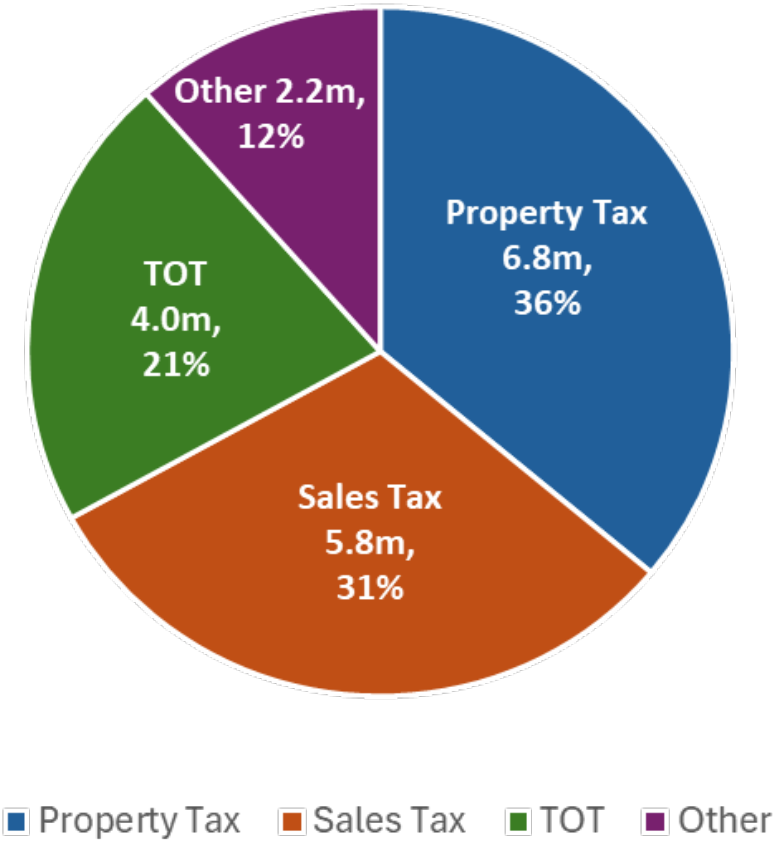
DOES NOT INCLUDE (to name a few)

- Downtown Sidewalks Phase II
- New Bridge (Pope Street to Silverado Trail)
- Misc. Road Connections/Extensions
- Off Street Parking
- Parks & Recreation Facilities
- Park Upgrades (to be identified in the Parks Master Plan)
- CalPERS Unfunded Liability
- Install renewal energy systems at City facilities
- Misc. Items identified in the General Plan
- Sites for future public use

20-Year Comprehensive List: Updated 04.08.24

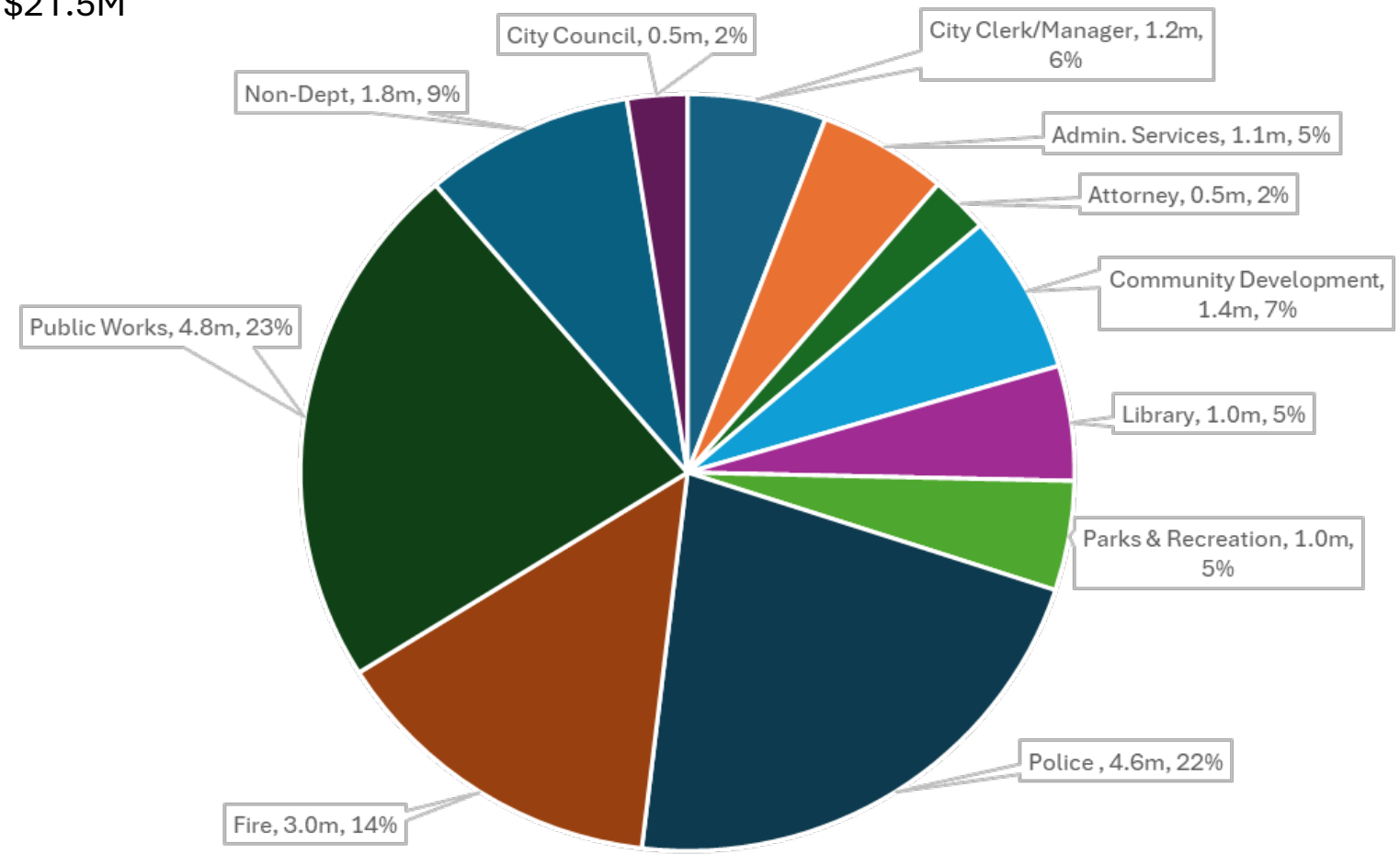
FY 25 General Fund Projected Revenues

Total revenue: $18.7M

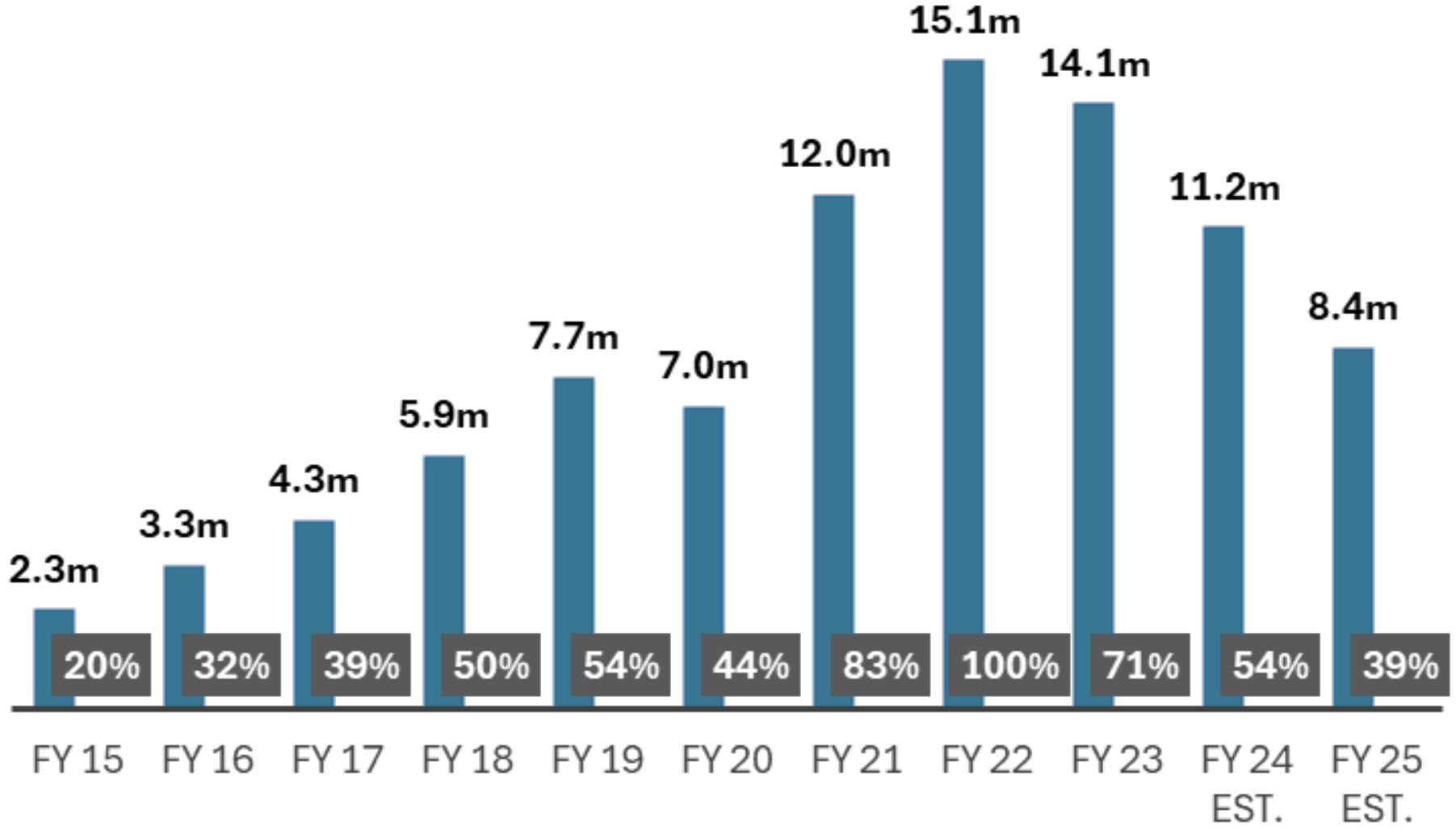


FY 25 General Fund Projected Expenses

Total expenses: $21.5M

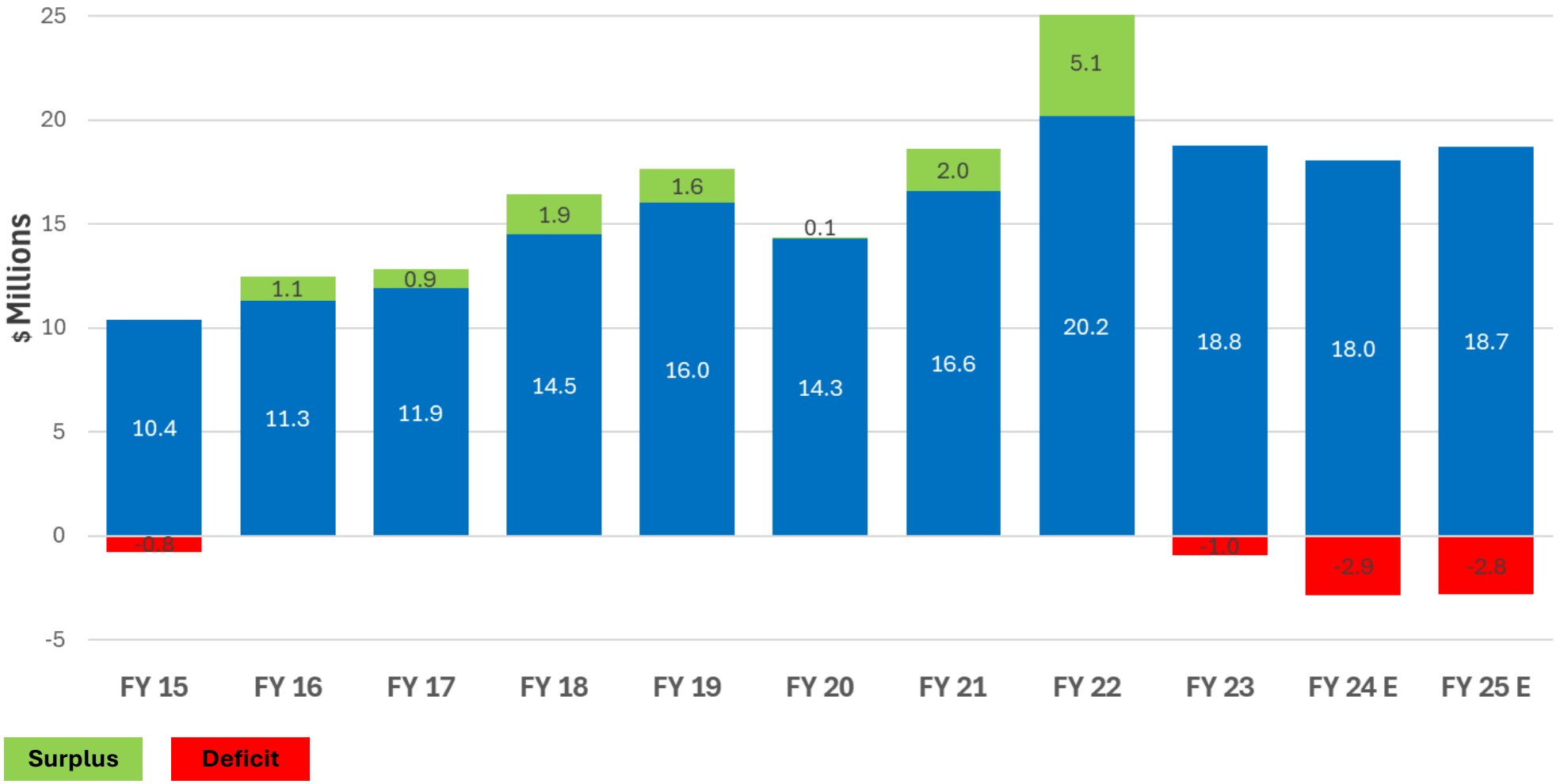


FY25 General Fund Budget – Reserve Levels



Updated: Mid-Cycle Budget Report May 2024

Our Fiscal History



One-Time Expenditures and Net Expenditures

As of May 2024	FY23	FY 24	FY25
Budgeted Expenses	$18.65 M	$22.54 M*	$21.53 M
Budgeted Revenues	$17.29 M	$18.27 M	$18.71 M
Difference	**($1.36 M)**	**($4.27 M)**	**($2.82 M)**
% Reserves**	65%	46%	**31%**
$ Reserves	$13.08 M	$9.53 M	$6.71 M

As of September 2024	FY 23 – Actuals	FY 24 – Adjusted	FY 25 – Adjusted
Estimated Expenses	$19.72 M	$20.91M*	$21.53 M
Estimated Revenues	$18.77 M	$18.03 M	$18.71 M
Difference	**($0.95 M)**	**($2.88 M)**	**($2.82 M)**
1x Expenditures	$2.13 M	$1.64 M	$1.09 M
% Reserves**	71%	54%	**39%**
$ Reserves	$14.08 M	$11.20 M	$8.37 M

*Includes Purchase Order Roll Overs
**City Council Reserve Policy – 30% | GFOA Recommended Minimum Reserve – 17%

One-Time Expenditures

FY23	
Description	**Amount**
Public Works Vehicle Replacement	550,000
NVC Tenant Improvements	500,000
Street Paving - CIP Contribution	500,000
Public Works Bucket Truck	160,000
Replenish Equipment Replacement Fund	100,000
Parks - Large Equipment Replacement	83,000
Website & Communications Assistance	50,000
Oak Avenue & College Avenue Interim Street Improvements	50,000
Vegetation Management - FEMA Match	40,750
Vegetation Management Supplement	35,000
Replacement Police Vehicles Outfitting	25,000
Police Scanning Services	25,000
Permitting Software Selection	6,700
Total	**2,125,450**

* City Council Reserve Policy – 30% | GFOA Recommended Minimum Reserve – 17%

Future Risks to General Fund

- Loss of Vehicle License Fee (VLF)
  - Estimated as early as FY 26
  - Approximately $1 million loss per year in General Fund Revenue

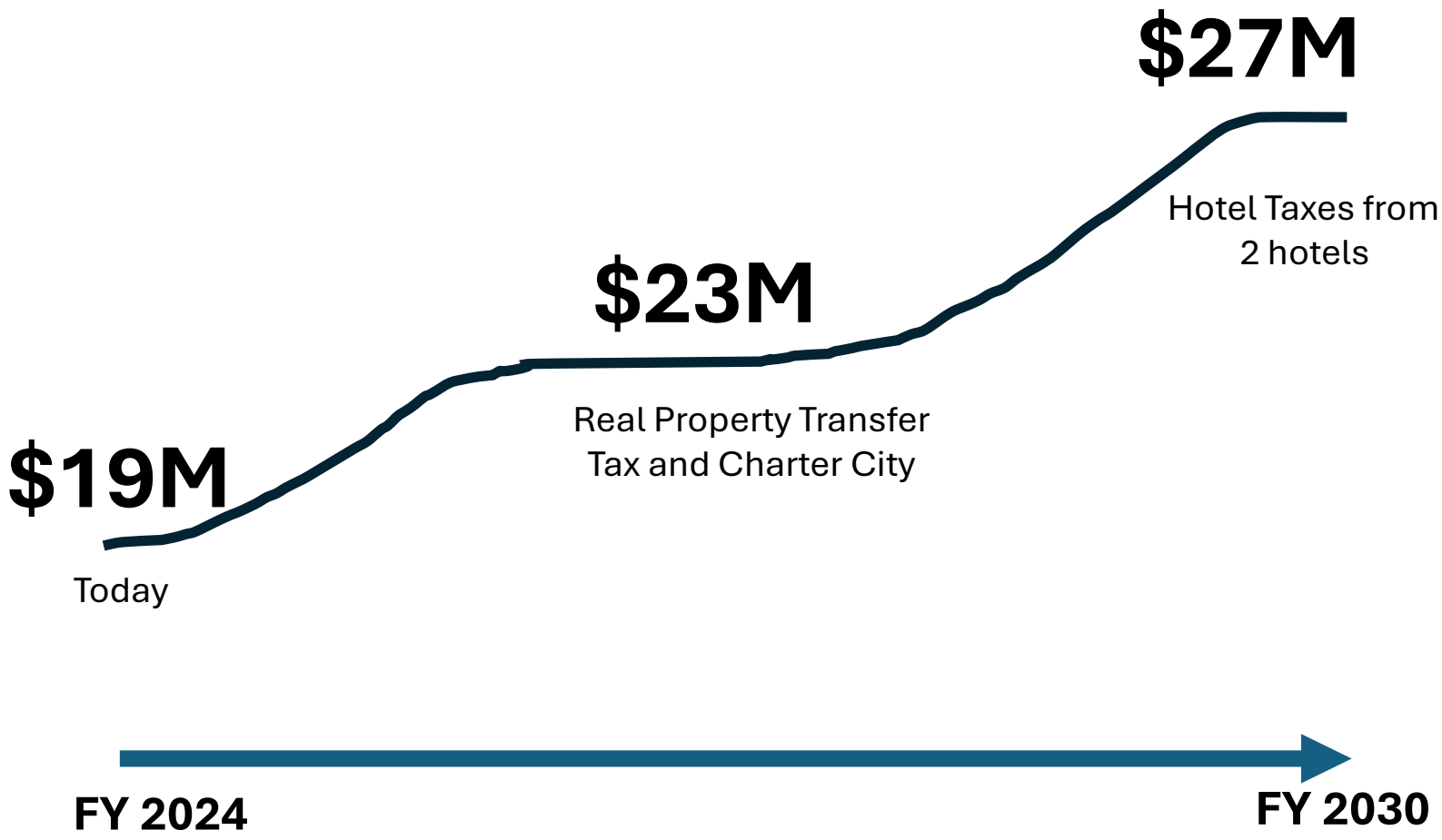
- Decline in Sales Tax Projections

- Wine Industry Revenue Outlook (Fortune.com 5/17/24)
  - Wine Consumption is down 8.7% as of 2023

What has been done the past 2 years

- Independent Review of City Finances and LRFF (Baker Tilly)
  - Evaluated Budget Cutting Options
  - Evaluated Revenue Generating Options
- Explored Shared Services Agreements
- Initiated Sale of City Surplus Properties
- Increased User Fees and Impact Fees
- Implemented 5 Software Systems for Efficiency
- Transparent Discourse about City Finances

Revenue Recovery Plan



General Fund Revenues



Property Tax Allocation

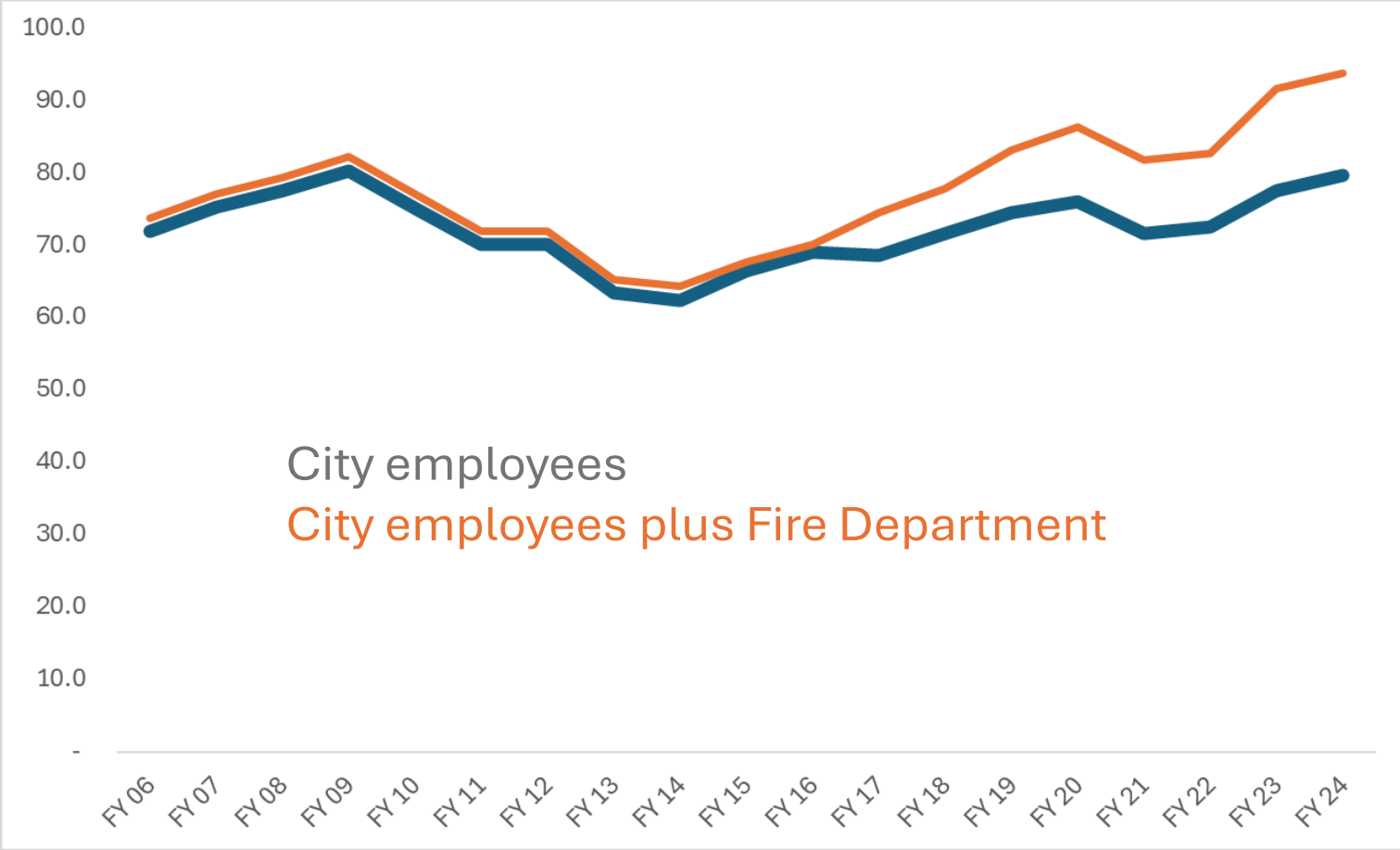


Sales Tax Allocation

FY 25 Up Valley Estimated Revenues

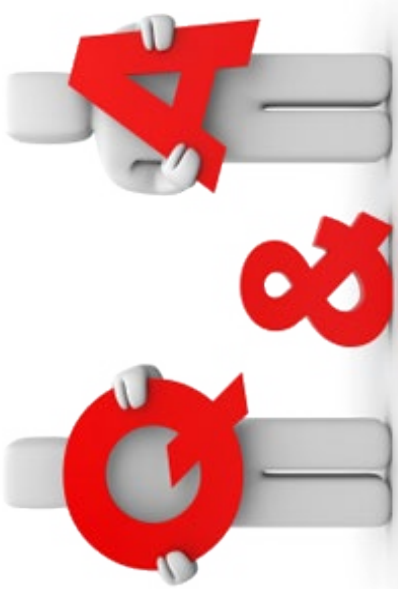


Historical Headcount

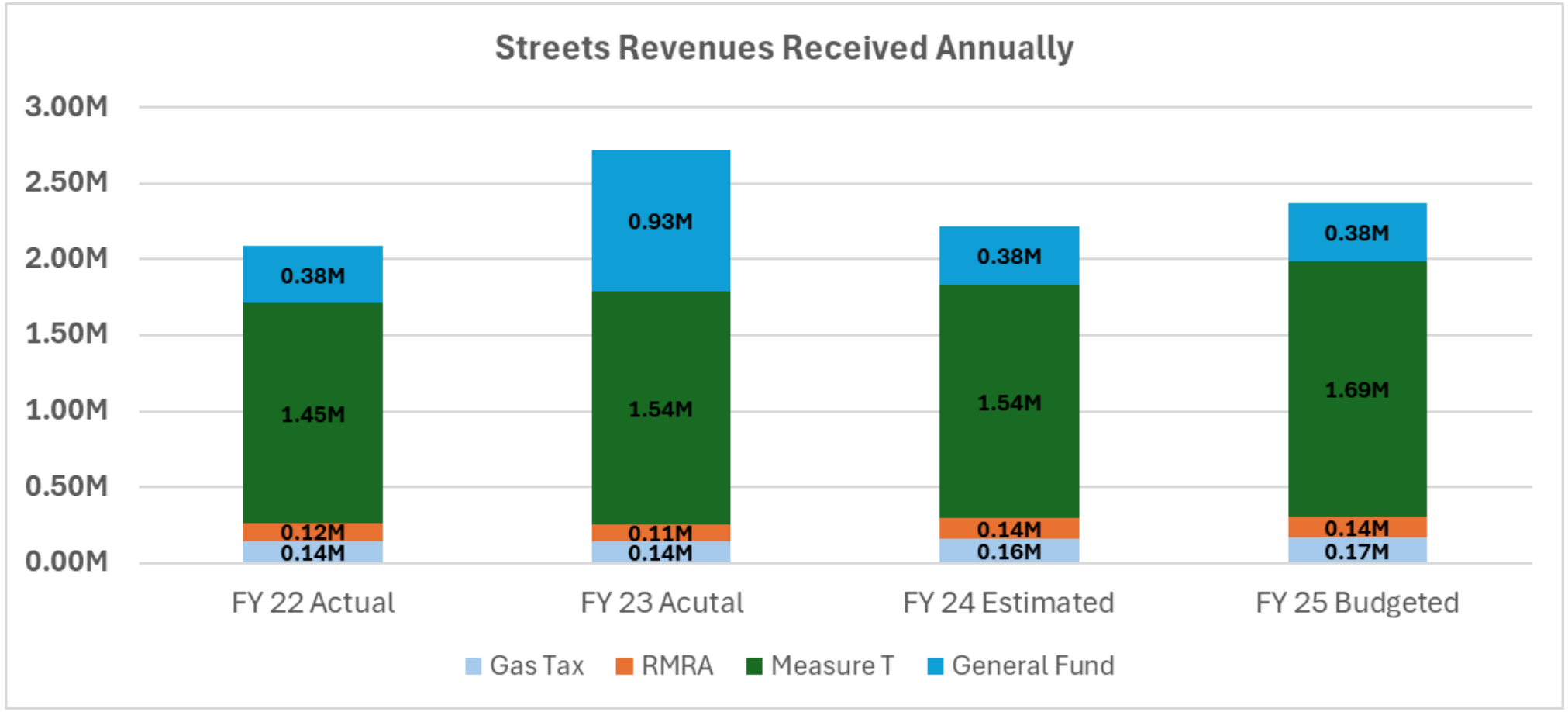


FY 25 - Risks to General Fund Budget

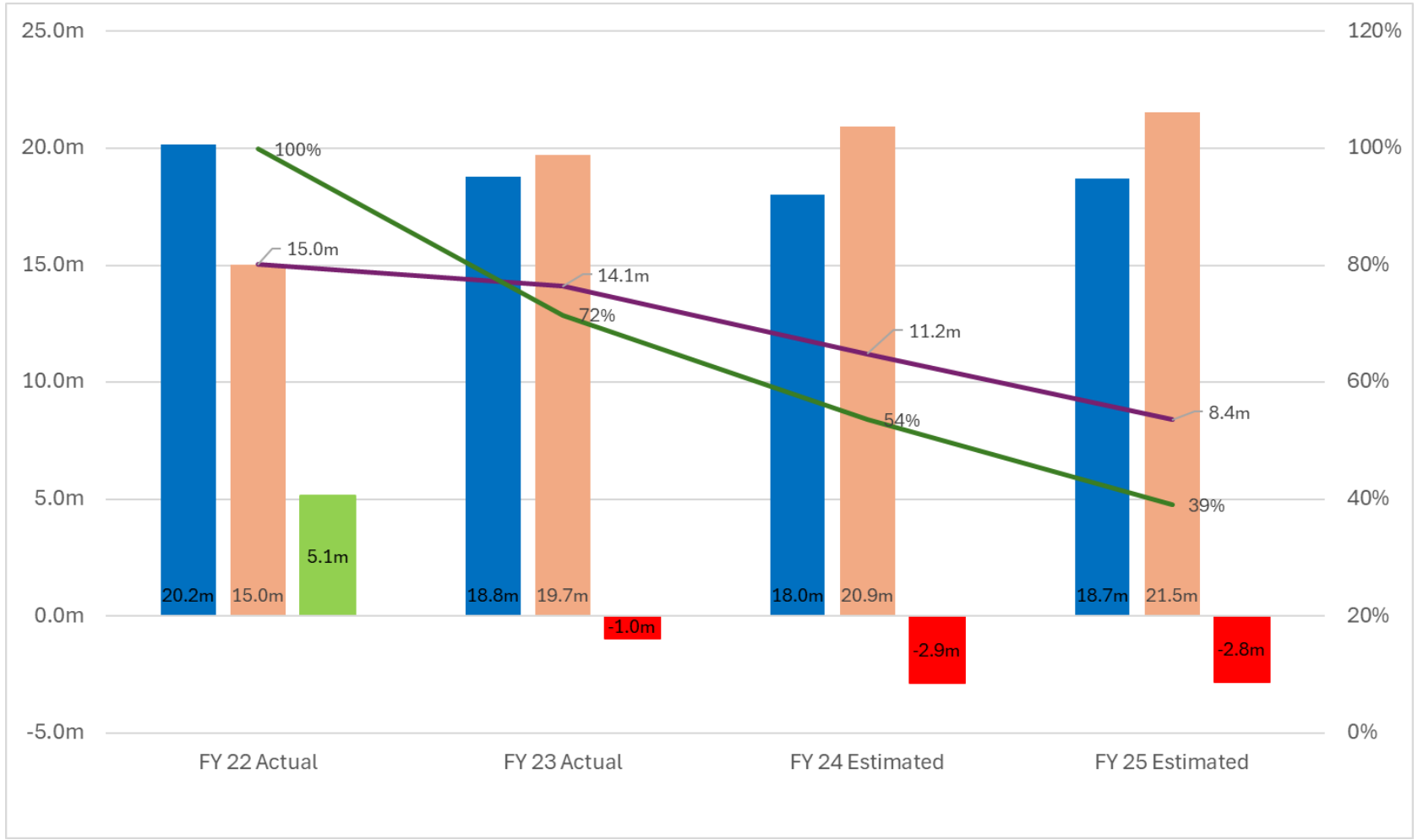
Description	FY 25 Impact
Sales Tax Revenue	9.5% Decline
Healthcare	18.4% Increase
Pension Costs	14.6% Increase
Property & Liability Insurance	23.3% Increase
Workers Compensation	19.4% Increase



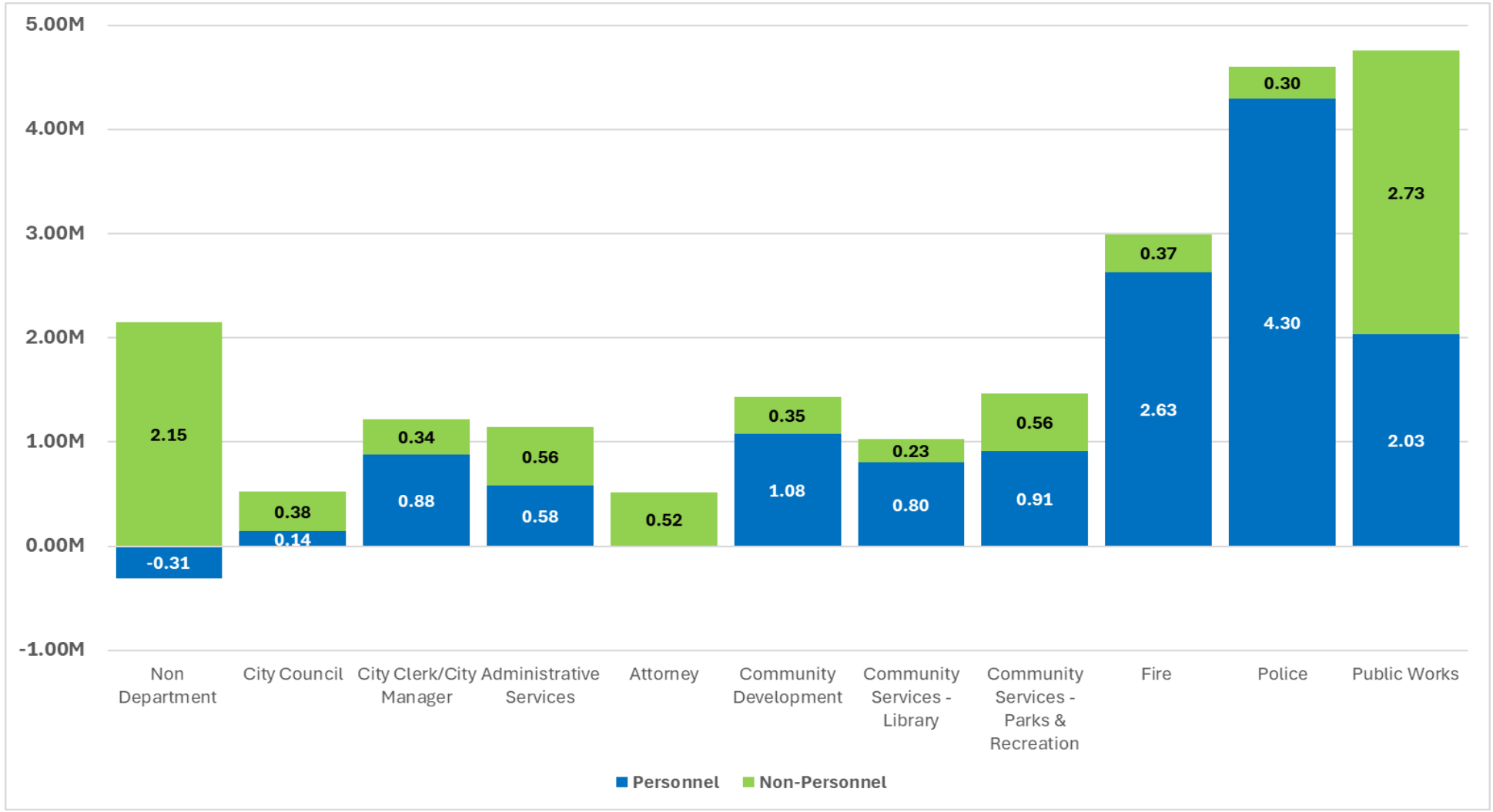
Road Related Allocations



Recent Fiscal Performance



Department Expenditures



Characteristics of RPTT (Measure A2)

Examples:

If a Property Sells For....	The Tax Rate Applied will be....	The Tax Calculation is.....	Additional RPTT Amount Collected
$999,000	0%	$999,000 x 0% =	$0
$2,000,000	1.5%	$2,000,000 x 1.5% =	$30,000
$5,500,000	3%	$5,500,000 x 3% =	$165,000

Characteristics of Charter City (Measure A1)

- Simple and “limited” charter
- Provide legal authority to enact a RPTT by voter approval
- Both the City Charter and RPTT must pass in order for the RPTT to go into effect
- Continue to follow the General Law of the State of California in all other matters

One-Time Expenditures and Net Expenditures

FY24	
Description	**Amount**
Downtown Specific Plan & EIR	500,000
Planning Online Permitting Software Implementation	165,000
PW Admin Other Contract Services Additional for CIP	150,000
Attorney Litigation Expense	110,000
Community Engagement Contract	110,000
Replenish Equipment Replacement Fund	100,000
Landscape Architect Consultants - Weed Abatement	100,000
Temporary Police Overhire*	86,950
NVC Tenant Improvements	86,308
Zoning Code Update	45,000
Towable Trash Pump	40,000
Crack Sealer for Streets Repairs	40,000
Website Hosting Transition	20,000
Light Tower for Night Work	20,000
Nimbus Arts Grant	20,000
Recreation Software Implementation	16,000
RFID	15,600
Self-Propelled Electric Stump Grinder	11,000
Total	**1,635,858**

One-Time Expenditures and Net Expenditures

FY25	
Description	**Amount**
PW Admin Other Contract Services Additional for CIP	150,000
Temporary Police Overhire*	135,755
Communications Contract	114,400
Attorney Litigation Expense	110,000
Parks & Rec Office Improvements	104,000
Replenish Equipment Replacement Fund	100,000
Ballot Measure Polling	52,000
Permit Software Upgrade	50,000
SLA	50,000
Storm Drains Capital Equipment	42,000
Additional Annual Tree Maintenance	40,000
Government Relations	40,000
Annexation	30,000
Permit Software Payment Provider	25,500
Website Support	20,800
Water Buffalo	15,000
EV Bikes	10,000
Total	**1,089,455**

Tax Options

Tax	Annual Revenue Potential ($Mill)
Sales Tax increase of 0.5%	2.3
Transient Occupancy Tax (hotel tax) increase 1%	.5
New $313 annual Parcel Tax	1.2
Increase permitted short-term-rentals from 25 to 100	.5
Business Tax review based on 1% tax rate (net of annual enforcement costs)	3.2
Specific Taxes (Road, Library, Safety, Utility, etc.)	.3 - 1.2
Real Property Transfer Tax	5.3
Approve, build and tax two new luxury hotel rooms totaling 100 rooms paying 10% TOT	2.4

General Fund Budget – Revenues vs. Expenses

General Fund Budget	Estimated FY 24	Adopted FY 25	Adjusted FY 25
Proposed Revenues	18,029,671	19,087,896	18,708,046
Proposed Expenses	20,909,051	20,002,020	21,534,763
Difference*	(2,879,380)	(914,124)	(2,826,717)

*Use of Reserves to Balance the Budget

Updated: Mid-Cycle Budget Report May 2024

Agenda Report to the City Council

Agenda Section: CONSENT ITEMS

Department: Recreation

DATE:	September 10, 2024
FROM:	Dave Jahns, Director of Community Services
SUBJECT:	Consideration and proposed adoption of a resolution (1) Approving temporary street closures; and (2) Authorizing possession of open alcoholic beverages on public streets and parking lots for the 2024 Harvest Festival.
RECOMMENDED ACTION:	Staff recommends City Council review and adopt the attached resolution.
PREVIOUS COUNCIL ACTION:	City Council has adopted several resolutions of similar nature with the most recent taking place at the September 12, 2023 City Council meeting. Resolution No. 2023-118.
STATEMENT OF THE PURPOSE:	Staff is seeking City Council's approval to temporarily close several streets and allow the possession of alcoholic beverages on specific public streets to support the implementation of the 2024 Hometown Harvest Festival.
FINANCIAL IMPACT:	All staff time and associated event costs will be funded from approved FY 24-25 departmental budgets.

BACKGROUND:

The Harvest Festival is an annual event implemented by the St. Helena Community Services Department, in partnership with various community-based organizations and local vendors. The event has historically taken place on the third Saturday of October on Oak Avenue and surrounding streets and parking lots. The event is free to attend, and all community members and visitors are welcome.

DISCUSSION:

This year's annual Harvest Festival celebration is scheduled to take place on Saturday, October 19, 2024. With City Council's approval of the proposed resolution, the event will include an all-day street fair, pet parade, food and beverages, and other various community activities.

(1) Street Closures

In order to safely accommodate these activities, staff is requesting the following street closures:

- Oak Avenue, between Spring Street and Pine Street, from 5:00am – 1:00pm
- Adams Street, between Oak Avenue and Kearney Street, from 5:00am – 7:00pm
- Oak Avenue, between Spring Street and Adams Street, from 5:00am – 7:00pm
- Tainter Street, between Oak Avenue and Kearney Street, from 5:00am – 7:00pm

- City parking lot located at 1304 Oak Avenue from 5:00am - 7:00p

Staff will implement the following precautionary traffic control measures to ensure a safe event for attendees and limit the impact the proposed road closures have on the community:

- Electronic sign boards will be placed around the proposed street closures to notify community in advance of the event.
- No parking signage will be placed within the proposed street closure area 72-hours in advance of the event.
- City staff will directly notify and provide details of potential impacts to the businesses residents adjacent event area in advance of the event.
- City staff in the Fire, Parks & Recreation, Public Works, and Police Departments will be working day-of event.
- City staff will supply, set-up, and remove traffic control items (signage, barricades, traffic cones, vehicle blockades) to limit any potentially dangerous vehicle/pedestrian interface.
- Event staff will abide by all conditions of the encroachment permit and traffic safety as stipulated by the Public Works and Police Departments.

(2) Open Alcohol Possession

Historically, local non-profit organizations have sold alcoholic beverages at this event, including St. Helena Kiwanis Foundation, St. Helena Rotary Club, and St. Helena Oddfellows. Staff will once again work in partnership with these local non-profits to provide the same service at this year's event. The organizations will be responsible for securing a permit from the Department of Alcoholic Beverage Control (ABC) and will meet all insurance and security requirements as stipulated by City staff, St. Helena Police Department, and ABC.

ENVIRONMENTAL REVIEW:

Staff will coordinate with the City's Environmental Service technician and ensure event activities and associated amenities are implemented in accordance with all applicable environmental management practices.

GOAL:

Goal 5: Enhance Quality of Life

DOCUMENTS ATTACHMENTS:

2024 Harvest Festival Resolution

CITY OF ST. HELENA

RESOLUTION NO. 2024 - ___

RESOLUTION (1) APPROVING TEMPORARY STREET CLOSURES; AND (2) AUTHORIZING POSSESSION OF OPEN ALCOHOLIC BEVERAGES ON PUBLIC STREETS FOR THE HOMETOWN HARVEST FESTIVAL FESTIVITIES ON OCTOBER 19, 2024

WHEREAS, the City's Community Services Department, in partnership with community organizations and local vendors, has traditionally hosted an annual community event the third Saturday in October, known as the Hometown Harvest Festival; and

WHEREAS, Temporary closure of City streets and lots within the event area will provide adequate space for Harvest Festival activities to take place and create a safe environment for event attendees, staff, and vendors; and

WHEREAS, The St. Helena Recreation Department is requesting temporary closures of portions of Oak Avenue, Adams Street, Tainter Street, and the City parking lot on Oak Street (1304 Oak Ave.) for the Hometown Harvest Festival on October 19, 2024; and

WHEREAS, The St. Helena Municipal Code Section 9.04.010 authorizes the City Council to allow possession of open alcoholic beverages on public streets or any private or public off-street parking lot. City staff will work in partnership with local non-profit organizations to sell beer and wine at the event; and

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Helena hereby approves the following:

1. Temporary closures of the following streets and parking lots on October 19, 2024:
   - Oak Avenue, between Spring Street and Pine Street, from 5:00am – 1:00pm
   - Adams Street, between Money Way and Oak Ave, from 5:00am – 1:00pm
   - Adams Street, between Oak Ave and Kearney Street, from 5:00am – 7:00pm
   - Oak Avenue, between Spring Street and Adams Street, from 5:00am – 7:00pm
   - Tainter Street, between Oak Avenue and Kearney Street, from 5:00am – 7:00pm
   - City parking lot located at 1304 Oak Avenue from 5:00am – 7:00pm

- Possession of open alcoholic beverages on public streets and parking lots encompassed by the Harvest Festival event footprint on October 19, 2024.

Approved at a Regular Meeting of the St. Helena City Council on September 10, 2024, by the following vote:

Mayor Dohring: ___
Vice Mayor Hall: ___
Councilmember Chouteau: ___
Councilmember Kenealy: ___
Councilmember Summers: ___

APPROVED:

Paul Jamison Dohring, Mayor

ATTEST:

Cindy Tzafopoulos, City Clerk

Agenda Report to the City Council

Agenda Section: CONSENT ITEMS

Department: Recreation

DATE:	September 10, 2024
FROM:	Dave Jahns, Director of Community Services
SUBJECT:	Consideration and proposed adoption of a resolution authorizing (1) a temporary street closure of Hunt Avenue from November 25, 2024 until January 3, 2025; and (2) possession of open alcoholic beverages on public streets on November 27, 2024 for the Holiday Wine Barrel Tree installation and lighting ceremony.
RECOMMENDED ACTION:	Staff recommends City Council review and adopt the attached resolution.
PREVIOUS COUNCIL ACTION:	City Council has approved similar resolution for the installation Holiday Wine Barrel Tree since 2021. The most recent action took place at the September 12, 2023 City Council Meeting, Resolution No. 2023-123.
STATEMENT OF THE PURPOSE:	City Staff, in partnership with the St. Helena Chamber of Commerce, is seeking City Council's approval to temporarily close a portion of Hunt Avenue and allow the possession of open alcoholic beverages on Hunt Avenue for Holiday Wine Barrel Tree installation and lighting ceremony.
FINANCIAL IMPACT:	The City will incur costs associated with installation of traffic safety measures and community event implementation. All staffing and associated installation costs will be funded from approved FY 24-25 departmental budgets. The cost of the barrel tree materials and professional install will be covered by the Chamber of Commerce, with the support of local sponsorship.

BACKGROUND:

Over the past several years, the St. Helena Chamber of Commerce (Chamber) has worked in partnership with City staff to enhance community holiday festivities for the period of time between the Thanksgiving and the New Year's Day holidays. In 2021, the Chamber introduced a lighted Holiday Wine Barrel Tree installation on Hunt Ave. The installation consists of 145 professionally installed wine barrels stacked with a custom steel structure, baseplate and plywood decks, measuring over 30 feet tall. Additionally, the installation will once again include holiday-themed décor throughout Hunt Ave and artistic traffic barrier coverings to enhance the overall aesthetics of the closure.

After successful installations the past three years, the Chamber, in partnership with the City, are proposing a similar display for the holiday season in 2024.

DISCUSSION:

(1) Street Closure

In order to accommodate the wine barrel tree installation, safely allow pedestrians to gather in the surrounding area, and provide space for holiday festivities and entertainment, staff is proposing to close Hunt Avenue (between Main Street and Railroad Avenue) to vehicle traffic throughout the duration of the wine barrel tree display. City staff will assist with installation of safety barriers, public notifications of parking modifications, and installation of temporary parking spaces along the eastern closure of Hunt Avenue near Railroad Avenue. If approved, the road closure would be in place from November 25, 2024 – January 3, 2025.

If the proposed road closure is approved by Council, the Chamber of Commerce will obtain a Temporary Use and Encroachment Permit for the installation. The Chamber and City staff will notify all businesses in the immediate vicinity of the proposed closure prior to the September 10 City Council meeting.

(2) Open Alcohol Possession

As part of the barrel tree lighting festivities on November 27, staff is requesting the possession of alcohol beverages (beer and wine) be allowed within the footprint of the street closure on Hunt Ave. If approved, the Chamber would be responsible for securing a permit from the Department of Alcoholic Beverage Control (ABC) and will meet all insurance and security requirements as stipulated by City staff, St. Helena Police Department, and ABC.

ENVIRONMENTAL REVIEW:

Staff will coordinate with the City's Environmental Service technician and ensure event activities and associated amenities are implemented in accordance with all applicable environmental management practices.

GOAL:

Goal 5: Enhance Quality of Life

DOCUMENTS ATTACHMENTS:

2024 Holiday Wine Barrel Tree Resolution

CITY OF ST. HELENA

RESOLUTION NO. 2024 - ___

RESOLUTION APPROVING (1) A TEMPORARY STREET CLOSURE OF HUNT AVENUE FROM NOVEMBER 25, 2024 – JANUARY 3, 2025; AND (2) POSSESSION OF OPEN ALCOHOLIC BEVERAGES ON HUNT AVE ON NOVEMBER 27, 2024 TO SUPPORT THE HOLIDAY WINE BARREL TREE INSTALLATION AND LIGHTING CEREMONY

WHEREAS, the St. Helena Chamber of Commerce (Chamber) is working in partnership with the City to support the economic vitality of downtown St. Helena and create a festive holiday atmosphere for community members and visitors alike; and

WHEREAS, the Chamber has successfully installed a lighted Holiday Wine Barrel Tree installation on Hunt Avenue for the past three holiday seasons; and

WHEREAS, the Chamber, in partnership with City staff, is proposing the return of the Holiday Wine Barrel Tree installation with accompanying décor and entertainment for the 2024 holiday season; and

WHEREAS, a temporary street closure of Hunt Avenue from Main Street to Railroad Avenue is being requested to support the Holiday Wine Barrel installation and provide a safe environment for the community to gather; and

WHEREAS, The St. Helena Municipal Code Section 9.04.010 authorizes the City Council to allow possession of open alcoholic beverages on public streets or any private or public off-street parking lot; and

WHEREAS; City staff, in partnership with the Chamber, are requesting City Council authorize the possession of open alcoholic containers within the confines of the event space for the Holiday Wine Barrel Tree Lighting ceremony on November 27, 2024.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Helena hereby approves the following:

1. The temporary street closure of Hunt Avenue, between Main Street to Railroad Avenue, from November 25, 2024 - January 3, 2025.

2. Possession of open alcoholic beverages on Hunt Ave during the duration of the barrel tree lighting festivities on November 27, 2024.

Approved at a Regular Meeting of the St. Helena City Council on September 10, 2024, by the following vote:

Mayor Dohring:	___
Vice Mayor Hall:	___
Councilmember Chouteau:	___
Councilmember Kenealy:	___
Councilmember Summers:	___

APPROVED:

_____
Paul Jamison Dohring, Mayor

ATTEST:

_____
Cindy Tzafopoulos, City Clerk

Agenda Report to the City Council

Agenda Section: CONSENT ITEMS

Department: Planning

DATE:	September 10, 2024
FROM:	Philip Henry, Chief Building Official
SUBJECT:	Waive second reading and adoption of an Ordinance adding Sections 15.18.020 through 15.18.090 of the St. Helena Municipal Code Chapter 15, (Buildings and Construction) to reduce Greenhouse Gas Emissions and the impacts of climate change as discussed as directed by Council at the August 27, 2024 City Council meeting.
RECOMMENDED ACTION:	Waive the second reading of the proposed adoption of the ordinance.
PREVIOUS COUNCIL ACTION:	On August 27, 2024, the City Council discussed and adopted the proposed first reading of the Reach code ordinance.
STATEMENT OF THE PURPOSE:	To adopt a Reach Code as an implementation action of the General Plan.
FINANCIAL IMPACT:	None.

BACKGROUND:

On October 27, 2023, the Climate Action Committee which was formed under a Cooperative Joint Powers Agreement (JPA) to fund and administer the Napa Countywide Climate Action Program recommended that all member jurisdictions adopt a building “reach” code to further reduce GHG emissions. The Climate Action committee prepared a Regional Greenhouse Gas Emissions inventory which indicated that building energy use resulted in the release of 279,579 metric tons of carbon dioxide equivalent (MTCO2e) in 2019, which comprised 22.9 percent of all GHG’s emitted in Napa County that year. As indicated in the Final Napa County Regional Greenhouse Gas Forecast (2019-2030), published on November 21, 2022, if no further actions are taken, building energy used in Napa County is estimated to release 277,244 MTCO2e by 2030.

In August 2021, the California Energy Commission (CEC) adopted the 2022 California Energy Code. The California Energy Code was also considered by the California Building Standards Commission (CBSC) in December 2021. The 2022 Energy Code, which became effective on January 1, 2023, included key changes from the 2019 Energy Code. The changes included promoting usage of electric heat-pump technology, establishing electric-ready requirements for buildings when natural gas is installed, updating requirements for residential solar photovoltaic (PV) system and battery storage standards, and bolstering gas cooking ventilation standards.

Provisions for multi-family buildings include a compliance pathway for central heat-pump water heating and prescriptive heat-pump requirements for multifamily HVAC systems in dwelling units. Single-family dwelling requirements include a new prescriptive baseline based on either a heat-pump HVAC system or heat-pump water heating. Nonresidential buildings are required to add efficiency measures if not meeting prescriptive requirements such as heat-pump space heating.

DISCUSSION:
The City of St. Helena has adopted and enforces the 2022 California Energy Code. California Health and Safety Code Sections 17958, 17958.5, and 18941.5 permit a city to make local amendments and modifications to the building standards contained in the California Building Standards Code. It is the desire of the City of St. Helena to reduce GHG emissions and lessen the impact of climate change consistent with the City's General. Plan.

For multiple reasons including health, safety, economics, and environmental benefits, there is considerable interest in all-electric new construction, or "building electrification", which means that buildings would not have any fossil fuel services. All-electric buildings have electric appliances for space heating, water heating, clothes drying, and cooking. The interest in building electrification stems from the fact that the power utility is providing 100% carbon-free electricity and eliminating the use of natural gas can greatly reduce greenhouse gas emissions from the building sector.

This Reach code provides incentives for new home builders to construct all-electric homes, but owners may continue to use natural gas appliances so long as they meet the minimum energy use requirements.

Where natural gas appliances are used, the electric panel must have dedicated circuits to allow future owners the option of converting to all electric appliances. In addition, construction must include a location for a future heat-pump compressor unit with drainage to allow for future electric conversion.

This proposed model Ordinance would do the following:

• Creates standards to disincentivize the use of natural gas in new single-family construction, with exceptions. These exceptions include:

a. Seasonally occupied agricultural buildings (less than 180 days/calendar year)
b. A free-standing Accessory Dwelling Unit
c. A Certificate of Compliance prepared by a Certified Energy Analyst

• Non-residential buildings will be required to provide Electric-ready requirements for future electric appliances where gas systems are installed.

• Requires subdividers to offer all-electric homes and/or Energy Storage Systems (batteries) as an option for buyers.

• Requires new single-family homes to reduce overall energy use by 13%.

• Requires new multi-family home to reduce overall energy use by 10%.

ENVIRONMENTAL REVIEW: The action is exempt pursuant to CEQA Guidelines Section 15061 (b)(3).

GOAL:

Goal 2: Improve Infrastructure & Further Environmental Sustainability

DOCUMENTS ATTACHMENTS:

Reach Ordinance clean

ORDINANCE NO._____

ORDINANCE OF THE CITY COUNCIL OF ST. HELENA ADDING SECTIONS 15.18.020 THROUGH 15.18.090 TO CHAPTER 15.18 (CALIFORNIA ENERGY CODE-ADOPTED) OF TITLE 15 (BUILDINGS AND CONSTRUCTION) OF THE ST. HELENA MUNICIPAL CODE TO REDUCE GREENHOUSE GAS EMMISSIONS AND REDUCE THE IMPACTS OF CLIMATE CHANGE

WHEREAS, the Countywide Climate Action Committee's recent Greenhouse Gas (GHG) inventory update illustrates the need for action to be taken to have an appreciable impact on climate change; and

WHEREAS, the 2022 Regional Greenhouse Gas (GHG) Emissions Inventory indicated that building energy use resulted in the release of 279, 592 metric tons of carbon dioxide equivalent (MTCO2e) in 2019, which comprised 22.9 percent of all GHG's emitted in Napa County that year; and

WHEREAS, on October 27, 2023, the Climate Action Committee, formed under the Cooperative Joint Powers Agreement (JPA) to fund and administer the Napa Countywide Climate Action Program, recommended that all member jurisdictions adopt a building "reach" code to further reduce GHG emissions; and

WHEREAS, the 2022 California Energy Code comprising Title 24, Parts 1 and 6 of the California Code of Regulations was adopted by the City of St. Helena City Council on November 22, 2022 under Ordinance 22-12 § 3 and codified under Section 15.18.010 of the St. Helena Municipal code; and

WHEREAS, Public Resources Code Section 25402.1(h)(2) allows for the adoption of stricter conservation standards to lower energy demand and reduce GHG emissions; and

WHEREAS, California Health and Safety Code Sections 17958, 17958.5, 17958.7 and 18941.5 establish the authority for a city to adopt and make local amendments and modifications to the building standards in the California Building Standards Code to establish more restrictive building standards than those contained in the California Building Standards Code; and

WHEREAS, California Health and Safety Code Sections 17958, 17958.5, 17958.7 and 18941.5 permit a city to make such local amendments and modifications as the city determines are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, California Health and Safety Code Sections 17958, 17958.5, 17958.7 and 18941.5 require a city, before making any amendments and modifications to the California Building Standards Code, make an express finding that such amendments and modifications are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, California Health and Safety Code section 17958 requires that cities adopt building regulations that are substantially the same as those adopted by the California Building Standards Commission and contained in the California Building Standards; and

WHEREAS, the St. Helena City Council desires to adopt standards that are more restrictive than the 2022 California Energy Code to provide for greater GHG reductions than are currently required, thereby reducing the impacts of climate change; and

WHEREAS, the St. Helena City Council proposes to add by the adoption of this Ordinance Sections 15.18.020 through 15318.090 to Title 15 of the St. Helena Municipal Code to include stricter standards than the 2022 California Energy Code to better address local conditions; and

WHEREAS, the St. Helena City Council makes express findings that such modifications to Chapter 15.18 are reasonably necessary because of local climatic, geological or topographical conditions as set forth in this Ordinance; and

WHEREAS, pursuant to Public Resources Code Section 25402.1(h)(2), the St. Helena City Council also finds that the proposed modifications to Chapter 15.18 of the St. Helena Municipal Code by this Ordinance will save energy and are cost-effective within the City; and

WHEREAS, the City Council affirms that such modifications will result in designs that consume no more energy than that permitted under the 2022 California Energy Code; and

WHEREAS, express findings that these modifications to the Chapter 15.18 are reasonably necessary are hereby made and will be filed with the California Building Standards Commission in accordance with California Health and Safety Code Section 17958.7 before this ordinance takes effect.

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

SECTION 1: Recitals. The Recitals set forth above are true and correct and incorporated into this Ordinance.

SECTION 2: Additions to Chapter 15.18. The following Sections 15.18.020 through 15.18.090 are hereby added to Chapter 15.18 of Title 15 (Buildings and Construction) of the St. Helena Municipal Code to read in full as follows:

15.18.020 Options for Homebuyers

Section 100.0.(e)(2)(D) of the CEnC is modified to read as follows:

D. Single-family Buildings.

i. Sections applicable. Sections 150.0 through 150.1 apply to newly constructed single-family buildings.

ii. Compliance approaches. In order to comply with Part 6, newly constructed single-family buildings must meet the requirements of:

a. Mandatory measures: The applicable provisions of Sections 110.0 through 110.10, and 150.0; and
b. Either:
   (i) Performance approach: Sections 150.1 (a) and (b); or
   (ii) Prescriptive approach: Section 150.1(a) and (c).

Exception to Section 100.0(e).2Diib: Seasonally occupied agricultural housing limited by State or Federal agency contract to occupancy not more than 180 days in any calendar year.

(iii) Designers, builders, licensed contractors, professionals, or other owner designees of newly constructed single-family buildings shall provide all owners with the option of installing a stationary storage battery system and/or all-electric appliances.

15.18.030 Definitions

Section 100.1(b) of the CEnC is modified by adding the following definitions:

CERTIFIED ENERGY ANALYST is a person registered as a Certified Energy Analyst with the California Association of Building energy Consultants as of the date of submission of a Certificate of Compliance as required 10.103.

FREE STANDING ACCESSORY DWELLING UNIT is a detached building that is not intended for sale separate from the primary residence on a lot that is zoned for Single-family or Multi-family use, located on the same lot as an existing dwelling, and does not exceed 1,200 square-feet of total floor area.

GAS is natural gas as defined by the California Code of Regulations in CCR 17, Section 95481(106).

15.18.040 Electric Readiness for Nonresidential Structures

A new subsection, 120.9(d) of the CEnC is added to read as follows:

(d) Where systems using gas are installed, dedicated circuits at the main building panel shall be provided with sufficient power to support future conversion of all fossil fuel fired service water heating appliances to electric appliances.

15.18.050 Electric Readiness for Single-family Units

The first two paragraphs of Section 150.0 of the CEnC are modified to read as follows:

Section 150.0 – MANDATORY FEATURES AND DEVICES

Single-family residential buildings shall comply with the applicable requirements of Sections 150.0(a) through 150.0(v).

NOTE: The requirements of Sections 150.0(a) through 150.0(r) and 150.0(f) 3_apply to newly constructed buildings. Sections 150.2(a) and 150.0(b) specify which requirements of Sections 150.0(a) through 150.0(r) also apply to additions or alterations.

Section 150.0(t) of 0the CEnC is modified to read as follows:

(t) Heat Pump Space Heater Ready

Systems using gas or propane furnaces to serve individual dwelling units shall include the following:

1. A dedicated 240-volt branch circuit wiring shall be installed within three feet from the furnace and accessible to the furnace with no obstructions. The branch circuit conductors shall be rated at 30 amperes minimum. The blank cover shall be identified as “240-V Ready”. All electrical components shall be installed in accordance with the California Electrical Code.
2. The main electrical panel shall have a reserved space to allow installation of a two-pole circuit breaker for a future heat-pump space heater installation. The reserved space shall be permanently marked as “Future 240v use”.
3. A designated exterior location for a future heat pump condenser unit either a drain or natural drainage for condensate shall be provided.

15.18.060 Performance Requirements for Single-family Units

A new section, 150.1(b).1.A, is added to the CEnC to read as follows:

In addition, the total source energy (EDR1) of the Proposed Design Building shall be less than the EDR1 of the Standard Design Building by a compliance margin of 13.

EXCEPTION 1 to Section 150.1(b)1.A. A free-standing Accessory Dwelling Unit.

EXCEPTION 2 to Section 150.1 (b) 1.A. If the Certificate of Compliance is prepared and signed by a Certified Energy Analyst, compliance margin may be reduced by one point, but in no event shall be less than zero.

15.18.070 Electric Readiness for Multi-family Units

A new section, 160.4 (g) is added to the CEnC to read as follows:

Systems using gas water heaters that do not serve individual dwelling units shall include a dedicated circuit at the main electrical panel with sufficient power to support future conversion of all fossil fuel-fired service water heating appliances to electric appliances.

15.18.080 Performance Requirements for Multi-family Units

Section 170.1 of the CEnC is modified to read as follows:

Section 170.1 – PERFORMANCE APPROACH: ENERGY BUDGETS

A building complies with the performance approach if the TDV energy budget (Time Dependent Valuation as defined in the California Energy Code) calculated for the Proposed Designed Building under Subsection (b) is no greater than the TDV energy budget calculated for the Standard Design Building under Subsection (a). Additionally, the energy budget, expressed in terms of source energy, of a newly constructed low-rise multifamily building (less than four habitable stories) shall be at least ten percent (10%) lower than that of the Standard Design Building.

EXCEPTION 1 to Section 170.1. If the Certificate of Compliance is prepared and signed by a Certified Energy Analyst, the compliance margin may be reduced by one percentage point, but in no event be less than zero.

SECTION 3: The St. Helena City Council finds and determines that this Ordinance has been assessed in accordance with the California Environmental Quality Act (Cal. Pub. Res. Code, § 21000 et seq.) ("CEQA") and the State CEQA Guidelines (14 Cal. Code Regs. § 15000 et seq.) and is categorically exempt from CEQA under CEQA Guidelines, § 15061(b)(3), which exempts from CEQA any project where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. It is also exempt from CEQA pursuant to CEQA Guidelines, § 15038 which exempts actions taken by regulatory agencies for the enhancement and protection of the environment. As such, the Ordinance is categorically exempt from CEQA

SECTION 4: It is hereby declared to be the intention of the St. Helena City Council that the sections, paragraphs, sentences, clause, and phrases are severable, and if any phrase, clause, section or paragraph of this ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance.

SECTION 5: If any section, subsection, sentence, clause or phrase of the provisions depicted in this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining provisions adopted under this Ordinance. The City Council of the City of St. Helena hereby declares that it would have adopted the Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases thereof shall be declared invalid.

SECTION 6. This Ordinance shall take effect upon the date the California Building Standards Commission accepts the ordinance for filing, but in no earlier than thirty (30) days from and after the date of its passage.

THE FOREGOING ORDINANCE was introduced at a regular meeting of the St. Helena City Council on the twenty-seventh day of August 2024, and was adopted at a regular meeting of St. Helena City Council on the 10th day of September 2024

Mayor Dohring: _____

Vice Mayor Hall: _____

Council Member Chouteau: _____

Council Member Kenealy: _____

Council Member Summers: _____

APPROVED:

_____

Paul Jamison Dohring, Mayor

ATTEST:

CITY OF ST. HELENA

_____

Cindy Tzafopoulos, City Clerk

I, CINDY TZAFOPOULOS, CITY CLERK of the City of St. Helena, California, do hereby certify that the foregoing Ordinance was regularly introduced and placed upon its first reading at a regular meeting of the City Council on the _____ day of _____, 2024. That thereafter said Ordinance was duly adopted and passed at a regular meeting of the City Council on the _____ day of _____ _____, 2024, by the following vote:

Mayor Dohring: _____

Vice Mayor Hall: _____

Council Member Chouteau: _____

Council Member Kenealy: _____

Council Member Summers: _____

From:	Christopher J Warner
To:	Cindy Tzafopoulos
Cc:	Anil Comelo
Subject:	[External] Sept 10, 2024 City Council Agenda - Comments on Consent Agenda Item 10.3 (Proposed Reach Code Ordinance)
Date:	Friday, September 6, 2024 10:15:48 AM
Attachments:	2024 SB 695 Report.pdf

Here are comments on Consent Agenda Item 10.3 on the Sept. 10, 2024 City Council Agenda. Please be sure to circulate to Phil Henry and other appropriate staff. Thx!

PG&E electric rates and bills to St. Helena residents and businesses keep going up and up, over and over. For this reason, I request that Consent Agenda Item 10.3 on the September 10, 2024, City Council Agenda (Waive Second Reading of "REACH Code Ordinance") be removed from the agenda until such time as public information and publicly-available record evidence are provided to the City Council and the public regarding the cost effectiveness and impacts of the proposed ordinance on energy costs for new affordable housing, multi-family housing, new hotels and other retail buildings in St. Helena.

If the proposed REACH Code Ordinance is not removed from the agenda, I request it be removed from the consent agenda and subject to public hearing and comments as a public hearing agenda item.

If the City Council determines to waive and move forward with second reading of the proposed REACH Code Ordinance, I request that the Resolution of approval be revised to remove the four "Whereas" findings clauses at the end of the recitals in the resolution and replace them with a clause deferring the effective date of the ordinance until such time as the ordinance is filed with the California Building Standards Commission *and* the cost-effectiveness and local need for the ordinance are evaluated and determined by the California Building Standards Commission and/or California Energy Commission and reviewed by the City Council using current and reasonably forecast PG&E electricity costs, rates and bills, such as included in the attached independent analysis and forecast provided by the California Public Utilities Commission to the California Governor and Legislature in July, 2024. Absence of such an analysis in the public record and publicly available evidence would render adoption of the ordinance as lacking required legally supportable findings.

Such an analysis should also evaluate the mandatory alternatives to electrification included in the proposed ordinance, such as the performance requirements that new buildings reduce overall energy use by 10% to 13% beyond what is required by current California and St. Helena building codes.

As noted above, data on current and forecast PG&E electrification rates and costs can be found in attached CPUC SB 695 Report and also at link: 2024-sb-695-report.pdf (ca.gov)

P. 32: "Since 2013, bundled residential average rates have increased at an average annual rate greater than the assumed rate of inflation: about 12 percent for PG&E, and 7 percent for SCE and SDG&E."

P.66: "The average annual percentage change in forecasted year-end 2027 bundled residential rates over actual year-end 2023 rates for each IOU are shown below. • PG&E: about 43 percent through 2027 for an average annual increase of 10.8 percent."

P.68: "The average annual percentage change in forecasted year-end 2027 bundled commercial rates over actual year-end 2023 rates for each IOU are shown below. • PG&E: about 49 percent through 2027 for an average annual increase of 12.4 percent."

It should be noted that any present value analysis of cost-effectiveness of electrification measures also should take into account financing costs for the capital costs of such measures. Current 30-year mortgage rates are averaging approximately 6.5%.

At the August 27, 2024, City Council meeting considering the first reading of the proposed REACH Ordinance, City Council members and the City Attorney raised questions and expressed concern about the lack of any public information and publicly-available record evidence to support the proposed findings in the draft ordinance that the ordinance was cost-effective, reasonable, and necessary because of local St. Helena conditions. I believed and understood that staff were directed to provide such information to the Council and to the public prior to any second reading of the proposed ordinance. In addition, I believed and understood that staff were directed or suggested to solicit comments on the ordinance from local affordable housing advocates, such as Our Town St. Helena. For these reasons as well, I recommend that the City Council defer action on a second reading of the proposed REACH Code Ordinance until these additional actions take place and additional public information is provided.

Thank you for your consideration of these comments, My comments are personal only and do not reflect any position or affiliation I have.

Christopher J. Warner

1434 Grayson Avenue

415-309-9572

C.Warner 9/10/24

REACH Code Cost Effectiveness Data and Forecasts

	2022 Energy Codes & Standards Study	July, 2024 CPUC Report
PG&E Residential Electric Rate Forecast Average Annual Escalation	1.8% annual, 2023- 2027, cumulative 9%	10.8% annual, 2023- 2027, cumulative 43%
Financing Costs	4% 30-year mortgage	6.41% average 30-year mortgage[1]
Retail Cost of Electric Appliances	2019-2022 retail electric appliance costs (no update for 2022- 2024 inflation)	None
10% Mandatory Energy Use Reduction New Multi-Family Housing	None	None
13 Points Mandatory Energy Use Reduction New Single Family Housing	None	None

Sources: CPUC SB 695 Report to Governor and Legislature, July, 2024, Table 11 and p. 66 at 2024-sb-695-report.pdf (ca.gov); 2022 Cost-Effectiveness Study: Single Family New Construction, California Energy Codes and Standards, June, 2023, Napa County Board of Supervisors Meeting Agenda Item 13.B, p. 10, April 9, 2024, accessed at Napa County - Calendar (legistar.com).

[1] Bank Rate website, accessed Sept. 10, 2024.

Agenda Report to the City Council

Agenda Section: CONSENT ITEMS

Department: Public Works

DATE:	September 10, 2024
FROM:	Mario Traverso, Project Manager
SUBJECT:	Consideration and adoption of a Resolution: (1) Establishing R25-81 Downtown Sidewalk Paver Repair Project and Award the Project to TCW Concrete in the amount of $365,280; (2) Authorizing the City Manager to execute the Construction Contract with TCW Concrete; (3) Authorizing the Director of Public Works to approve Change Orders not to exceed 15% of the ontract amount; (4) Authorize a budget transfer from Fund 240 Measure T to Fund 741 Street Capital in the amount not to exceed $420,072, which includes the 15% contingency; and (5) Determining the project to be exempt from the requirements of the California Environmental Quality Act (CEQA).
RECOMMENDED ACTION:	Approve the Resolution
PREVIOUS COUNCIL ACTION:	City Council approved the plans and authorized staff to solicit bids for this project on June 11, 2024.
STATEMENT OF THE PURPOSE:	To award this project to TCW Concrete to rehabilitate the downtown pavers between Adams Street and Mitchell Drive, and establish the R25-81 Capital Improvement Project.
FINANCIAL IMPACT:	The total financial impact of awarding the contract is $420,072, which includes an additional $54,792 for a 15% contingency of the contract amount and will be funded utilizing Measure T (Fund 240).

BACKGROUND:

In April 2024, City Council approved an interim solution to address the downtown sidewalks while continued design efforts are completed and funding sources identified. Staff is requesting City Council authorize the R25-81 Capital Improvement Project. The project will result in a substantial refurbishment through the corridor which will include the removal off 11 trees, repairs to curb and gutter, grading and resetting of sections of pavers, and the replanting of 17 trees.

The project plans, specifications and contract documents were prepared by City staff and approved for bid solicitation by City Council on June 11, 2024.

DISCUSSION:
On July 22, 2024, a Notice Inviting Bids and project plans and specifications was posted to the City of St. Helena website and posted at area construction plan rooms and exchanges. On August 15, 2024, two bids were received and opened publicly at City Hall. All bids are provided by reputable, licensed firms and are complete and competitive.

The bid results are as follows:

Company	Base Bid
TCW Concrete, *Loomis*	**$ 365,280**
ZARA Construction, *Sacramento*	$ 466,204

Engineer's Estimate: $275,000

The base bid cost of $365,280 assumes all replacement trees to be 48" Box. Total costs are expected to be lower as price deductions will be applied to smaller replacement trees where constraints preclude the installation of the 48" Box. City Staff reviewed all bids and find that TCW Concrete is the lowest responsible and responsive bid. TCW Concrete holds a valid Class C-8 Concrete Contractor's License No. 1038728 in the State of California, with no enforcement actions listed. Their license expires on 4/30/2026. TCW Concrete's bid is consistent with the engineer's estimate. TCW Concrete has positive reviews and has successfully executed similar projects in the North Bay region.

ENVIRONMENTAL REVIEW: None

GOAL:

Goal 2: Improve Infrastructure & Further Environmental Sustainability
Goal 5: Enhance Quality of Life
Goal 8: Implement Capital Improvement Plans (CIP) Projects Miscellaneous/Other

DOCUMENTS ATTACHMENTS:

Attachment 1 - Resolution Awarding Contract for R25-81
Attachment 2 - CIP Sheet
Attachment 3 - Bid Tabulation

CITY OF ST. HELENA

RESOLUTION NO. 2024-

Resolution: (1) Establishing R25-81 Downtown Sidewalk Paver Repair Project and Award the Project to TCW Concrete in the amount of $365,280; (2) Authorizing the City Manager to execute the Construction Contract with TCW Concrete; (3) Authorizing the Director of Public Works to approve Change Orders not to exceed 15% of the contract amount; (4) Authorize a budget transfer from Fund 240 Measure T to Fund 741 Street Capital in the amount not to exceed $420,072, which includes the 15% contingency; and (5) Determining the project to be exempt from the requirements of the California Environmental Quality Act (CEQA).

RECITALS

A. The project plans for the work were approved by the City Council and the Director of Public Works pursuant to authority by St. Helena City Council on June 11, 2024; and

B. Pursuant to St. Helena Municipal Code Chapter 3.04; Article 3 Public Works Projects; Section 3.04.220 on July 11, 2024 a notice inviting bids was posted and distributed to contractors inviting bids for the Downtown Sidewalk Paver Repair Project; and

C. On July 22, 2024, two (2) bids were received and opened in accordance with applicable law; and

D. The lowest responsive and responsible bidder for the Project was TCW Concrete of Loomis, CA in the amount of $365,280; and

E. City staff has determined that TCW Concrete's bid satisfies the bidding requirements for the project; and

F. City staff has verified that TCW Concrete possess a valid Contractor's License, Class A, number 1038728 that qualifies TCW Concrete to complete the project; and

G. The Downtown Sidewalk Paver Repair Project has been found to be exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301(c) of Title 14 of the California Code of Regulations as it consists of minor alterations of existing street and sidewalk facilities.

RESOLUTION

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

1. Establish R25-81 Downtown Sidewalk Paver Repair Project and award the Project to TCW Concrete in the amount of $365,280; and
2. Authorizing the City Manager to execute a construction contract in the amount of $365,280 with TCW Concrete for the R25-81 Downtown Sidewalk Paver Repair Project; and
3. Authorizing the Director of Public Works to approve change orders not to exceed $54,792, or 15% of the contract account; and
4. Authorize a budget transfer from Fund 240 Measure T to Fund 741 Street Capital in the amount not to exceed $420,072, which includes the 15% contingency.
5. Funding is provided as follows:

Funding Details	Fund	GL Account	Amount
Funded with Measure T Fund Balance Transfer	Streets Capital Improvement	741-50-14-31-60	365,280
Funded with Measure T Fund Balance Transfer	Streets Capital Improvement	741-50-14-31-70	54,792
Budget Transfer From (1)	Measure T	240-40-00-29-99	(420,072)
Budget Transfer To (1)	Streets Capital Improvement	741-39-98-00-00	420,072
Total			**420,072**
(1) Transfer will be based on actual expenditures not to exceed $420,072			

6. R25-81 Downtown Sidewalk Paver Repair Project is found to be exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301(c) of Title 14 of the California Code of Regulations as it consists of minor alterations of existing street and sidewalk facilities, as the project involves no expansion of an existing use.

Approved at a Regular Meeting of the St. Helena City Council on September 10, 2024 by the following vote:

Mayor Dohring: _____
Vice Mayor Hall: _____
Councilmember Chouteau: _____
Councilmember Kenealy: _____
Councilmember Summers: _____

APPROVED: ATTEST:

_____ _____
Paul Jamison Dohring, Mayor Cindy Tzafopoulos, City Clerk

Downtown Sidewalk Paver Rehabilitation Project

Project No: R25-81

Category Streets

Project Location: Main St., Between Adams St. & Mitchell Dr.

Responsible Department:

PROJECT PURPOSE & DESCRIPTION: Rehabilitate select locations of pavers, curb/gutter, trees, etc. to eliminate trip hazards.

NOTES: FY25 - project added per Council direction at the 4/09/24 City Council meeting; authorized to bid per Reso 2024-088 on June 11, 2024; anticipate construction FY25Q2

EXPENDITURE ACCOUNTS:

EXPENDITURES	Total as of 06/30/24	Rollover to FY25	2024-25	2025-26	2026-27	2027-28	2028-29	PROJECT TOTAL
3110 - Design			10,000					10,000
3150 - Construction Management			50,000					50,000
3160 - Construction Contract			490,000					490,000
3170 - Contingency			51,000					51,000
EXPENDITURE TOTALS			601,000					601,000
FUNDING SOURCES								
240-Measure T			601,000					601,000
FUNDING TOTALS			601,000					601,000

BID RESULTS

R24-81 Downtown Sidewalk Paver Repair Project

				Engineer's Estimate		TCW Concrete		Zara Construction Inc					
Bid Opening: August 15 2024													
Mario Traverso													
	DESCRIPTION	UNIT	QUANTITY	UNIT COST, $	ITEM TOTAL, $	UNIT COST, $	ITEM TOTAL, $	UNIT COST, $	ITEM TOTAL, $	UNIT COST, $	ITEM TOTAL, $	UNIT COST, $	ITEM TOTAL, $
Bid Schedule													
1	Mobilization	1	LS	$25,000	$25,000	$42,000	$42,000	$25,000	$25,000				
2	Traffic Control	1	LS	$10,000	$10,000	$18,000	$18,000	$22,000	$22,000				
3	Adjust SS Clean Out/G5 Box	9	EA	$100	$900	$400	$3,600	$900	$8,100				
4	Adjust Meter Box	16	EA	$100	$1,600	$360	$5,760	$200	$3,200				
5	Adjust Utility Vault	3	EA	$400	$1,200	$360	$1,080	$1,000	$3,000				
6	Remove & Reinstall Bench	3	EA	$250	$750	$656	$1,968	$2,400	$7,200				
7	Remove & Reinstall Garbage Bin	3	EA	$250	$750	$656	$1,968	$2,200	$6,600				
8	Remove Tree 11" - 16 "	6	EA	$4,500	$27,000	$2,150	$12,900	$2,500	$15,000				
9	Remove Tree 17"-21"	5	EA	$5,000	$25,000	$2,950	$14,750	$2,500	$12,500				
10	Remove & Replace Curb & Gutter	40	LF	$150	$6,000	$150	$6,000	$700	$28,000				
11	Remove & Reset Pavers	4,597	SF	$20	$91,940	$26	$119,522	$32	$147,104				
12	Plant Tree 48" - Chinese Pistache	17	EA	$5,000	$85,000	$7,296	$124,032	$9,500	$161,500				
13	Pressure Wash Pavers	1	LS	$5,000	$5,000	$3,500	$3,500	$10,000	$10,000				
14	Stump Grind	15	EA	$1,000	$15,000	$600	$9,000	$1,000	$15,000				
15	Stump Grind in Grated Well	2	EA	$1,000	$2,000	$600	$1,200	$1,000	$2,000				
	BASE BID				**$297,140.00**		**$365,280.00**		**$466,204.00**		**$0.00**		**$0.00**
	DESCRIPTION	UNIT	QUANTITY	UNIT COST, $	ITEM TOTAL, $	UNIT COST, $	ITEM TOTAL, $	UNIT COST, $	ITEM TOTAL, $	UNIT COST, $	ITEM TOTAL, $	UNIT COST, $	ITEM TOTAL, $
Bid Altermate 1 - Deduct for Size Reduction													
12A	Plant Tree 36" Box - Chinese Pistache	EA	17			$1,982.35	$33,700.00	$2,529.41	$43,000.00				
12B	Plant Tree 24" Box - Chinese Pistache	EA	17			$3,958.82	$67,300.00	$4,529.41	$77,000.00				
12C	Plant Tree 15 Gal - Chinese Pistache	EA	17			$4,823.53	$82,000.00	$5,764.71	$98,000.00				

Agenda Report to the City Council

Agenda Section: NEW BUSINESS

Department:

DATE:	September 10, 2024
FROM:	April Mitts, Assistant City Manager
SUBJECT:	City Council requested information regarding Measure B - Informational Item
RECOMMENDED ACTION:	Receive and file.
PREVIOUS COUNCIL ACTION:	June 25, 2024 - City Council adopted a resolution submitting the Noble House St. Helena Agritourism Initiative to the voters for consideration at the November 5, 2024 Election August 13, 2024 - City Council request for information
STATEMENT OF THE PURPOSE:	Informational item as requested at the August 13, 2024 City Council Meeting
FINANCIAL IMPACT:	None

BACKGROUND:

In his letter dated August 8, 2024, Congressman Thompson requested a response to this issues raised by the opponents of the Measure B in their letter to Congressman Thompson dated August 2, 2024. At the August 13, 2024 City Council meeting Mayor Dohring asked staff to review the letter and respond where we have information. Mayor Dohring also requested staff bring a report back to the City Council, and the public, with the information provided to Congressman Thompson.

City Manager Comelo advised the Council that this would be a two step process.

- Staff will draft a memo to Mayor Dohring that can be forwarded to the Congressman's office as a response from the City.
- Staff will being an informational item back at the September 10 Council meeting summarizing the City's response to the items listed in the letter.

DISCUSSION:

In his letter dated August 8, 2024, Congressman Thompson requested a response to the issues raised by the opponents of Measure B in their letter to Congressman Thompson dated August 2, 2024. As the list of issues in the August 2, 2024 letter is based in significant part on the City's 9212 Report brought to City Council on June 25, 2024, there is not a significant amount of other information to bring forth except to restate the conclusions of the 9212 Report. That said, to the extent possible, the following restatement of the issues attempts to provide some additional clarity. This does not and is not intended to take any position on the merits, for or against, Measure

B. Additional information can be found in the Summary of Findings contained on pages 4 - 6 of the 9212 Report.

Update to City's Zoning Code, General Plan, and Municipal Code and General Plan Consistency
The initiative is consistent with General Plan policies related to economic sustainability and circulation element policies related to bicycle and pedestrian amenities, car-free tourism, and transportation demand management programs for major employers.

If the project were proposed through the normal entitlement process, it would present inconsistencies with General Plan policies relating to preservation of agricultural land and extension of urban development outside of the Urban Limit Line that would have to be addressed in order for the project to move forward. However, the proponents are seeking to make amendments to these General Plan policies through the electoral process, which is allowed under California law.

Workforce Housing
The Initiative requires construction of 50 moderate-income units off site or payment of Affordable Housing Fee. The peer review of the workforce housing obligation and proposal noted the following:

- The proposed site has constraints that pose serious challenges for the proponent's workforce housing concept.
- The Initiative provides no incentives or disincentives for proponents to pursue a workforce housing project in a timely manner. If the proponents do not pursue the workforce housing concept, the default option of making a payment to the Affordable Housing Impact Fee Fund - estimated to be a one-time payment of $735,000. This amount may change, as the City's Impact Fees are currently under review by City Council.

Environmental
Environmental Design Features (EDF)
The Initiative, if passed, would not be subject to CEQA. However, the Initiative includes 92 EDF, many of which must be satisfied prior to issuance of permits, similar to Environmental Impact Report (EIR) mitigation measures.

Biological
The proponent’s Biological Resources analysis stated the need for additional studies and, possibly, permits from resource agencies to ensure that there is no impact to wetlands and aquatic resources. The peer review of this analysis concurred there was a need for additional studies.

Water
The project proposes reliance on on-site wells and on-site recycled water. Additional hydrogeological analysis and information regarding measures that would be taken to

reduce water usage would be needed to determine the extent to which the use of on-site wells of the project would impact the groundwater basin. The peer review of the proponent's Civil Engineering/Utilities analysis found that the project has not demonstrated the feasibility of using the on-site wells, and that in the event that water was to be provided by the city, the project would have to comply with all city requirements related to new water connections, including but not limited to, compliance with the city's water neutrality requirements.

Historic and Cultural Resources
The peer review recommends that a Historic Resource Evaluation (HRE) of the Charles Krug Winery property should be completed prior to construction; that a qualified architectural historian complete the review. The peer review also found that EDF 26 does not follow State law standards that would apply if this project were subject to CEQA and, as written, is not sufficient to reduce the project-related impacts on archaeological resources or Tribal cultural resources to a less-than-significant level.

Regulatory
The project would still be subject to regulatory and permitting requirements of other agencies (e.g. Napa County, Caltrans, Water Board, CDFW, Napa County Groundwater Sustainability Agency, etc.). As well as the city's regulatory processes such as compliance with building codes.

Traffic and Green House Gas (GHG) Emissions
The project would contribute to increased congestion and a degradation of Level of Service at the westbound approach of Deer Park Road/SR 29 and at the Silverado Trail/Deer Park Road intersection. The Initiative includes EDF's that would require the project to contribute to future intersection improvements at both locations.

Additionally, the peer review of the GHG emissions report raised some questions regarding the inputs in the modeling and noted that the project did not include a Vehicle Miles Traveled (VMT) analysis that demonstrates it is exempt or below the BAAQMD/SB743 target or the City of St. Helena's recently adopted VMT thresholds.

Fiscal Impact
The fiscal impact provided by Noble House was prepared by EFA utilizing industry standards for projecting economic impacts of projects. The report by EFA was based on an economic analysis which considers an expansive region-wide fiscal impact and is expected to have a positive impact on both local and regional economies. In preparing the 9212 Report staff noted they did not encounter any known mathematical errors for the broad economic impact and staff provided a narrowed focus to the estimated on-going (post-construction) revenues this resort would generate for the city's General Fund. It is estimated this project, post construction, would generate an additional $1.8 million in General Fund annual revenues.

ENVIRONMENTAL REVIEW:

None

GOAL:

Miscellaneous/Other

Cindy Tzafopoulos

From: TOM BELT <tmbelt@comcast.net>
Sent: Friday, September 6, 2024 12:45 PM
To: Cindy Tzafopoulos
Subject: Fwd: [External] Measure B

Hi Cindy,
I sent this letter to Napa County Supervisor Anne Cottrell and request for information purposes that you add it to the letters to City Council for this coming Tuesday night's meeting. Supervisor Cottrell replied to me that she will assign her staff to follow up with my concerns and will get back to me. If city council would like a copy of the reply I receive, I'll be happy to share it with the city.

Tom

---------- Original Message ----------
From: TOM BELT <tmbelt@comcast.net>
To: "Anne.Cottrell@countyofnapa.org" <Anne.Cottrell@countyofnapa.org>
Date: 09/05/2024 1:37 PM PDT
Subject: Measure B

Hi Anne,
I'm curious about your thoughts about Measure B (aka Noble House's agritourism development at Krug). Hopefully you'll remember my career with California Fish and Wildlife. I remind you of this because I'm concerned about Noble House pumping water from our St. Helena aquifer and the potential it may have not only for the native fisheries but also the added competition for water at the Stonebridge Wells in St. Helena.

If you have not walked the Napa River lately, you'll find it dry from the Sulphur Creek Tributary to where the Stonebridge Wells are located.

In addition, St. Helena recently received a revised Safe Annual Yield report from West Yost and Associates and the report lowers the city's safe annual yield by about 200 acre feet from the 2012 report.

I understand a provision in Noble House's 9212 report reads Noble House reserves the right to request water from St. Helena. If that request ever comes to fruition, I'm concerned that our city has enough water to share with the proposed development. And another concern is whether or not the Krug water well Noble House is planning to draw water from falls under the .3 acre feet/year limit under the Groundwater Sustainability rules? Could you please clarify this matter?

If the Krug water well falls under the rule, Noble House will not be able to extract the amount of water they will need to operate their development and that would increase the likelihood of their requesting supplemental water from St. Helena.

Lastly, the City of St. Helena has been pumping more water out of it's Stonebridge water wells during the last few years than it has in the past. Last year the city pumped

539 acre feet out of it's wells and as you know, this is approaching the annual amount of water the city purchases from Napa. I'm also curious about whether or not the City's original well permit from the county allows this much pumping from the river/aquifer? I have been told in the past that St. Helena's well permit is limited to taking supplemental water. Considering Bell Canyon is nearly full, pumping that much water out of the Stonebridge wells seems to be more than supplemental.

I look forward to your reply to my concerns.

Thank You,

Tom and Margot Belt

Cindy Tzafopoulos

From: Richard Seiferheld <seiferheld@me.com>
Sent: Friday, September 6, 2024 1:47 PM
To: Public Comment
Subject: [External] September 10, 2024 City Council meeting New Business item 13.1
Attachments: Noble House well use docs.pdf

Please add the following to the public comment section of the subject agenda item:

In order to validate my concern regarding the impact and efficacy of the proposed use of a well(s) in the Krug property to supply the needs of the Noble House Resort, I have written the following letter to two sitting and one Napa County Supervisor Elect for their response as members of the Napa County Ground Water Sustainability Agency. Citizens of our City who may vote on Measure B should also take into consideration this concern.

Thanks for be willing to help me understand whether I am correctly interpreting what I perceive to be a contradiction between the proposed ground water extraction to service a new hotel development on the Krug Winery property in St. Helena and Napa County's sustainable yields per the Napa Ground Water Sustainability Agency. In addition to my comments, I am attaching herewith a .pdf with some docs, tables and maps the relate to my concerns. Let me know when you have time to discuss this further.

Noble House's (NH) initiative claims their groundwater pumping will have no impact on flows in York Creek and the groundwater surrounding it although York Creek joins the Napa River on the Krug property near the development site. I question the conclusion of their consultant, Sherwood's, report. While the wells they intend to convert from agricultural to commercial use may be capable of producing 250 gallons of water per minute, the Napa Ground Water Sustainability Agency recommends that under the current permitted use, the ag land that their new resort/spa is to be developed on should only be allocated .3 AF/yr/ac. For the 10.5 acres in question that's only 3.15 acre feet per year which equals 2812 gallons per day versus the spas projected use of 32,500 gallons of water per day.

Please refer to 6.2.12 – Utilities in the attached City of SH Environmental Assessment report

In the paragraph **Water Supply** pages 82-83, it makes no sense to me for NH to justify their allowable usage to be in compliance with NGWSA .3 AF/AC/Yr by using the entire 140 acres of the Krug parcel (actually 137.8 acres per Napa Co. Assessor's map) when the development will only occur only ~1/14th of the total acres. Some of that acreage not currently used by the Krug winery is currently or could in the future be under cultivation and also be entitled to draw .3 AF annually.

Even if I were to accept the NH calculations, Table 12: page 84 that shows a net ground extraction of 7200 GPD, it is more than double the recommended sustainable amount.

Richard Seiferheld
2020 Birch Ave.
St. Helena CA 94574

Richard Seiferheld
seiferheld@me.com
707 695 0915

68. To preserve existing sight lines, any new signage, monuments, or other structures to be placed near the Project entrance shall be positioned outside of the vision triangles of a driver waiting on the Project access drive.
69. To minimize left turns onto SR-29 from Deer Park Road, Project signage shall be installed on the driveway directing drivers to use SR-29 to go north and Silverado Trail to go south.
70. In the event the City of St. Helena installs a traffic signal at SR-29/Deer Park Road, the project Applicant shall pay its proportional share of the cost of the signal at the time the signal is constructed by the City.
71. In the event the County of Napa converts the existing traffic signal at Silverado Trail/Deer Park Road from flashing red operation to normal signal operation and changing the geometry on the westbound approach to a left turn and through/right-turn lanes, the Applicant shall deposit funds with the County to cover the cost of the striping improvements to allow the County to implement this change at such time as it becomes necessary.
72. The Project shall cooperate, including by way of agreements, with the adjacent winery operator to ensure there is an adequate parking supply.
73. Prior to issuance of a Certificate of Occupancy, the Applicant shall pay traffic impact fees based on the City's Master Fee Schedule, and the fee will assume all square footage calculated at the lodging rate.
74. Prior to issuance of a building permit, the Applicant shall be required to obtain a City or other applicable encroachment permit for improvements on any public right-of-way.
75. Prior to occupancy, Applicant shall construct, to the extent not previously constructed, a minimum 8–foot wide paved bicycle and pedestrian trail, which shall be open to the public, along the railway and within the property rights of the railway operator, between the Project site and Fulton Lane, provided that such obligation to construct is subject to issuance of any required permits, with reasonable and feasible conditions, from any federal and/or state agency with jurisdiction over construction affecting jurisdictional waters.

6.2.12 - Utilities

Water, Groundwater, and Wastewater

The proposed project is located in a California Statewide Groundwater Elevation Monitoring (CASGEM) High Priority Basin, which requires a local Groundwater Sustainability Agency (GSA). Napa County's Groundwater Management Ordinance (GMO) implements these GSA requirements, which generally cover approval of water supply systems, wells, and conservation. In accordance with the GMO, the proposed project would be a steward of local water resources by demonstrating a water use scheme with no net impact to the aquifer.

The proposed project has determined a feasible water use scheme to achieve no impact to the aquifer, as described below. Additional pathways to no net aquifer impact are available, which may be studied as the project advances.

Water Demand

Water demands associated with the proposed project would include an on-site restaurant, kitchen and cooking classes, bar, spa, and irrigation of grounds landscaping. Interior building plumbing demands have been estimated using the Napa County Design, Construction, and Installation of Alternative Sewage Treatment Systems based on the architectural program. As shown in Table 10, below, the gross project water use is projected at 35,200 gallons per day (GPD), with 15,000 GPD of that required to be potable quality and 20,200 GPD able to be served by nonpotable water.

Table 10: Water Demand Summary

Program Element	Gross Water Use (GPD)	Potable Water (GPD)	Nonpotable Water (GPD)
Guest Rooms	5,525	5,525	0
Employees	1,165	1,165	0
Multipurpose*	2,660	2,660	0
Laundry	2,790	–	2,790
Cooling	1,515	–	1,515
Fitness/Spa	3,720	3,720	–
Pools	1,919	1,919	–
Irrigation	15,879	–	15,879
TOTAL	35,200	15,000	20,200

Notes:
* Multipurpose includes the Event Barn, on-site restaurant, breakfast buffet, area for cooking classes, retail spaces, bar, lounge areas, meeting rooms, and administrative areas.

Water Supply

In collaboration with the Krug Winery, the proposed project would leverage one of three existing groundwater wells on-site for water supply. Well No. 1 is located in the northern portion of the parcel, close to the proposed primary access to the hotel through the vineyards, and is documented to provide a 250 gallons per minute (gpm) flow rate. This equates to a 360,000 GPD or 131.4 million gallons per year (MGY) available supply.

With a reliable on-site water source which far exceeds the anticipated demands of the proposed project facilitated by the Agritourism Initiative, no public connection to the City water distribution is anticipated. As such, the Agritourism Initiative would not burden the municipal supply system, which has limited capacity for additional connections.

Although the existing Well No. 1 is capable of pumping 360,000 GPD, the proposed project's water supply is also constrained by permitted availability. Using Napa County's standards to show no net increase in groundwater extraction by basin, projects in the County generally are allocated either a set amount of new groundwater withdrawals or must show no net increase in groundwater use if the existing groundwater use exceeds that allocation. The project site is located in the Napa Valley

Floor groundwater area, which under County standards is allocated 0.3 acre-feet per acre per year of new groundwater withdrawals. One acre-foot is equivalent to 325,851 gallons. Because the proposed project would repurpose previously permitted groundwater extraction, the 140-acre parcel would demonstrate a net water usage not exceeding 13.7 MGY (37,500 GPD) for no net increase in allocated groundwater use.

Wastewater

Wastewater flow from the proposed project is projected as 15,900 GPD. Existing wastewater flow from the Charles Krug Winery is 2.2 MGY (6,030 GPD on average) of process water and 3,630 GPD of domestic water. Daily process wastewater rates vary with the winery production cycle. For the purposes of this analysis a daily average is used. This combined daily water use equates to the winery's wastewater generation for a total winery wastewater flow of 9,700 GPD.

Under current State and County Code, domestic wastewater generated on-site from sinks, showers, toilet flushing, and winery process water can be treated to high quality tertiary standards on-site with a packaged treatment system operated by the facility. A new package plant sized for both the proposed project and winery wastewater flows would yield 20,400 GPD of total reclaimed water. This high quality effluent would be reused for nonpotable demands within the proposed project, consisting of outdoor drip or spray irrigation and indoor flush fixtures. Excess treated water would be available for the winery to use for washdown and tank cleaning or application to vineyards in keeping with State and County requirements to return to the aquifer.

With the use of on-site treatment, no connection to the public sewer system is anticipated. As such, the Agritourism Initiative would not burden the municipal treatment system.

Water Reuse

The proposed project would provide on-site treatment and reuse of reclaimed wastewater for nonpotable demands. The proposed project would partner with the existing winery to improve water usage at a larger, parcel-based scale to increase the benefits of on-site reclaimed water. With the reclaimed water supply, water use for the proposed project would be 14,800 GPD, as shown in Table 11 below.

Table 11: Net Project Water Use

Water Demand Type	Demand
Project Potable Water Demand	+ 15,000 GPD
Project Nonpotable Water Demand	+ 20,200 GPD
(Project Reclaimed Water)	- 12,700 GPD
(Krug Reclaimed Water)	- 7,700 GPD
Net Project Water Use	**14,800 GPD**

The 14,800 GPD net project water use would be offset through Krug Winery operational changes to reduce overall water use. Because the project site is partially within existing vineyards that would be removed, decreased vineyard irrigation would provide a substantial reduction in water use and enable reclaimed water to be used for process water or applied to vineyards.

Groundwater Extraction

The proposed water reuse scheme would allow the proposed project to demonstrate no net increase in acceptable groundwater use (see Appendix F). An allowable water supply of 37,500 GPD is assumed for the parcel. Considering the various uses that would draw from this allowance, groundwater demand would not exceed the groundwater allowance (see Table 12). Irrigation and process water uses both have seasonal variations; however, an average daily rate is reported for consistency. Additionally, although Krug connects to the City municipal potable system for their domestic use, it is included below to reflect a conservative burden on regional groundwater resources. In addition, under EDF 80, the use of existing groundwater well(s) on the winery property would not have a material adverse impact on the water production capability of the City and pursuant to EDF 82 the proposed project must incorporate best practices for water conservation, which includes metering the water production/extraction and well water levels.

Table 12: Groundwater Extraction Allowance Minus Demands on Groundwater

Groundwater Type	Demand
Groundwater Extraction Allowance	- 37,500 GPD
Net Project Water Demands	+ 14,760 GPD
Krug Domestic Demands	+ 3,630 GPD
Krug Process Demands	+ 6,030 GPD
Krug Irrigation Demands	+ 5,891 GPD
Net Groundwater Extraction	**- 7,200 GPD**

Net Water Use Change

On a net parcel scale, the proposed project would result in increased water use as compared to existing conditions. The Charles Krug Winery's current average daily water usage rate is 15,500 GPD. With the proposed project, the future average daily water usage rate is 30,300 GPD. This yields a net increase of 14,800 GPD across the 140-acre parcel.

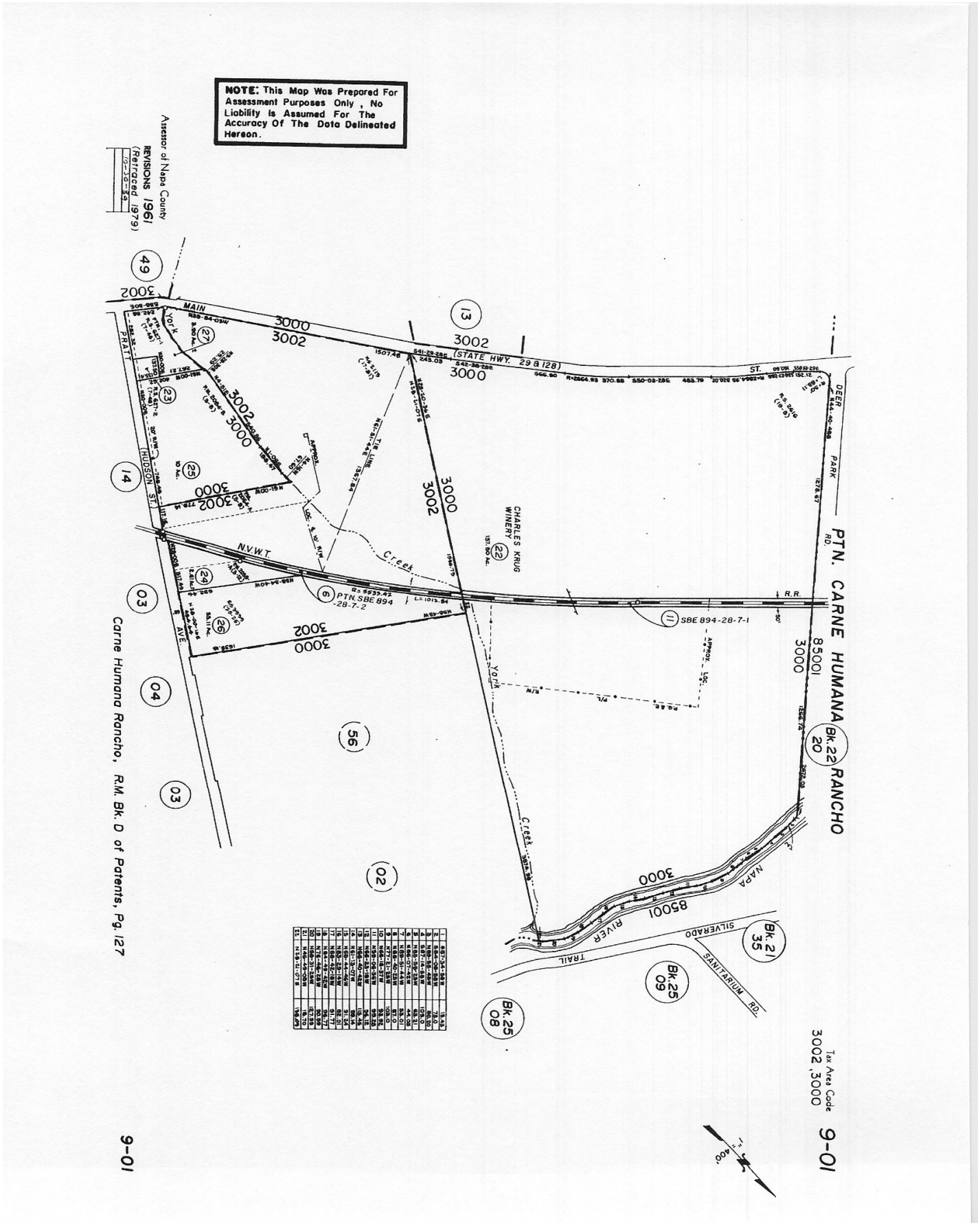
Water Storage

Water for potable, nonpotable, and fire protection systems would be stored on-site per code requirements and project demands. Given the flat nature of the site, water would be pressurized as required to serve each system.

If approved, the Agritourism Initiative requires the following EDFs related to water, groundwater, wastewater, and utilities to be implemented:


Lodi Ln
Saint Helena Hwy
29
Deer Park Rd
JACKSON FAMILY INVESTMENTS III LLC ETAL
MCDONALD DAVID NEAL TR ETAL
MEE OWELL E TR
BALLENTINE WILLIAM V JR & JANE SORENSEN TR
C MONDAVI AND SONS INC
Krug
NAPA VALLEY WINE TRAIN LL
HERNANDEZ JORGE ETAL TR
FANTESCA LLC
MARTIN KRISTIN L ETAL

Weather


NOTE: This Map Was Prepared For Assessment Purposes Only, No Liability Is Assumed For The Accuracy Of The Data Delineated Hereon.
Assessor of Napa County
REVISIONS 1961
(Retraced 1979)
PTN. CARNE HUMANA RANCHO
Carne Humana Rancho, R.M. Bk. D of Patents, Pg. 127
Tax Area Code
3002, 3000
9-01
MAIN
(STATE HWY. 29 & 128)
ST.
DEER PARK RD.
PRATT
HUDSON ST.
N.V.W.T.
Creek
CHARLES KRUG WINERY
PTN. SBE 894-28-7-2
SBE 894-28-7-1
R.R.
NAPA RIVER
SILVERADO TRAIL
SANITARIUM RD.
Bk. 22 20
Bk. 21 35
Bk. 25 09
Bk. 25 08
3000
3002
85001
1" = 400'

Interim Napa County Well Permit Standards and WAA Requirements - January 2024

WAA Tier 1: Groundwater Use for Napa County					WAA Tier 2: Well & Spring Interference	WAA Tier 3: Groundwater / Surface Water Interaction	
Napa County new regulatory requirements for the a Tier 1 analysis are pursuant to CEQA, Napa County's Water Availability Analysis (WAA) Guidelines, dated May 12, 2015, Napa County's Drought Emergency, Governo's Executive Order N-7-22/N-3-23, Napa Valley Subbasin Groundwater Sustainability Plan, Napa County Resolution 2022-178, Napa County Code Groundwater Conservation Ordinace - Chapter 13.15, recent court decisions, and pending State-litigation.					Tier 2 analysis is governed by the WAA and the Governor's Executive Order N-7-22/N-3-23. Tier 2 analysis must be performed by licensed professional retained by applicant or through County services and paid for by applicant.	Tier 3 analysis is governed by CEQA, the WAA, and the Public Trust Doctrine, and County Resolution 2022-178. Tier 3 analysis must be performed by licensed professional retained by applicant or through County services and paid for by applicant.	
Well Type	Groundwater Use	Inside Napa Valley Subbasin	Inside Napa County Groundwater Deficiant Area (MST)	Outside Napa Valley Subbasin & MST	Less than 500-feet to neighboring well(s) and/or 1,500-feet to a natural spring(s)	Less than 1,500-feet to a Significant Stream Inside the Napa River Watershed	Less than 1,500-feet to a Significant Stream Outside the Napa River Watershed
NEW WELL	Domestic - Individual User	0.3 AF/acre [2,3]	0.6 AF/year	NA [1]	NA [1,7]	Tier 3 Required	NA [1,7]
	Commercial, Industrial, or Agricultural	0.3 AF/acre [3]	No Net Increase and 0.3 AF/acre	Parcel Specific Recharge [4]	Tier 2 Required	Tier 3 Required	Tier 3 Required
	Public Water System	0.3 AF/acre [3]	No Net Increase and 0.3 AF/acre	Parcel Specific Recharge [4]	NA [7]	Tier 3 Required	NA [7]
REPLACEMENT WELL	Domestic - Individual User	0.3 AF/acre [3]	No Net Increase	Parcel Specific Recharge [1]	NA [1,7]	Tier 3 Required [6]	NA [1,7]
	Commercial, Industrial, or Agricultural	0.3 AF/acre [3]	No Net Increase	Parcel Specific Recharge [4]	Tier 2 Required [5]	Tier 3 Required [6]	Tier 3 Required [5]
	Public Water System	0.3 AF/acre [3]	No Net Increase	Parcel Specific Recharge [4]	NA [7]	Tier 3 Required [6]	Tier 3 Required [5]
EXISTING WELL	New, Altered or Increased Water Use for Discretionary Project	0.3 AF/acre [3]	No Net Increase and 0.3 AF/acre	Parcel Specific Recharge [4]	Tier 2 Required [8]	Tier 3 Required [6]	Tier 3 Required [8]

NA = Not Applicable

[1] Assumes less than 2-acre-feet per year of groundwater for individual domestic users.

[2] Requirement can be met by submitting a "Water Use Declaration" that reflects the allowed water usage.

[3] Where existing groundwater use exceeds the 0.3 ac-ft/ac, No Net Increase in Groundwater use is required (Subject to change by the GSA), and shall be demonstrated through a water demand analysis.

[4] Where existing groundwater use exceeds the Parcel Specific Recharge, No Net Increase or reduction in Groundwater use is required, and shall be demonstrated through a water demand analysis.

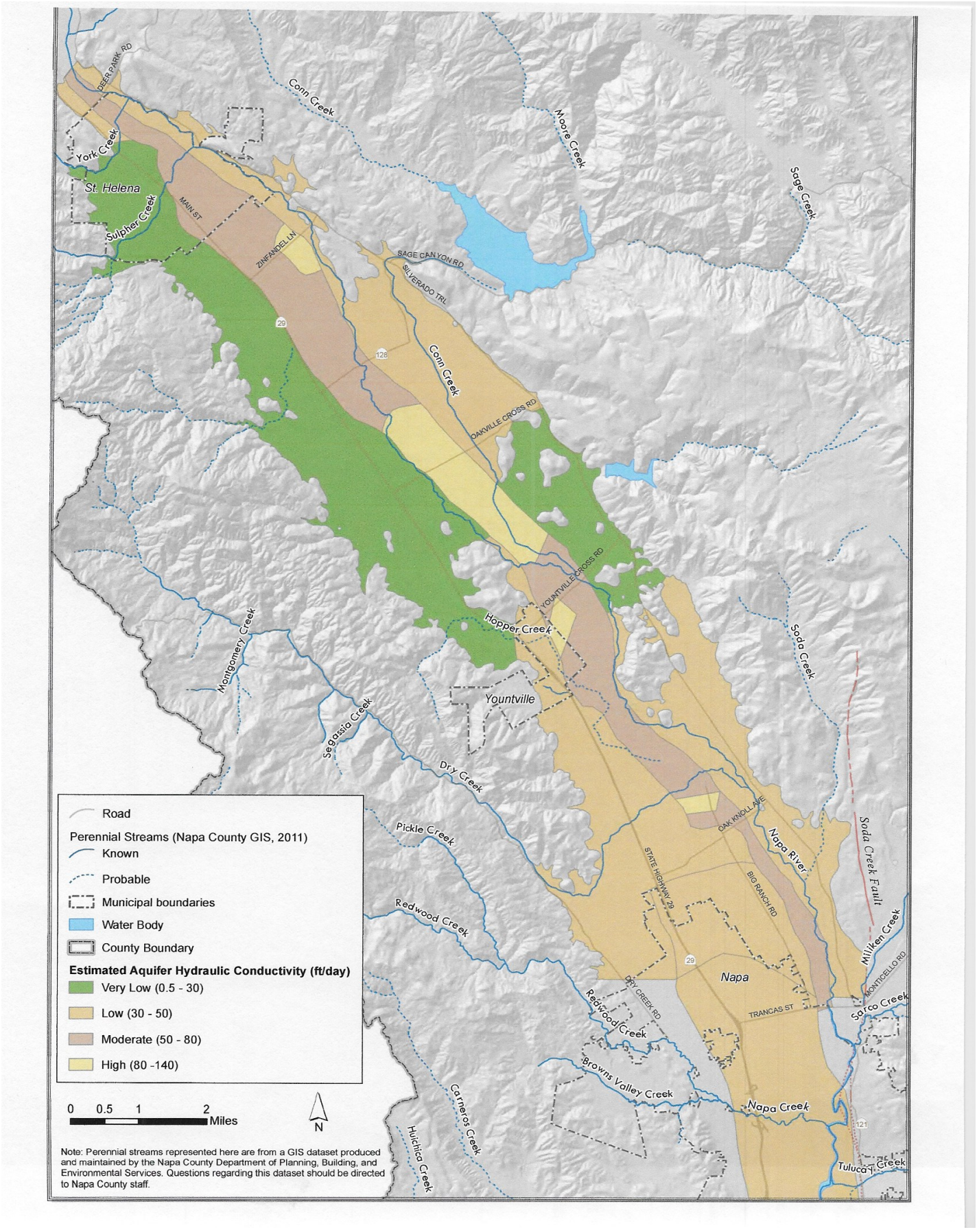
[5] The analysis is not required when the replacement well is located further away from the neighboring well, natural spring, or Significant Stream and there is no increase in groundwater use.

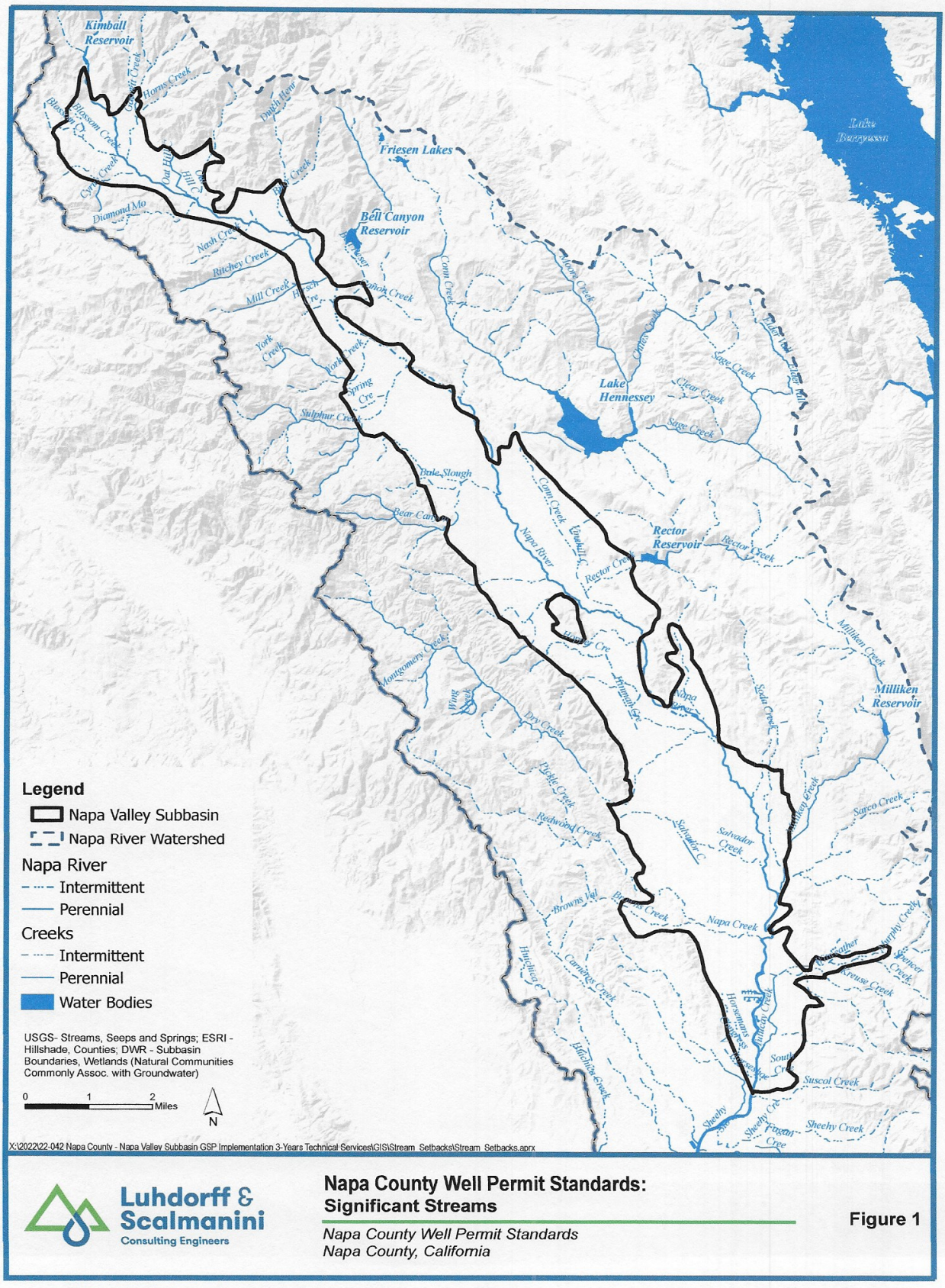
[6] The analysis is not required if modifications to the location, construction, or operations of the project well(s) are made to reduce harm relative to current conditions based on the conclusions by a qualified professional.

[7] Unless associated with a Discretionary Project; and every effort should be made to locate the well as far as possible from neighboring wells and springs.

[8] The anlaysis is only required for an increase in groundwater use.

1/8/2024


Road
Perennial Streams (Napa County GIS, 2011)
Known
Probable
Municipal boundaries
Water Body
County Boundary
Estimated Aquifer Hydraulic Conductivity (ft/day)
Very Low (0.5 - 30)
Low (30 - 50)
Moderate (50 - 80)
High (80 -140)
0 0.5 1 2 Miles
N
Note: Perennial streams represented here are from a GIS dataset produced and maintained by the Napa County Department of Planning, Building, and Environmental Services. Questions regarding this dataset should be directed to Napa County staff.
St. Helena
Yountville
Napa
Conn Creek
Moore Creek
Sage Creek
York Creek
Sulpher Creek
Hopper Creek
Soda Creek
Montgomery Creek
Segassia Creek
Dry Creek
Pickle Creek
Redwood Creek
Napa River
Soda Creek Fault
Milliken Creek
Sarco Creek
Browns Valley Creek
Napa Creek
Carneros Creek
Huichica Creek
Tulucay Creek
DEER PARK RD
MAIN ST
ZINFANDEL LN
SAGE CAN YON RD
SILVERADO TRL
OAKVILLE CROSS RD
YOUNTVILLE CROSS RD
OAK KNOLL AVE
STATE HIGHWAY 29
BIG RANCH RD
DRY CREEK RD
TRANCAS ST
MONTICELLO RD
29
128
121



Luhdorff & Scalmanini
Consulting Engineers

Napa County Well Permit Standards:
Significant Streams

Napa County Well Permit Standards
Napa County, California

Figure 1

September 7, 2024

Dear Mayor Dohring, Vice=Mayor Hall and members of the City Council,

A sequence of events has happened in the last few months that need to be reviewed.

1. The Noble House organization applied to the City of St. Helena to build a hotel and resort on agricultural land located on the Charles Krug Winery property.
2. The Noble House organization applied to do a precedent setting type of construction. They wanted to be exempted from the requirement to do this project using the CEQA standards.
3. The City staff, in a very limited period of time did an excellent review, 9212 report, of the various factors that should be considered using CEQA standards.
4. The City staff found several areas where the plan did not meet CEQA standards. This was reported in a very factual manner being careful to not use any language that would initiate a law suit. This City has been handcuffed for the last few years because of concerns about being sued. Why do we have an attorney? He seems to primarily advise no matter what the cost to avoid being sued.
5. The City Council then decided to put this matter on the ballot.
6. Some concerned voters formed a committee to fight against building this precedent setting, CEQA deficient project and they appealed to Congressman Mike Thomson. He did what all elected representatives should do. He wrote to the City wanting an explanation of this situation.
7. So, Mayor Dohring asked staff to respond. I strongly believe the City Council should have responded, not CM or staff.
8. A simple list of the areas where Noble House has failed to meet CEQA standards and a statement of resolve on the part of the City that those areas will have to be resolved before permits to build will be issued.
9. I am not a water or traffic expert. I have been an advocate of affordable housing for most of the years I have lived here, 24 years. Their plan to build the required workforce housing is actually silly to have proposed. It obviously will not work. So, they will pay the $750,000 which is a pittance in todays real estate market and the cost of construction.

I am not absolutely sure you needed to discuss this at your September 10th meeting but it seemed to be the least inflammatory solution to answer the opponents to the Noble House Project and to answer Congressman Thompson. To do it on a night when a very important debate is going to be televised is unthinking and unfortunate. Please focus more on the essential needs of the community like long term water availability, ability to move around on the roads, precedent setting to allow powerful developers to do whatever they want. You did that with the housing project on Fir Hill and Madrona, the Hunter project, and here we go again.

Pat Dell

From: Kelly Wheaton
To: cityclerk
Subject: [External] ***Spam*** Noble House discussion for Sep 10
Date: Saturday, September 7, 2024 3:08:18 PM

Dear Mayor and City Council members,

I will not be at the meeting as I will be watching the Presidential debate. But I want to raise concerns about statements by Council Members and Staff, similar to the ones we heard on the Hunter Project. Really calling them statements is generous, what they are, are lies designed to manipulate public opinion. A financial blackmail based on half truths and lies.

The City's Own 9212 report calculated average annual General Fund revenues from the Noble House hotel at $1,833,759. Yet the "Yes on B" keeps claiming this hotel will deliver $3,633,880 to St Helena. At the City Council meeting both our City Attorney and City Manager said they could not recommend the project as proposed. But that is what is going to be discussed.

It's all going to be groundwater and inhouse sewage treatment---until it is not. Why would you believe a word that Noble House says?

The supposed Workforce 50 units of housing is a mirage---they intend to donate $735k to the Affordable housing fund. How many homes do you think that will build? It isn't what it purports to be. They can still build their hotel, just go through the normal process like everyone else. And yet a City Council Member told a citizen that if Noble House and the Transfer Tax doesn't pass there would be no Fire, Police or Library. We have REAL FINANCIAL problems because the City Manager and you, the City Council have been on a spending spree.

The public has lost faith in its leaders---not because we are morons. But because you on the Council writ large, cannot be trusted to tell us the truth.

Sincerely,
Kelly Wheaton
1335 Inglewood Ave,

--
Kelly Wheaton
a4est42@gmail.com
Beginners Guide to Genetic Genealogy
WheatonWood.com

As a private citizen with no winery connections, I am against the Noble House Project.

Saint Helena needs money but not at the expense of everyone else.

No one has spoken to the issues of the nearby property owners. Taking 30,000 gallons of water a day will have an adverse effect of the private homes nearby that rely on wells for their water needs. Taking that amount of water could have an effect on water levels in York Creek which flows into the Napa River. A loss of water in these areas will affect the steelhead, fox, coyote, quail and all other wildlife.

What is going to happen with all the wastewater that Noble House will produce? Is that going to end up contaminating the groundwater?

It is my understanding that the Wine Train will be bringing guests to and from the resort. This will increase noise, air pollution and decrease the quality of life for everyone.

The noise when there is an event at Krug is very disruptive. This starts at 10 am with sound checks and continues many times well past 10pm even though the city has a noise ordinance. When you call about it you are told there is no one available to enforce the ordinance because the police force is too busy with traffic control.

The Measure B is written for the benefit of the developer not the city of Saint Helena or its citizens.

All developers should go through the proper process for any project approval.



The Honorable Paul Dohring, Mayor
City of St. Helena and
Members of City Council
Anna Chouteau
Billy Summers
Patrick Kenealy
c/o City Clerk
1088 College Avenue
St. Helena, CA. 94574

Via email:
cityclerk@cityofsthelena.org

Re: Report analyzing the impacts and effects of Noble House "St. Helena Agritourism Initiative"
September 10, 2024, Regular Meeting

Dear Members of the St. Helena City Council:

I speak on behalf of St Helena Citizens No on Measure B, an unincorporated association of St. Helena residents, property owners, and voters.

Congressman Thompson requested a response to issues we raised in our August 2 letter. He asked the city to provide an opportunity to gather and examine critical information about the significant and potentially serious consequences of this Initiative effort. Many of the issues we raised in our August 2 letter to Congressman Thompson remain unaddressed.

We appreciate your work in assembling the 9212 Report in a short amount of time. The peer review raises multiple issues of concern, particularly with respect to this commercial project's use of groundwater.

Tonight, the staff reports that "there is not a significant amount of information to bring forth except to restate the conclusions of the 9212 Report."

Cutting off the time the publics has to significant understand negative impacts is exactly what Noble House is hoping for. It is not by accident that we don't have enough time to thoroughly gather and examine critical information about the significant and potentially serious consequences of this Initiative effort.

Noble House invoked this initiative process so their project avoids CEQA. They chose to evade a meaningful and thorough public review of the resort's impacts on our environment. Noble House chose to exempt their resort from our Municipal Code provision that prohibits use of agricultural wells for commercial purposes.

We will never see an EIR that follows recognized standards. Noble House does not have to circulate a report for public review and comment. Noble House does not have to consider or implement public concerns and recommendations for improving the project or minimizing or avoiding its deleterious effects on the city and its resources.

And you, our elected leaders are all but powerless to influence the design and operation of the resort, or to impose conditions of approval or mitigation measures to ensure that our community is adequately protected.

When it comes to groundwater, the "peer review" of the developer's water analysis is more than alarming (Found in its entirety at Appendix E-7 of 9212 Report):

• The project has not demonstrated the feasibility of using on-site wells . . . (9212 report pg 5-6) Has the city requested a study?

• The St. Helena Resort will increase the rate of groundwater extraction from the agricultural wells on the Krug winery to 30,300 gallons per day, or 11.06 million gallons per year, more than 2.5 times the current winery extraction rate. (9212 Report, page 47).

• There is no mention in the EAR of how groundwater use will be monitored or enforced. (9212 Report, pg 48)

• Additional hydrogeological analysis and information regarding measures that would be taken to reduce water usage would be needed to determine the extent to which the use of on-site wells for the project would impact the groundwater basin. (9212 Report pg 5) Has the city requested a study?

• The proponents have evaded the question of whether some type of subdivision or separation of the resort from the winery is contemplated. If the resort site is somehow separated from the greater 140-acre winery site, this raises the question of whether the groundwater allocation from the remaining larger winery parcel can be shared with the resort property. If a subdivision is contemplated in the future, the County's Groundwater Management Ordinance needs to be carefully reviewed to ensure that a shared groundwater allocation can be accommodated. (9212 report pg 47-49)

• "Careful review of the County's Groundwater Management Ordinance is necessary as it relates to the proposed increase in groundwater use . . .and to ensure that the proposed winery/resort shared

groundwater allocation can be accommodated. 9212 Report, pg [47-48] Has the city requested a study.

I refer you to Richard Seiferheld's letters and the following:

". . . the Napa Ground Water Sustainability Agency recommends that under the current permitted use, the ag land that their new resort/spa is to be developed on should only be allocated .3 AF/yr/ac. For the 10.5 acres in question that's only 3.15 acre feet per year which equals 2812 gallons per day versus the spas projected use of 32,500 gallons of water per day.

It is worse than that. According to the 9212 Report: The "Project" is described as the development of 8.5 acres plus an additional acre for a landscape buffer, which suggests a total of only 9.5 acres. What happens if Measure B passes, and a lawsuit is brought to enjoin the use because the resort uses more water than the Ground Water Sustainability Act allows? Will the City of St Helena be obligated to defend Noble House for legal costs since we, as citizens, have voted to amend our Municipal Code to permit the project to use agricultural wells for commercial purposes?

Public records disclose that the Noble House team met with Maya and Anil last December and told them they wanted to "proceed with the entitlement process expeditiously." They never had any intention to do that. They understood that their project in our Ag preserve and without a public water supply could not withstand an objective CEQA analysis of its environmental impacts, let alone a thorough review of the project's s inconsistencies with our General Plan and Zoning Ordinance.

As of the end of August, Noble House – and no one else – has pumped $174,000 into Measure B to buy our votes. By any measure in our St. Helena politics, that amount of money is outrageous and disgusting.

The public relations firm Noble House retained boasts of their ability to "gain project approval" and "influence" policy decisions. They are knowingly providing biased and false interpretations of facts to influence public opinion. How many times are they going to claim this hotel will deliver $3,633,880 to St. Helena when the City's 9212 report calculates average annual General Fund revenues from the hotel at $1,833,759? They're even putting this false information in their ballot arguments and in letters to Congressman Mike Thompson.

More than likely the PR firm wrote their August 15 letter to Mike Thompson. That letter relies on their quick fix to our city's "urgent financial needs" and their $3,633,880 figure to justify the decision to cram their project through by initiative. Yes, our normal entitlement process includes time and lack of guarantee of success. That's no excuse. They boast that Measure B gives "the community the power to make an informed decision." The initiative process they chose prevents

the community from obtaining reliable, objective information. What we're getting from Yes on B is nothing but spin.

The Measure B proponents constantly stress the economic benefit of their project, while they simultaneously fudge the numbers. But even at $1,833,759 it is not worth it for us to "roll the dice" on groundwater and our environment.

It is crystal clear to me that this project is bad for St. Helena. This group of developers from Washington state are trying to steamroll the community, bypassing a proper, thorough vetting which they know they cannot pass. What they are proposing will drastically and irreversibly alter St Helena's Ag reserve and General Plan. It is not right, and it is time for all those citizens who value thoughtful policymaking in the future to stand up against it.

Respectfully,
Susan Kenward
St Helena Citizens No on Measure B

cc: The Honorable Mike Thompson
Napa District Office
2721 Napa Valley Corporate Drive
Napa, CA 94558

Agenda Report to the City Council

Agenda Section: NEW BUSINESS

Department: Planning

DATE:	September 10, 2024
FROM:	Aaron Hecock, Senior Planner
SUBJECT:	Request by Fulton Junction Partners LLC for preliminary review of a proposed General Plan Amendment for the property located at 1030 Fulton Lane (APN 009-194-005).
RECOMMENDED ACTION:	The City Council should review the proposed General Plan Amendment application and either: 1. Authorize the application to be processed, referring the matter to the Planning Commission or 2. Direct staff to cease processing the application pursuant to St. Helena Municipal Code Chapter 17.06.
PREVIOUS COUNCIL ACTION:	N/A
STATEMENT OF THE PURPOSE:	City Council review and consideration of the proposed General Plan Amendment application.
FINANCIAL IMPACT:	No financial impact is anticipated as the applicant's application fees are in the form of a deposit account and they will be required to pay the cost of a CEQA consultant.

BACKGROUND:

The subject property at 1030 Fulton Lane is approximately 39,092 square feet (sf) and is located east of the railroad tracks and north of Fulton Lane. The property has a General Plan land use and zoning designation of Service Commercial (SC). The SC zone is intended to provide for service and retail uses, restaurants, service stations, hotels, motels, public and quasi-public uses and similar and compatible uses. The designation is intended primarily for service and retail uses that are automobile-oriented or whose operational characteristics and space needs are not considered appropriate for the Central Business District. The intent is for the SC Zone to be primarily local resident-serving in character. Strictly tourist serving retail uses are prohibited within this designation. The parcel is the only commercially zoned property north of Fulton Lane and east of the railroad tracks and has remained vacant for over a decade; it is surrounded by agriculturally designated parcels on three sides.

DISCUSSION:

The applicant has submitted a General Plan Amendment (GPA) application to change the property's land use designation from SC to Agriculture (AG) to accommodate the future construction of a single-family home. The AG land use designation includes

agricultural and winery uses with restricted single family residential and public/quasi-public uses. This designation applies to large areas of the valley floor that surround the city's urban core. With the exception of hillside areas designated Woodlands and Watershed (WW), all lands outside the Urban Limit Line are designated AG regardless of their size or actual use.

Pursuant to St. Helena Municipal Code (SHMC) Section 17.06.030(B), complete applications received for a General Plan Amendment shall be presented to the City Council for preliminary review at the Council's first regularly scheduled meetings in March and September of each year. Following the review, the City Council, at its discretion, may order the application to be further processed or may direct staff to cease processing the application. Any authorization to proceed does not imply in any way ultimate approval or disapproval of an application.

1. If the City Council authorizes the application to be processed, it shall refer the matter to the Planning Commission, which shall hold public hearings pursuant to state law after the necessary environmental review process and staff analysis have been completed.
2. In the event the City Council directs staff to cease processing the application, a new application for a General Plan amendment involving substantially the same request for a parcel or area shall not be reviewed by the City Council for at least one year after such direction.

Should the Council authorize the GPA application to be processed, the applicant will also be required to submit applications for rezoning the property to Twenty-Acre Agriculture (A-20) and major design review for construction of the new single-family home. While the property would require a rezone to A-20 to be consistent with the agricultural land use designation, because the subject parcel is less than two-acres in size, the Low Density One-Acre Minimum (LR-1A) zoning standards would apply (opposed to the A-20 standards). The LR-1A standards allow for the construction of a single-family home; so while the property would have agricultural General Plan and zoning designations, due to the property's size, it would likely not accommodate active agricultural uses.

ENVIRONMENTAL REVIEW: Should the Council authorize the application to be processed, the applicant will be required to pay the cost for a qualified CEQA consultant to prepare the requisite documentation.

GOAL:

Miscellaneous/Other

DOCUMENTS ATTACHMENTS:

Resolution

General Plan Map
1030 Futon Assessors Map
Aerial View
Project Narrative
Site Plan

CITY OF ST. HELENA

RESOLUTION NO. 2024-

Resolution of the City Council of the City of St. Helena authorizing General Plan Amendment application (#PL24-043) for 1030 Fulton Lane in the City of St. Helena to be processed and referred to the Planning Commission for consideration.

WHEREAS, The applicant, Fulton Junction Partners LLC submitted a General Plan Amendment application on August 5, 2024; and

WHEREAS, pursuant to St. Helena Municipal Code (SHMC) Section 17.06.030(B), complete applications received for a General Plan Amendment shall be presented to the City Council for preliminary review at the Council's first regularly scheduled meetings in March and September of each year; and

WHEREAS, following the review, the City Council, at its discretion, may order the application to be further processed or may direct staff to cease processing the application; and

WHEREAS, any authorization to proceed does not imply in any way ultimate approval or disapproval of an application; and

WHEREAS, if the City Council authorizes the application to be processed, it shall refer the matter to the Planning Commission, which shall hold public hearings pursuant to state law after the necessary environmental review process and staff analysis have been completed.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ST. HELENA AS FOLLOWS:

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

SECTION 2. To Authorize the General Plan Amendment application for 1030 Fulton Lane in the City of St. Helena to be processed and referred to the Planning Commission for consideration.

Approved at a Regular Meeting of the St. Helena City Council on September 10, 2024, by the following vote:

Mayor Paul Dohring: _____

Vice Mayor Eric Hall: _____

Council Member Anna Chouteau: _____

Council Member Patrick Kenealy: _____

Council Member Billy Summers: _____

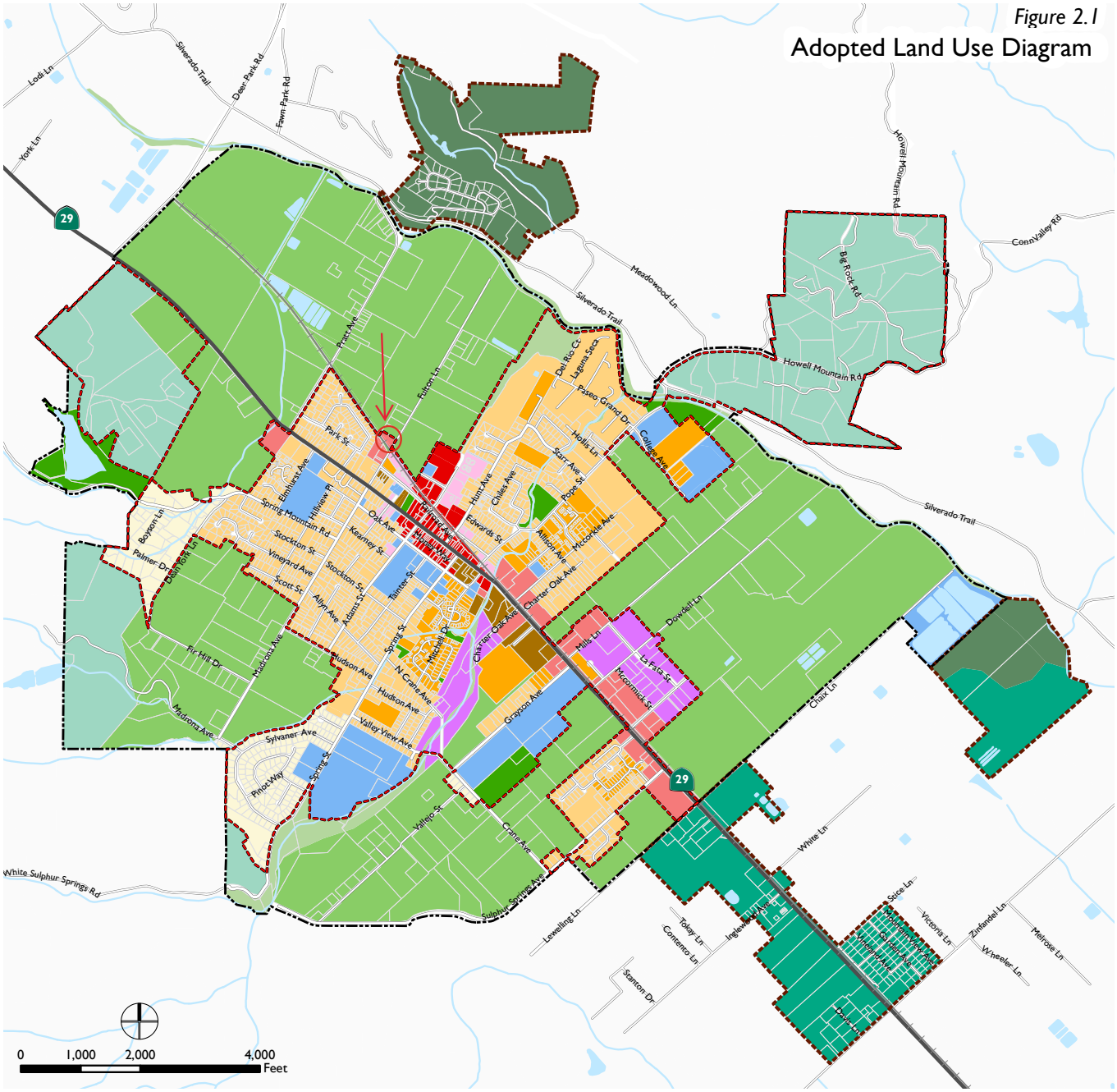
APPROVED: ATTEST:

_____ _____

Paul Jamison Dohring, Mayor Cindy Tzafopoulos, City Clerk

Figure 2.1

Adopted Land Use Diagram



Data Source: City of St. Helena, 2018; Napa County, 2018; Dyett & Bhatia, 2018, updated 2024.

St. Helena General Plan

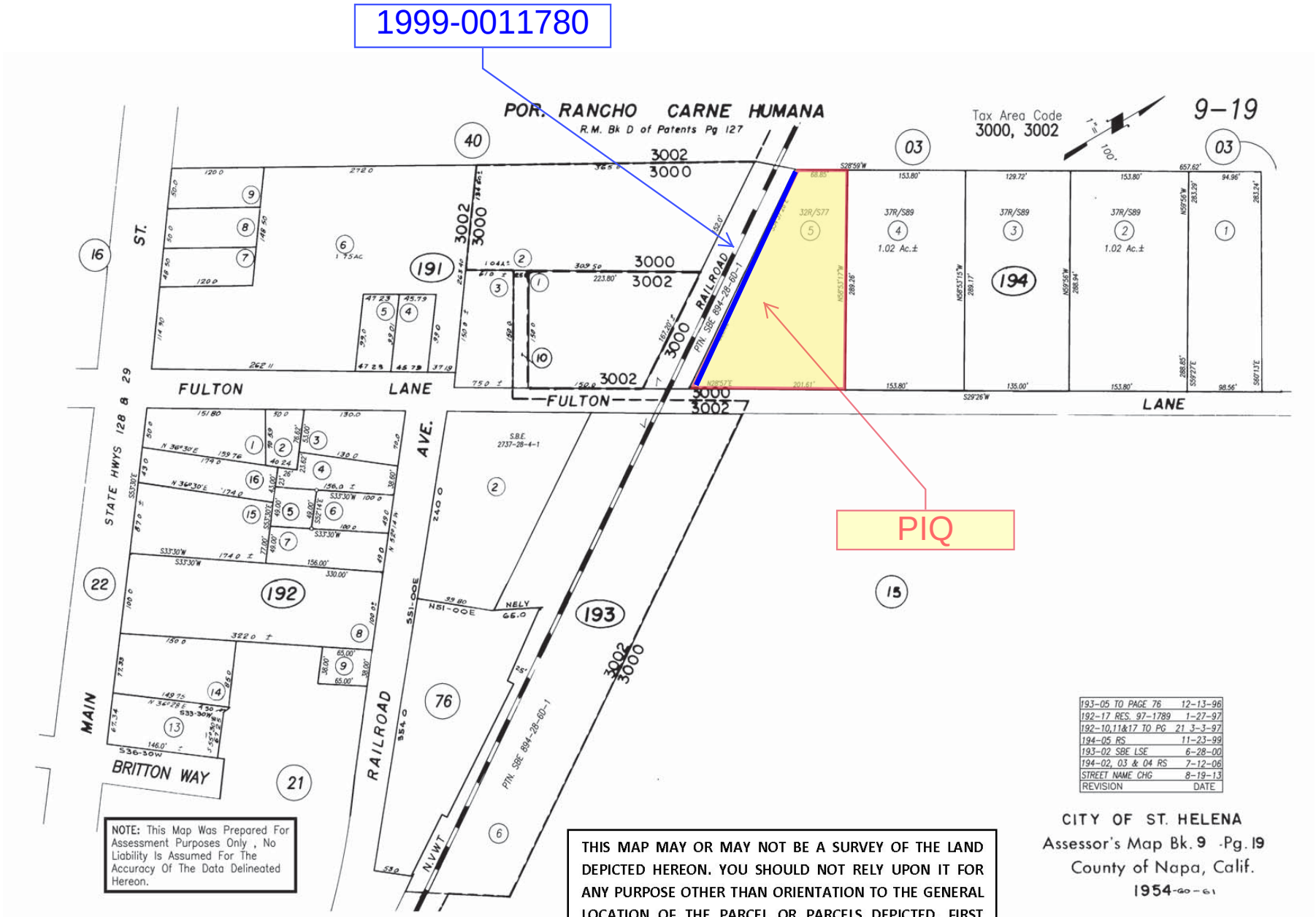
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Central Business
- Service Commercial
- Mixed-Use
- Office
- Industrial
- Public and Quasi-Public
- Parks and Recreation
- Agriculture
- Open Space
- Woodlands and Watershed

Napa County General Plan

- Agricultural Resource
- Agriculture, Watershed and Open Space

- Railroad
- Water Features
- Urban Limit Line
- Study Areas
- City of St. Helena

GENERAL PLAN UPDATE
City of St. Helena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POR. RANCHO CARNE HUMANA
R.M. Bk D of Patents Pg 127
Tax Area Code
3000, 3002
9–19
PIQ
FULTON LANE
STATE HWYS 128 & 29
MAIN ST.
AVE.
RAILROAD
BRITTON WAY
PTN. SBE 894-28-60-1
191
192
193
194
NOTE: This Map Was Prepared For Assessment Purposes Only , No Liability Is Assumed For The Accuracy Of The Data Delineated Hereon.
THIS MAP MAY OR MAY NOT BE A SURVEY OF THE LAND DEPICTED HEREON. YOU SHOULD NOT RELY UPON IT FOR ANY PURPOSE OTHER THAN ORIENTATION TO THE GENERAL LOCATION OF THE PARCEL OR PARCELS DEPICTED, FIRST AMERICAN TITLE COMPANY OF NAPA EXPRESSLY DISCLAIMS ANY LIABILITY FOR ALLEGED LOSS OR DAMAGE WHICH MAY RESULT FROM RELIANCE UPON THIS MAP.
193-05 TO PAGE 76 12-13-96
192-17 RES. 97-1789 1-27-97
192-10,11&17 TO PG 21 3-3-97
194-05 RS 11-23-99
193-02 SBE LSE 6-28-00
194-02, 03 & 04 RS 7-12-06
STREET NAME CHG 8-19-13
REVISION DATE
CITY OF ST. HELENA
Assessor's Map Bk. 9 Pg. 19
County of Napa, Calif.
1954
RECEIVED
By XGamero at 9:50 am, Aug 05, 2024

Google Maps 1030 Fulton Ln



Imagery ©2024 Maxar Technologies, Map data ©2024 50 ft

RECEIVED
By XGamero at 9:49 am, Aug 05, 2024

BRODIE

City of St Helena
% Mayor Dohring and Members of the City Council
1088 College Avenue
St. Helena, CA 94574
(707) 968-2659

Re: **1030 Fulton Lane - General Plan Amendment Request**

APN: 009-194-005

Mr. Mayor and Members of the City Council,

My client, Fulton Junction Partners LLC, the property owner ("Owner"), acquired the above referenced property. The Owner acquired the property with the goal of improving the vacant parcel to create a vibrant and more aesthetically pleasing environment consistent with the surrounding neighborhood. To meet this goal, a general plan amendment application is being filed requesting to designate the referenced property within the Agriculture General Plan land use designation consistent with the provisions of Chapter 17.06 of the City of St. Helena zoning code.

The property is on the northern side of Fulton Lane north of the railroad, which intersects the community creating a distinct transition line between the downtown and the agricultural lands to the north. The property is surrounded on three sides by parcels designated "Agriculture" and currently developed with a mixture of residential and agricultural uses.

Subsequent to the demolition of the pre-existing warehouse structure in 2010, the property has been underutilized, mostly vacant and has created a disconnect or interruption in flow as one travels northerly on Fulton Lane. In 2018, a wine storage project was approved but never proceeded to construction. The redesignation of the property to a land use designation of Agriculture provides a great opportunity to create a more cohesive land use/development pattern for this segment of Fulton Lane.

The 39,092 square foot parcel is currently located within a Service Commercial General Plan land use designation, is zoned Service Commercial and located within the Urban Limit Line. The pre-existing structure and uses on the property predated the City's land use planning efforts. As such, the land use designation and reciprocating zoning were enacted consistent with the pre-existing uses rather than to establish a forward-thinking land use consistent with the predominance of agriculture and residential uses in this quadrant of the City.

With the demolition of the pre-existing structure and change in ownership, there is an

opportunity to amend the general plan land use designation to be in keeping with the overall policy direction of the General Plan by retaining the predominance of agriculturally designated lands in this area of the community and preventing the encroachment of commercial development north of the railroad. To help the City achieve its objectives and create neighborhood land use consistency, the owner is requesting that the City Council consider and direct the review of a general plan amendment at its first regularly scheduled meetings in September, if not before, to designate the property Agriculture.

The General Plan currently designates the property for Service Commercial uses. The Service Commercial designation provides for service and retail uses, restaurants, service stations, motels, public and quasi-public uses, and similar and compatible uses. The designation is intended primarily for service and retail uses that are automobile-oriented. The intent is for the Service Commercial district to be primarily local residents serving in character. It is our belief that the majority of these aforementioned uses and the intensity of development allowed in the Service Commercial land use designation is not appropriate for this parcel. The city also recently contemplated the parcel as an opportunity site for housing, but it was rejected due to its size. Instead, designating the parcel with an Agricultural designation is more appropriate and would be consistent with the policy direction of the General Plan.

Although the Agricultural land use designation establishes a minimum parcel size of 5-40 acres, the lot is an existing lot and would not create new parcels inconsistent with the already established lot density. Due to the lot creation development pattern, it is common to find existing parcels less than 5 acres in the Agricultural land use designation, especially along Fulton Lane and Pratt Avenue. The City's Zoning Code addresses this variation in parcels sizes through its development standards based upon lot size. For example, lots less than two acres in size are subject to the LR-1A district development standards.

Applying the Agricultural land use designation on this property would further the land use policies of the General Plan. The Agricultural land use designation would allow agricultural use(s) on the parcel consistent with the prevailing agricultural uses in the northern quadrant of the city east of the railroad tracks, furthering Policy LU5.1 of the Land Use and Growth Management Element. The redesignation reduces the encroachment of non-agricultural land use designations into the periphery of the city.

The General Plan indicates that the Agriculture land use designation includes agricultural and winery uses with restricted single family residential and public/quasi-public uses. The owner intends to develop a single-family residence, detached garage and ADU on the property consistent with agricultural land use designation and the prevailing development in the area.

A schematic site plan is included to provide the city with a conceptual site design. Upon the City Council ordering the general plan amendment application to be further processed, a rezone request and design review application would be subsequently filed, to be processed concurrently with the general plan amendment application. The Planning Commission would then consider a recommendation to the City Council related to the general plan amendment and rezone. The Planning Commission would also consider approval of the design review conditioned upon the City Council amending the general plan and rezoning the parcel.

As such and as a first step in this process, I respectfully request the City Council's consideration and direction to staff to further process the general plan amendment request together with the rezone and design review.

Sincerely,



Erik V. Lundquist
Principal, Land Use Planning & Permitting

Brodie, Inc
480 Gate 5 Road, Suite 100
Sausalito, CA 94965
D: (707) 888- 6386

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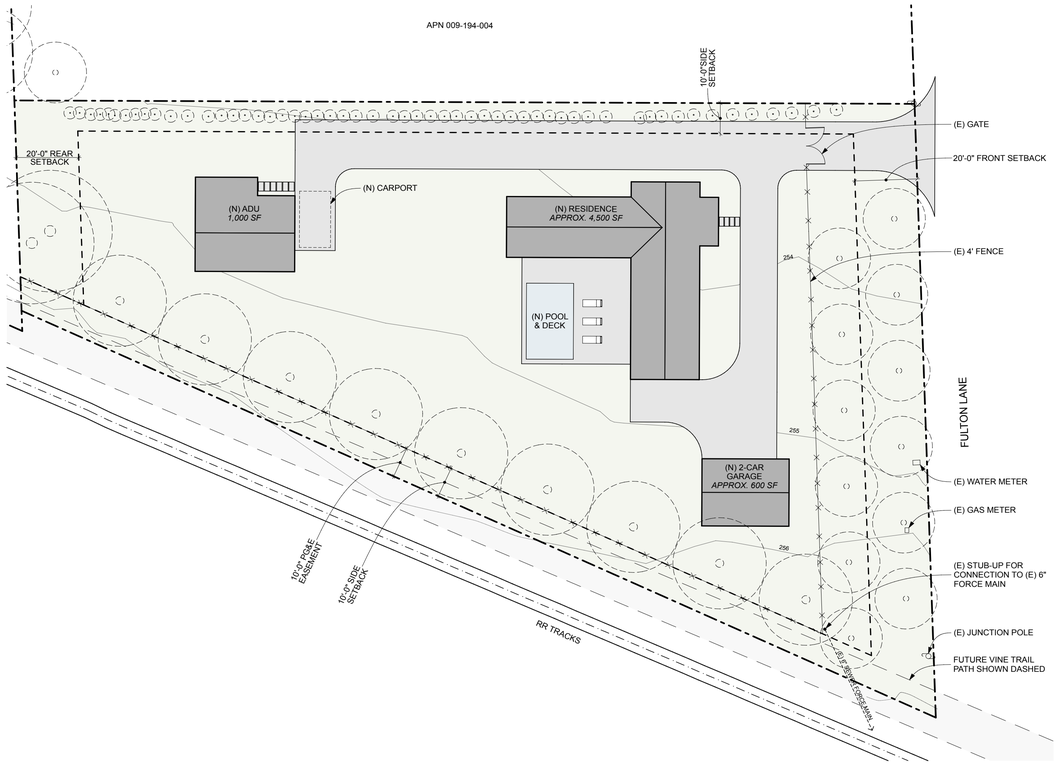
By XGamero at 9:49 am, Aug 05, 2024

WALKER
WARNER
ARCHITECTS

353 Folsom Street
San Francisco, California 94105
415.318.8900
www.walkerwarner.com



1 A1.0 SITE PLAN
SCALE: 1" = 20'

NOTES - SITE PLAN:

1. EXISTING CONTOURS ARE SHOWN. S.C.D. FOR PROPOSED FINISH GRADING

LEGEND - SITE PLAN:

- PROPERTY LINE
- SETBACK LINE
- PG&E EASEMENT
- EXISTING CONTOURS
- (E) FENCE
- (E) STRUCTURES
- (N) STRUCTURES
- (N) HARDSCAPE
- (E) TREE TO REMAIN

A P N : 0 0 9 - 1 9 4 - 0 0 5

1030 FULTON LOT

1030 FULTON LANE,
ST HELENA, CA 94574

LICENSED ARCHITECT
BROOKS WALKER III
No. C-18892
REN. 6/30/25
STATE OF CALIFORNIA

ISSUED:
2024-04-04 GENERAL PLAN AMENDMENT

SITE PLAN

SCALE : AS NOTED

JOB NUMBER : 202016

SHEET : **A1.0**

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From: Mary Stephenson
To: cityclerk
Subject: [External] Fulton Avenue Project on Agenda Tomorrow
Date: Monday, September 9, 2024 3:29:51 PM
Attachments: Fulton Lane Property.pdf
Untitled attachment 00038.txt

Cindy - can you please share this with the appropriate people before the Council Meeting tomorrow night.

First, thanks for making the Impact Fee Study Session happen on Thursday.

Secondly - I am speaking as an individual not representing any group.

Thirdly - I have a concern about a item on your agenda tomorrow night. An owner is requesting a zoning change on a property on Fulton Lane currently zoned commercial. The site is directly across from the Noble House property and very close to the City property on Railroad. The change seems like a stretch to me, but no one asked me. However, if these folks are allowed to get a zoning change to build their estate on AG, they will most likely not be pleased to have one, possibly two, dense housing projects across the street. I hope they are made aware of this possibility and that the council considers the priority of providing work force housing over yet another estate.

Mary Stephenson
707 849 2583

City of St. Helena
City Council

Project: 1030 Fulton Lane General Plan Amendment
Staff: Aaron Hecock, AICP

Community Development Department

September 10, 2024

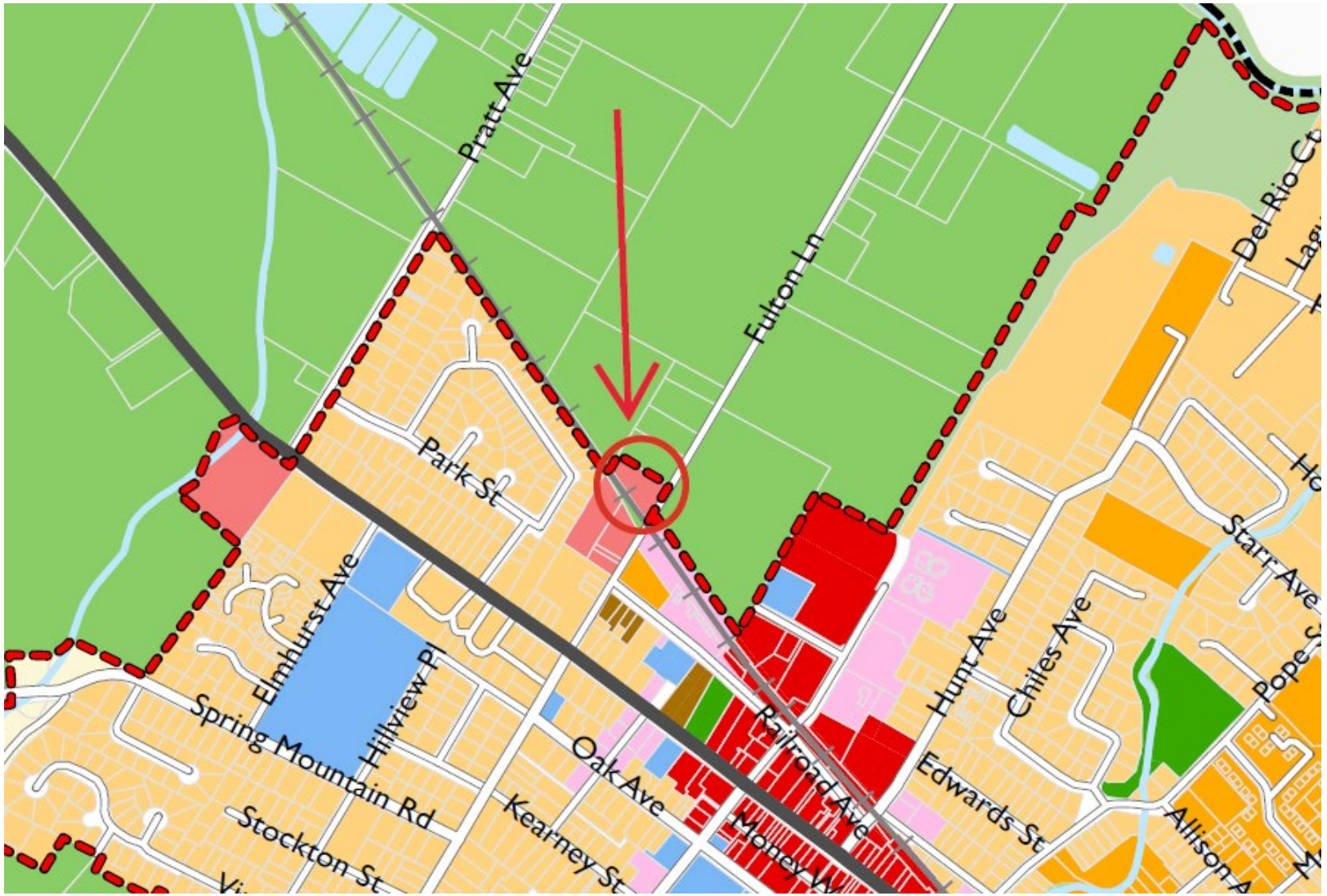
Project Description

- The applicant has submitted a General Plan Amendment application to change the land use designation of 1030 Fulton Ln. from SC to AG to accommodate the future construction of a single-family home.
- Pursuant to St. Helena Municipal Code Section 17.06.030(B), complete applications received for a General Plan Amendment shall be presented to the City Council for preliminary review at the Council's first regularly scheduled meetings in March and September of each year.
- Following the review, the City Council, at its discretion, may order the application to be further processed or may direct staff to cease processing the application.
- Any authorization to proceed does not imply in any way ultimate approval or disapproval of an application.

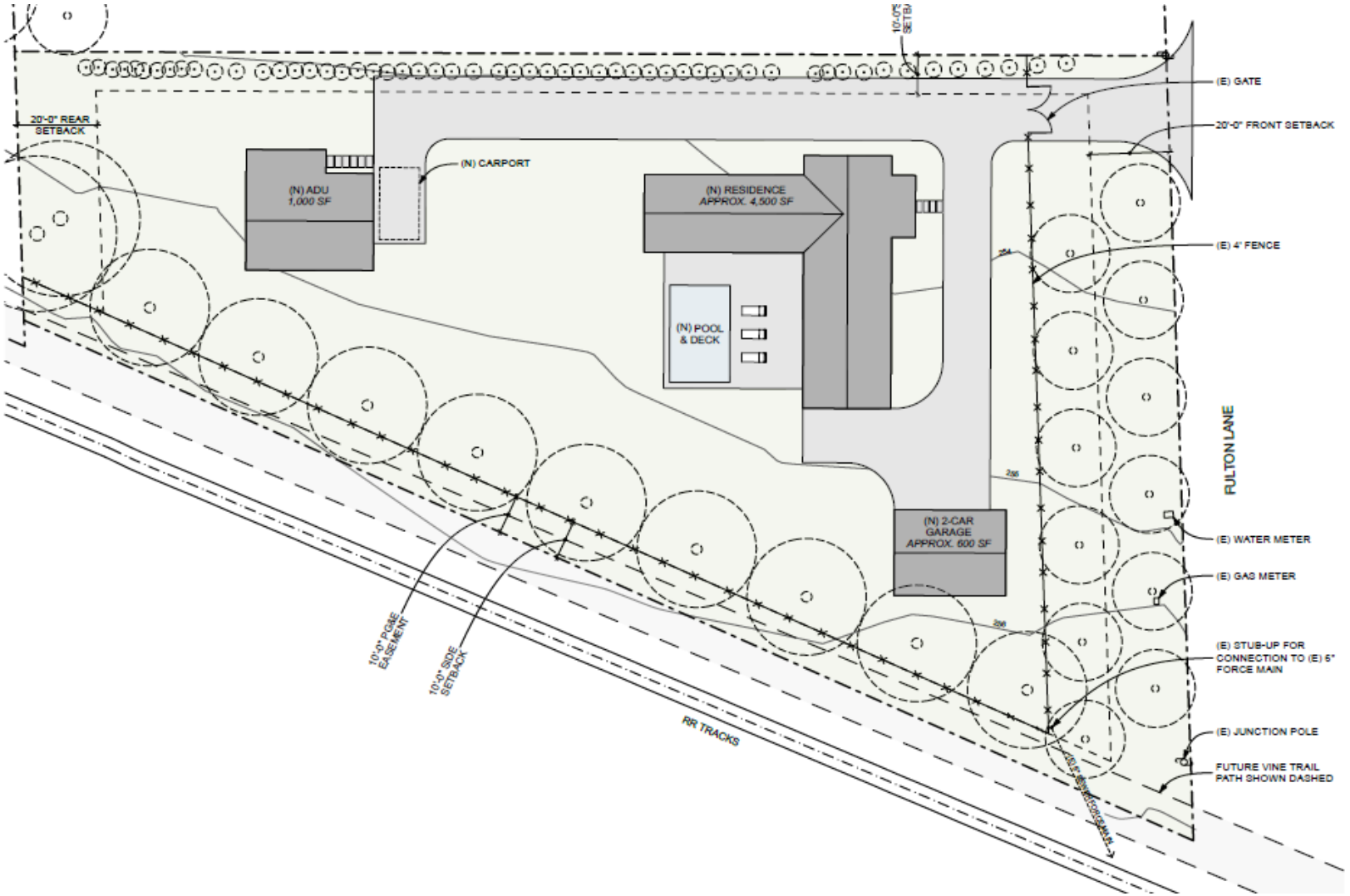
Aerial View


Crinella Dr
Crinella Dr
Crinella Dr
Crinella Dr
Crinella Ct
Park St
Fulton Ln
Fulton Ln
Fulton Ln

General Plan Map



Conceptual Site Plan



Recommendation

The City Council should review the proposed General Plan Amendment application and either:

1. Authorize the application to be processed, referring the matter to the Planning Commission or
2. Direct staff to cease processing the application pursuant to St. Helena Municipal Code Chapter 17.06.

Questions?

1030 FULTON LANE

GENERAL PLAN AMENDMENT REQUEST

SEPTEMBER 10, 2024

BRODIEGROUP

GENERAL PLAN AMENDMENT PROCESS, CHAPTER 17.06

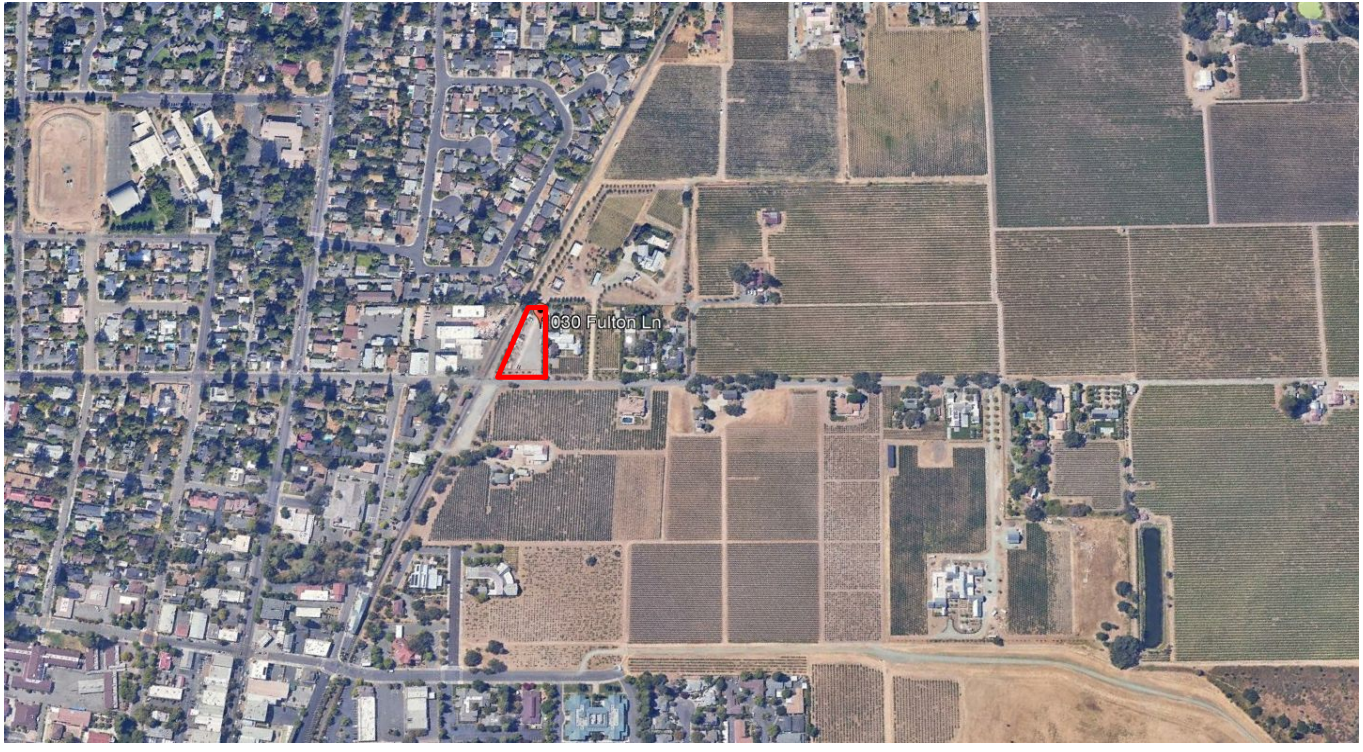
- Initiated by agent on behalf of Owner
- Preliminary review and authorization from City Council
- Refer the matter to Planning Commission for public hearing
- Planning Commission recommendation to City Council

PURPOSE OF PRELIMINARY REVIEW

- Not an unusual process (could be on consent rather than new business)
- Collective understanding (i.e., potential for multiple requests)
- Merit of request (i.e., weed out unreasonable requests)

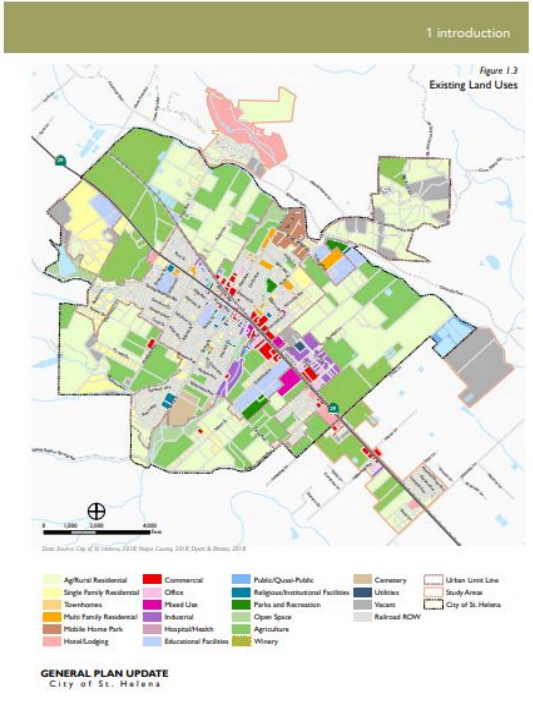
1030 FULTON LANE

09.10.2024



LAND USES IN THE VICINITY

09.10.2024

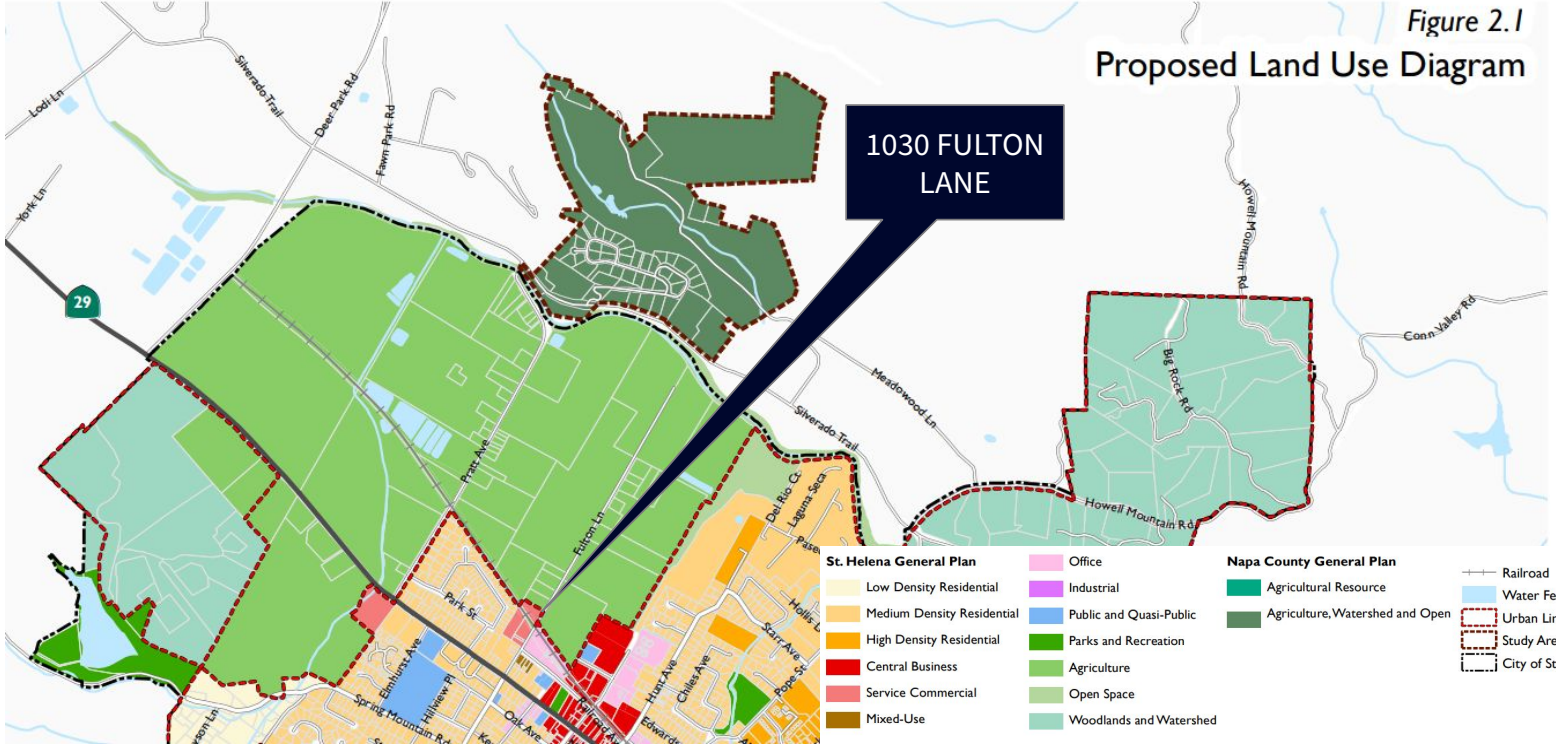




BRODIEGROUP

EXISTING LAND USE DESIGNATION

09.10.2024



BRODIEGROUP

GENERAL PLAN AMENDMENT REQUEST HAS MERIT

EXISTING

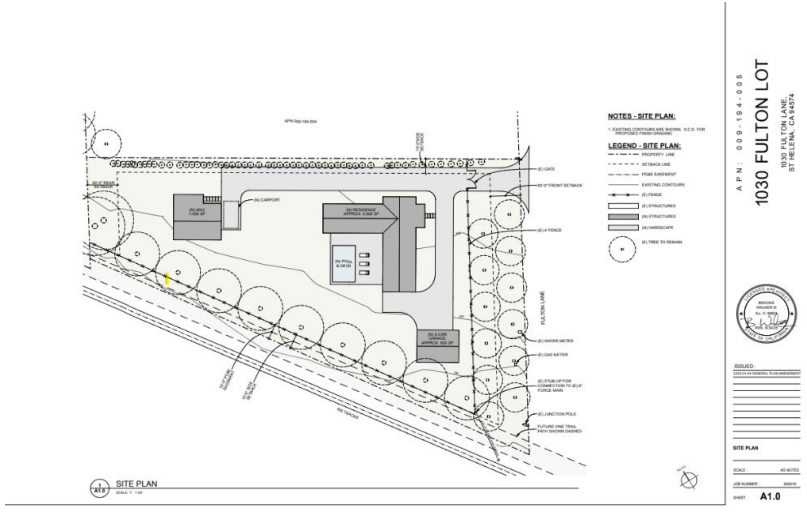
- 39,092 square foot parcel
- Service Commercial (SC) General Plan land use designation
- Service Commercial Zone and located within the Urban Limit Line
- Pre-existing structure resulted in district establishment
- Intensity of uses allowed in SC Zone is not appropriate on property

PROPOSED

- Agriculture General Plan Land Use Designation
- Agricultural and residential uses are prevailing uses in northern quadrant
- Reduces encroachment of non-agricultural land use designations into the periphery of the City
- Reciprocating A-20 District (Rezone)
- New SFD, ADU and Garage (Design Review)

CONFIDENTIAL

COUNCIL ACTION RECOMMENDATION



- Authorize the Application to proceed
- Refer the matter to the Planning Commission
- Staff to process GPA with Rezone



BRODIE

Erik V. Lundquist | Land Use Planning and Permitting Principal | 707.888.6386| erik@brodiegrp.com

brodiecm.com
480 Gate 5 Road, Suite 100
Sausalito, California, 94965

Agenda Report to the City Council

Agenda Section: NEW BUSINESS

Department: Administration

DATE:	September 10, 2024
FROM:	Cindy Tzafopoulos, City Clerk
SUBJECT:	Consideration and Proposed Approval of: 1. Designating a Voting Delegate on Behalf of the City of St. Helena City Council; and 2. Designating Alternate Voting Delegates; and 3. The City Council authorizes the Voting Delegate and/or Alternate Voting Delegates to vote on any proposed resolution on behalf of the City at the League of California Cities Annual Conference Business Meeting.
RECOMMENDED ACTION:	Consideration and Proposed Approval of: 1. Designating a Voting Delegate on Behalf of the City of St. Helena City Council; and 2. Designating Alternate Voting Delegates; and 3. The City Council authorizes the Voting Delegate and/or Alternate Voting Delegates to vote on any proposed resolutions on behalf of the City at the League of California Cities Annual Conference Business Meeting.
PREVIOUS COUNCIL ACTION:	N/A
STATEMENT OF THE PURPOSE:	To appoint a voting delegate and alternates to represent the City of St. Helena at the League of California Cities Annual Conference Business Meeting.
FINANCIAL IMPACT:	There are no fiscal impacts.

DISCUSSION:

The League of California Cities provides legislative advocacy, professional development, and educational resources for incorporated cities and towns in California, including the City of St. Helena.

The League of California Cities Annual Conference is scheduled for October 16-18, 2024, at the Long Beach Convention Center in Long Beach. The Cal Cities General Assembly will convene on the last day of the conference for the Annual Business Meeting in order to potentially consider and take action on resolutions that establish League policy. Cal Cities received one resolution by the submission deadline. There is still the possibility that petitioned resolutions may be introduced onsite at the conference by members.

Each member city of the League of California Cities may, with the approval of the City Council, designate a city official as their Designated Voting Delegate and, in the event that the Designated Voting Delegate is unable to serve in that capacity, up to two Alternate Voting Delegates may vote.

Designated Voting Delegates and Alternates must be registered to attend the Annual Conference. A staff member can be appointed to fill the voting role in the event that no Council Member plans to attend, or as an alternate delegate.

Currently Vice Mayor Hall, Council Members Chouteau, Kenealy and Summers and City Manager Comelo are registered to attend the conference.

The resolution to be considered at the business meeting is listed below and outlined in the attached packet.

Resolution:

A RESOLUTION OF THE GENERAL ASSEMBLY OF THE LEAGUE OF CALIFORNIA CITIES CALLING FOR THE CALIFORNIA LEGISLATURE TO ENACT LAWS THAT ENSURE THAT “WHAT APPLIES TO ONE, APPLIES TO ALL” IN THE FAIR AND EQUAL TREATMENT OF ALL GOVERNMENTAL OFFICIALS AT ALL LEVELS IN THE STATE OF CALIFORNIA

Summary:

This Resolution states that the League of California Cities shall call upon the Governor of the State of California and the elected members of the California Legislature, including all members of the Senate and Assembly to adopt the following policy:

“The California State Legislature shall not enact, and the Governor shall not sign into law, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution.”

DOCUMENTS ATTACHMENTS:

Attachment 1 - 2024 Cal Cities Voting Delegate Information Packet
Attachment 2 - 2024-Resolutions-Packet

LEAGUE OF CALIFORNIA CITIES

Council Action Advised by September 25, 2024

DATE: Wednesday, July 10, 2024

TO: Mayors, Council Members, City Clerks, and City Managers

RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES
League of California Cities Annual Conference and Expo, Oct. 16-18, 2024
Long Beach Convention Center

Every year, the League of California Cities convenes a member-driven General Assembly at the Cal Cities Annual Conference and Expo. The General Assembly is an important opportunity where city officials can directly participate in the development of Cal Cities policy.

Taking place on Oct. 18, the General Assembly is comprised of voting delegates appointed by each member city; every city has one voting delegate. Your appointed voting delegate plays an important role during the General Assembly by representing your city and voting on resolutions.

To cast a vote during the General Assembly, your city must designate a voting delegate and up to two alternate voting delegates, one of whom may vote if the designated voting delegate is unable to serve in that capacity. Voting delegates may either be an elected or appointed official.

Action by Council Required. Consistent with Cal Cities bylaws, a city's voting delegate and up to two alternates must be designated by the city council. Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.

Following council action, please submit your city's delegates through the online submission portal by Wed., Sept. 25. When completing the Voting Delegate submission form, you will be asked to attest that council action was taken. You will need to be signed in to your My Cal Cities account when submitting the form.

Submitting your voting delegate form by the deadline will allow us time to establish voting delegate/alternate records prior to the conference and provide pre-conference communications with voting delegates.

Conference Registration Required. The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. Conference registration is open on the Cal Cities website.

For a city to cast a vote, one voter must be present at the General Assembly and in possession of the voting delegate card and voting tool. Voting delegates and alternates need to pick up their conference badges before signing in and picking up the voting delegate card at the voting delegate desk. This will enable them to receive the special sticker on their name badges that will admit the voting delegate into the voting area during the General Assembly.

Please view Cal Cities' event and meeting policy in advance of the conference.

Transferring Voting Card to Non-Designated Individuals Not Allowed. The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the General Assembly, they may *not* transfer the voting card to another city official.

Seating Protocol during General Assembly. At the General Assembly, individuals with a voting card will sit in a designated area. Admission to the voting area will be limited to the individual in possession of the voting card and with a special sticker on their name badge identifying them as a voting delegate.

The voting delegate desk, located in the conference registration area of the Long Beach Convention Center in Long Beach, will be open at the following times: Wednesday, Oct. 16, 8:00 a.m.-6:00 p.m. and Thursday, Oct. 17, 7:30 a.m.-4:00 p.m. On Friday, Oct. 18, the voting delegate desk will be open at the General Assembly, starting at 7:30 a.m., but will be closed during roll calls and voting.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for submitting your voting delegate and alternates by Wednesday, Sept. 25. If you have questions, please contact Zach Seals at zseals@calcities.org.

Attachments:

- General Assembly Voting Guidelines
- Information Sheet: Cal Cities Resolutions and the General Assembly

LEAGUE OF CALIFORNIA CITIES

General Assembly Voting Guidelines

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to Cal Cities policy.

2. **Designating a City Voting Representative.** Prior to the Cal Cities Annual Conference and Expo, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the voting delegate form provided to the Cal Cities Credentials Committee.

3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the voting delegate desk in the conference registration area. Voting delegates and alternates must sign in at the voting delegate desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the General Assembly.

4. **Signing Initiated Resolution Petitions**. Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the credentials committee at the voting delegate desk, may sign petitions to initiate a resolution.

5. **Voting.** To cast the city's vote, a city official must have in their possession the city's voting card and voting tool; and be registered with the credentials committee. The voting card may be transferred freely between the voting delegate and alternates but may not be transferred to another city official who is neither a voting delegate nor alternate.

6. **Voting Area at General Assembly.** At the General Assembly, individuals with a voting card will sit in a designated area. Admission to the voting area will be limited to the individual in possession of the voting card and with a special sticker on their name badge identifying them as a voting delegate.

7. **Resolving Disputes**. In case of dispute, the credentials committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the General Assembly.

LEAGUE OF CALIFORNIA CITIES

How it works: Cal Cities Resolutions and the General Assembly

Developing League of California Cities policy is a dynamic process that engages a wide range of members to ensure Cal Cities represents cities with one voice. These policies directly guide Cal Cities' advocacy to promote local decision-making, and lobby against statewide policies that erode local control.

The resolutions process and General Assembly is one way that city officials can directly participate in the development of Cal Cities policy. If a resolution is approved at the General Assembly, it becomes official Cal Cities policy. Here's how resolutions and the General Assembly work.

Prior to the Annual Conference and Expo

General Resolutions

Sixty days before the Annual Conference and Expo, Cal Cities members may submit policy proposals on issues of importance to cities. The resolution must have the concurrence of at least five additional member cities or individual members.

Policy Committees

The Cal Cities President assigns general resolutions to policy committees where members review, debate, and recommend positions for each policy proposal. Recommendations are forwarded to the Resolutions Committee.

During the Annual Conference and Expo

Petitioned Resolutions

The petitioned resolution is an alternate method to introduce policy proposals during the annual conference. The petition must be signed by voting delegates from 10% of member cities, and submitted to the Cal Cities President at least 24 hours before the beginning of the General Assembly.

Resolutions Committee

The Resolutions Committee considers all resolutions. General Resolutions approved[1] by either a policy committee or the Resolutions Committee are next considered by the General Assembly. General resolutions not approved, or referred for further study by both a policy committee and the Resolutions Committee do not go to the General Assembly. All Petitioned Resolutions are considered by the General Assembly, unless disqualified.[2]

General Assembly

During the General Assembly, voting delegates debate and consider general and petitioned resolutions forwarded by the Resolutions Committee. Potential Cal Cities bylaws amendments are also considered at this meeting.

Who's who

Cal Cities policy development is a member-informed process, grounded in the voices and experiences of city officials throughout the state.

The **Resolutions Committee** includes representatives from each Cal Cities diversity caucus, regional division, municipal department, and policy committee, as well as individuals appointed by the Cal Cities president.

Voting delegates are appointed by each member city; every city has one voting delegate.

The **General Assembly** is a meeting of the collective body of all voting delegates —one from every member city.

Seven **policy committees** meet throughout the year to review and recommend positions to take on bills and regulatory proposals. Policy committees include members from each Cal Cities diversity caucus, regional division, and municipal department, as well as individuals appointed by the Cal Cities president.

[1] The Resolution Committee can amend a general resolution prior to sending it to the General Assembly.
[2] Petitioned Resolutions may be disqualified by the Resolutions Committee according to Cal Cities Bylaws Article VI. Sec. 5(f).

For more information visit www.calcities.org/general-assembly

LEAGUE OF CALIFORNIA CITIES

2023-2024 CAL CITIES OFFICERS

President
Daniel T. Parra
Mayor
Fowler

First Vice President
Lynne Kennedy
Mayor Pro Tem,
Rancho Cucamonga

Second Vice President
Gabe Quinto
Council Member,
El Cerrito

Immediate Past President
Ali Sajjad Taj
Mayor Pro Tem,
Artesia

Executive Director and CEO
Carolyn M. Coleman

August 28, 2024

TO: Mayors, Council Members, City Managers, and City Clerks

RE: Cal Cities 2024 Resolution Packet

Sixty days before the Cal Cities Annual Conference and Expo, Cal Cities members may submit resolutions on issues of importance to cities. This year, Cal Cities received one resolution by the Aug. 17 deadline.

The attached packet contains the proposed resolution, supporting letters from city officials, and an analysis of the resolution by Cal Cities. The packet includes detailed information on the resolution process.

We encourage each city council to consider the resolution and determine a city position so your voting delegate can represent your city's position on the resolution.

Voting Delegates: City councils must appoint a voting delegate to vote during the General Assembly. Each city may also appoint up to two alternate delegates. If your city has not already done so, please appoint your voting delegate by Sept. 25. The voting delegate packet contains more information.

The Cal Cities 2024 General Assembly will be held Oct. 18 at 8:30 a.m. in the Long Beach Convention Center during the Annual Conference and Expo.

For questions about resolutions, voting delegates, or the General Assembly, please contact Zach Seals.

LEAGUE OF CALIFORNIA CITIES

2024 Resolutions Packet

LEAGUE OF CALIFORNIA CITIES

2024 Resolutions Packet

Information on 2024 Resolutions Process

Consideration by Policy Committee (pre-conference)
Per the Cal Cities bylaws, the Cal Cities President has referred the submitted resolution to the Governance, Transparency, and Labor Relations Policy Committee. The committee will meet on Oct. 3 at 10 a.m. via Zoom to review the resolution and make a recommendation that will be sent to the Resolutions Committee. A public comment period will be held during the meeting. Register for the meeting here.

A list of recommendations the policy committee may make during its meeting are on page three of this packet.

Consideration by Resolutions Committee (during conference)
On Oct. 17 at 1:30 p.m. the Resolutions Committee will meet to review the resolution and the recommendation of the policy committee.

The Resolutions Committee consists of one representative from each of Cal Cities caucuses, departments, divisions, and policy committees, as well as up to ten additional appointments made by the Cal Cities President. A public comment period will be held during the meeting. Refer to the onsite conference program for the location.

A list of recommendations the Resolutions Committee may make during its meeting are on page three of this packet.

Consideration by the General Assembly (during conference)
The General Assembly will convene on Oct. 18 at 8:30 a.m. to consider any qualified resolutions. To vote during the General Assembly, voting delegates must have checked-in at the voting delegate booth.

Conference attendees will receive materials for the General Assembly on the evening of Oct. 17. For more information on voting and discussion procedures during the General Assembly, see page four of this packet.

Petitioned Resolutions (during conference)
The petitioned resolution is an alternate method to introduce policy proposals during the annual conference. To initiate a petitioned resolution, voting delegates from 10% of member cities must sign the petition. The resolution and signatures are due at least 24 hours before the beginning of the General Assembly. Voting delegates who have checked-in at the voting delegate booth can receive more information on petitioned resolutions at the booth onsite.

LEAGUE OF CALIFORNIA CITIES

How it works: Cal Cities Resolutions and the General Assembly

Developing League of California Cities policy is a dynamic process that engages a wide range of members to ensure Cal Cities represents cities with one voice. These policies directly guide Cal Cities' advocacy to promote local decision-making, and lobby against statewide policies that erode local control.

The resolutions process and General Assembly is one way that city officials can directly participate in the development of Cal Cities policy. If a resolution is approved at the General Assembly, it becomes official Cal Cities policy. Here's how resolutions and the General Assembly work.

Prior to the Annual Conference and Expo

General Resolutions

Sixty days before the Annual Conference and Expo, Cal Cities members may submit policy proposals on issues of importance to cities. The resolution must have the concurrence of at least five additional member cities or individual members.

Policy Committees

The Cal Cities President assigns general resolutions to policy committees where members review, debate, and recommend positions for each policy proposal. Recommendations are forwarded to the Resolutions Committee.

During the Annual Conference and Expo

Petitioned Resolutions

The petitioned resolution is an alternate method to introduce policy proposals during the annual conference. The petition must be signed by voting delegates from 10% of member cities, and submitted to the Cal Cities President at least 24 hours before the beginning of the General Assembly.

Resolutions Committee

The Resolutions Committee considers all resolutions. General Resolutions approved[1] by either a policy committee or the Resolutions Committee are next considered by the General Assembly. General resolutions not approved, or referred for further study by both a policy committee and the Resolutions Committee do not go to the General Assembly. All Petitioned Resolutions are considered by the General Assembly, unless disqualified.[2]

General Assembly

During the General Assembly, voting delegates debate and consider general and petitioned resolutions forwarded by the Resolutions Committee. Potential Cal Cities bylaws amendments are also considered at this meeting.

Who's who

Cal Cities policy development is a member-informed process, grounded in the voices and experiences of city officials throughout the state.

The **Resolutions Committee** includes representatives from each Cal Cities diversity caucus, regional division, municipal department, and policy committee, as well as individuals appointed by the Cal Cities president.

Voting delegates are appointed by each member city; every city has one voting delegate.

The **General Assembly** is a meeting of the collective body of all voting delegates —one from every member city.

Seven **policy committees** meet throughout the year to review and recommend positions to take on bills and regulatory proposals. Policy committees include members from each Cal Cities diversity caucus, regional division, and municipal department, as well as individuals appointed by the Cal Cities president.

[1] The Resolution Committee can amend a general resolution prior to sending it to the General Assembly.
[2] Petitioned Resolutions may be disqualified by the Resolutions Committee according to Cal Cities Bylaws Article VI. Sec. 5(f).

For more information visit www.calcities.org/general-assembly

Policy Committee and Resolutions Committee Actions

The submitted resolution will be heard by the policy committee to which it was assigned, and the Resolutions Committee. The below table shows what recommendations these bodies may make on the resolution.

Policy Committee Actions	Resolutions Committee Actions
Approve	Approve
Disapprove*	Disapprove*
No Action	No Action
Amend and approve	Amend and approve
Refer to appropriate policy committee for further study*	Approve as amended
Refer as amended to appropriate policy committee for further study*	Refer to appropriate policy committee for further study*
	Refer as amended to appropriate policy committee for further study*
	Approve with additional amendment(s)
	Additional amendments and refer to appropriate policy committee for further study*

**If a resolution is disapproved or referred for further study by all policy committees to which it is assigned and the Resolutions Committee, it will not proceed to the General Assembly.*

General Assembly Voting and Discussion Procedures

Discussion Procedures:
Discussion procedures during the General Assembly are guided by two calendars: the Consent Calendar and the Regular Calendar. As seen below, resolutions are calendared by the recommendations they receive from policy committees and the Resolutions Committee.

For General Resolutions:

Policy Committee Recommendation	Resolutions Committee Recommendation	Calendar
Approve	Approve	Consent Calendar
Approve	Disapprove or refer	Regular Calendar
Disapprove or refer	Approve	Regular Calendar
Disapprove or refer	Disapprove or refer	Does not proceed to General Assembly

For Petitioned Resolutions:

Policy Committee Recommendation	Resolutions Committee Action	Calendar
N/A	Approve	Regular Calendar
	Disapprove or Refer	Regular Calendar
	Disqualified	Does not proceed to General Assembly

Items on the Consent Calendar will be presented as one motion during the General Assembly from the Resolutions Committee chair. Unless an item on the Consent Calendar is set aside by the majority of the General Assembly, a vote will be taken on the whole calendar. It an item is set aside, it will be opened for discussion, followed by a vote.

Items on the Regular Calendar will be presented individually by the Resolutions Committee chair. After a recommendation is presented by the Resolutions Committee chair, the resolution will be opened for discussion by the General Assembly. A vote will take place following discussion.

Voting Procedures:
Per Cal Cities Bylaws Article XII, Sec. 2, all votes will be conducted by voice vote first. If the presiding official cannot determine the outcome a vote will be taken by an alternative method, typically a raise of voting cards by voting delegates. A roll call vote may be called for by delegates of ten percent or more of the General Assembly.

2024 Resolution

1. Resolution on *Fair and Equal Treatment of All Governmental Officials at All Levels* submitted by City of Glendora
    - Letters of concurrence submitted by:
        i. April A. Verlato, Mayor, City of Arcadia
        ii. Robert Gonzales, Mayor, City of Azusa
        iii. Tim Hepburn, Mayor, City of La Verne
        iv. Bill Uphoff, Mayor, City of Lomita
        v. John M. Cruikshank, Mayor, City of Rancho Palos Verdes
    - Referred to Governance, Transparency, and Labor Relations Policy Committee
    - Policy Committee Recommendation:
    - Resolutions Committee Recommendation:

Resolution No. 1: *Fair and Equal Treatment of All Governmental Officials at All Levels* submitted by City of Glendora

1. A RESOLUTION OF THE GENERAL ASSEMBLY OF THE LEAGUE OF CALIFORNIA CITIES CALLING FOR THE CALIFORNIA LEGISLATURE TO ENACT LAWS THAT ENSURE THAT "WHAT APPLIES TO ONE, APPLIES TO ALL" IN THE FAIR AND EQUAL TREATMENT OF ALL GOVERNMENTAL OFFICIALS AT ALL LEVELS IN THE STATE OF CALIFORNIA

Source: City of Glendora
Concurrence of five or more cities/city officials
City Officials: April A. Verlato, Mayor, City of Arcadia; Robert Gonzales, Mayor, City of Azusa; Tim Hepburn, Mayor, City of La Verne; Bill Uphoff, Mayor, City of Lomita; John M. Cruikshank, Mayor, City of Rancho Palos Verdes
Referred to: Governance, Transparency and Labor Relations Policy Committee

WHEREAS, the General Assembly of the League of California Cities objects to the practice of the California Legislature of imposing rules limiting authority or regulating the conduct of local municipal officials that do not also apply to elected officials of the State of California; and

WHEREAS, examples of such rules or regulations that apply to local city elected officials that do not otherwise apply to the elected officials of the State of California include, but are not limited to:

California's open meeting rules, codified in the Ralph M. Brown Act, Government Code, Chapter 9, §§ 54950 *et seq*., which purport to "declare[] that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly," but which limits its application to "local agencies," but not including elected officials of the State of California;

Creating "one-off" exemptions, in the form of Senate Bill No. 174, from the California Environmental Quality Act ("CEQA") which purportedly requires all government agencies to consider the environmental consequences of their actions before approving plans and policies or committing to a course of action on a project in order to demolish and then rebuild State offices for the Governor and other State officials;

Adopting rules, in the form of Senate Bill No. 1439, amending the Political Reform Act (the "Act"), by removing the exception for local elected officers from contribution limits requiring disqualification on development project decisions," but not including elected officials of the State of California;

Adopting rules, in the form of Assembly Bill No. 571, that apply to city and county candidates for local elected office, but not to candidates for state-wide office, including, but not limited to: prohibiting the making a contribution over the AB 571 limit to another candidate in jurisdictions subject to the AB 571; requiring a candidate that has qualified as a committee to establish a separate controlled committee and campaign bank account for each specific office; prohibiting a candidate from redesignating a committee for one election for another election.

WHEREAS, the General Assembly of the League of California Cities now calls upon the Governor and the California Legislature to adopt a policy, practice, and procedure requiring, in their legislative activities, that "what applies to one applies to all."

NOW, THEREFORE, BE IT RESOLVED at the League General Assembly, assembled at the League Annual Conference on October 18, 2024 in Long Beach, California, that the League calls upon the Governor of the State of California and the elected members of the California Legislature, including all members of the Senate and Assembly to adopt the following policy:

"The California State Legislature shall not enact, and the Governor shall not sign into law, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution."

Resolution No. 1: Letters of Concurrence

CITY OF GLENDORA CITY HALL (626) 914-8201
116 East Foothill Blvd., Glendora, California 91741
FAX (626) 914-8221
www.ci.glendora.ca.us

July 10, 2024

The City Council of Glendora
is proposing the following resolution for consideration at the
California League of Cities annual conference
on
October 18, 2024

Proposed Resolution: ("To ensure fairness and equal treatment for all government officials in California")

"The California State Legislature shall not enact, and the Governor shall not approve, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution."

The following five city council members are in concurrence with their letters of support (attached):

- ✓ Mayor John Cruikshank, City of Rancho Palos Verdes
- ✓ Mayor Bill Uphoff, City of Lomita
- ✓ Mayor Robert Gonzales, City of Azusa
- ✓ Mayor April Verlato, City of Arcadia
- ✓ Mayor Tim Hepburn, City of La Verne

Please confirm receipt of this request.

Sincerely,

Michael Allawos
Council Member
City of Glendora

CITY OF
ARCADIA

April A. Verlato
Mayor

July 9, 2024

Honorary Mike Allawos
Glendora City Councilmember
116 E. Foothill Blvd.
Glendora, CA 91741

RE: Support for "Glendora CalCities Resolution"

Dear Councilmember Allawos:

I would like to be a voice of support for Glendora's timely and needed resolution below for the upcoming CalCities annual conference this coming October 18, 2024.

"The California State Legislature shall not enact, and the Governor shall not approve, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution."

I am an elected representative for our respective city, county, and state governance to do the people's work and be their collective voices. We should all have the same rules to be governed by.

Sincerely,

April A. Verlato
City of Arcadia Mayor

240 West Huntington Drive
Post Office Box 60021
Arcadia, CA 91066-6021
(626) 574-5403 City Hall
averlato@ArcadiaCA.gov
www.ArcadiaCA.gov

July 8, 2024

Hon. Michael Allawos
Glendora City Councilmember
116 E. Foothill Blvd.
Glendora, CA 91741

Re: Support for "Glendora's CalCities Resolution"

Councilmember Allawos:

I would like to support Glendora's timely and needed resolution below for the upcoming CalCities annual conference this coming October 18, 2024:

"The California State Legislature shall not enact, and the Governor shall not approve, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution "

I am an elected representative for the City of Azusa . We should all have the same rules to be governed by.

Sincerely,

Mayor Robert Gonzales

*The views or opinions expressed in this letter are intended to be interpreted as the individual work product of the author They do not necessarily reflect an official position of the City Council, staff or other entities

CITY OF LA VERNE
CITY HALL
3660 "D" Street, La Verne, California 91750-3599
www.cityoflaverne.org

July 8, 2024

Ms. Kathleen Sessman
Glendora City Clerk
116 E. Foothill Blvd.
Glendora, California 91741

Re: Item 14 – Cal Cities Annual Conference Resolution

Dear Ms. Sessman:

As the Mayor of the City of La Verne, I would like to voice support for Glendora's timely and needed resolution, within agenda item #14, for the upcoming League of California Cities (Cal Cities) annual conference this coming October 18, 2024.

In its simplistic form, the proposed Resolution states what we all believe should be true for each and every elected official: We should all have the same rules to be governed by. No matter what level of government an official is elected to, we are here to do the people's work and be their collective voices. The Resolution simply states:

> ***"The California State Legislature shall not enact, and the Governor shall not approve, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution."***

Whether the State Legislature or Governor heed our collective voices, we at the local level, through our Cal Cities membership, will have demonstrated our resolve that the basic leadership characteristic of leadership by example is the best approach to holding elective office.

Sincerely,

Tim Hepburn
Mayor

General Administration 909/596-8726 • Water Customer Service 909/596-8744 • Community Services 909/596-8700
Public Works 909/596-8741 • Finance 909/596-8716 • Community Development 909/596-8706 • Building 909/596-8713
Police Department 909/596-1913 • Fire Department 909/596-5991 • General Fax 909/596-8737

Bill Uphoff
Lomita, CA

July 8, 2024

Hon. Mike Allawos
Glendora City Councilmember
116 E. Foothill Blvd.
Glendora, CA 91741

Re: Support for "Glendora's CalCities Resolution"

Dear Councilmember Allawos:

I would like to be a voice of support for Glendora's timely and needed resolution below for the upcoming CalCities annual conference this coming October 18, 2024.

"The California State Legislature shall not enact, and the Governor shall not approve, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution."

I am an elected representative for our respective city, county, and state governance to do the people's work and be their collective voices. We should all have the same rules to be governed by.

Sincerely,

Bill Uphoff, Mayor
City of Lomita

The views or opinions expressed in this letter are intended to be interpreted as the individual work product of the author. They do not necessarily reflect an official position of the City Council, staff or other entities.

John M. Cruikshank
Rancho Palos Verdes, CA

July 6, 2024

Hon. Mike Allawos
Glendora City Councilmember
116 E. Foothill Blvd.
Glendora, CA 91741

Re: Support for "Glendora's CalCities Resolution"

Dear Councilmember Allawos:

I would like to be a voice of support for Glendora's timely and needed resolution below for the upcoming CalCities annual conference this coming October 18, 2024.

"The California State Legislature shall not enact, and the Governor shall not approve, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution."

I am an elected representative for our respective city, county, and state governance to do the people's work and be their collective voices. We should all have the same rules to be governed by.

Sincerely,

John M. Cruikshank, Mayor
City of Rancho Palos Verdes

The views or opinions expressed in this letter are intended to be interpreted as the individual work product of the author. They do not necessarily reflect an official position of the City Council, staff or other entities.

Resolution No. 1: Staff Analysis

League of California Cities Staff Analysis on Resolution No. 1

Staff: Johnnie Pina, Legislative Affairs, Lobbyist
Committee: Governance, Transparency, and Labor Relations

Summary:
This Resolution states that the League of California Cities shall call upon the Governor of the State of California and the elected members of the California Legislature, including all members of the Senate and Assembly to adopt the following policy:

"The California State Legislature shall not enact, and the Governor shall not sign into law, any law or regulation that applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate. This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution."

Background:
This resolution states that examples of the California Legislature imposing rules limiting authority or regulating the conduct of local municipal officials that do not also apply to elected officials of the State of California include, but are not limited to:

- California's open meeting rules, codified in the **Ralph M. Brown Act**, Government Code, Chapter 9, §§ 54950 *et seq*.;
- "One-off" exemptions, in the form of Senate Bill No. 174, from the **California Environmental Quality Act ("CEQA")**;
- Rules, in the form of **Senate Bill No. 1439**, amending the **Political Reform Act** (the "Act"); and
- Rules, in the form of **Assembly Bill No. 571**, that apply to city and county candidates for local elected office, but not to candidates for state-wide office.

Ralph M. Brown Act
The California Attorney General's (AG) Office defines The Ralph M. Brown Act (Brown Act) as what governs meetings conducted by local legislative bodies, such as boards of supervisors, city councils and school boards. The AG's office states the Act represents the Legislature's determination of how the balance should be struck between public access to meetings of multi-member public bodies on the one hand and the need for confidential candor, debate, and information gathering on the other.

The Ralph M. Brown Act governs local agencies, the Bagley-Keene Open Meeting Act covers all state boards and commissions, and Government code

9027 governs the state Legislature. The California Constitution also mandates open meetings for state agencies, boards, and commissions. Specifically, the Constitution requires that each local agency comply with the Brown Act (Article I, section 3(b)(7)): and that the proceedings of each house of the Legislature be open and public (with exceptions for employment matters; matters affecting security; confer with legal counsel; and to meet as a caucus (Article IV, section 7).

Although fairly detailed requirements apply to state agencies and other state bodies, they do not apply to the Legislature. The Legislature has Constitutional authority to adopt rules for its proceedings that are consistent with the requirement that the proceedings of each house and the committees be open and public.

Another notable difference between the Legislature and a city council is the ability for Legislators to have a caucus to discuss a bill, express how they will vote, and to count votes. This is not allowed under the Brown Act. One other difference is that the laws governing teleconferencing for members of the state Legislature is far less flexible than it is for local bodies. However, state agencies have more flexibility than locals in that regard.

California Environmental Quality Act ("CEQA")
The Resolution cites the Legislature's action in exempting from CEQA the reconstruction of the State Capitol Annex building. The State Legislature enacted the California Environmental Quality Act (CEQA) in 1970, establishing it as a public disclosure law for the environmental review of discretionary projects and a process for mitigating or avoiding potential environmental impacts.

SB 174 (Committee on Budget and Fiscal Review) Chaptered by Secretary of State. Chapter 74, Statutes of 2024 was signed into law July 2, 2024. This bill exempts the work performed under the State Capitol Building Annex Act of 2016 from the California Environmental Quality Act (CEQA). In this example the Legislature exempted themselves as not being considered a "public agency," "state agency," or "lead agency" under CEQA. A lead agency under CEQA is the public agency that has the principal responsibility for carrying out or approving a project that is subject to CEQA.

Over the years, the Legislature has also created many CEQA exceptions and exemptions for local projects involving local agencies as well.

The Political Reform Act (PRA) - Senate Bill No. 1439
SB 1439 (Glazer) Chaptered by Secretary of State. Chapter 848, Statutes of 2022 amends section 84308 and is aimed at preventing "pay-to-play" practices, in part by prohibiting parties, participants, and their respective agents in a

proceeding involving a license, permit, or other entitlement for use from contributing more than $250 to an officer of an agency during a 12 month period. When the Levine Act was first enacted in 1982, Section 84308 applied to appointed members of boards and commissions who were running for elective office. SB 1439 expended this law to now apply to local elected officials. Since it is focused on permits and licenses, it now applies to State agencies and local agencies that approve permits and licenses. Section 84308 does not apply to the Legislature or the Courts. It is important to note that unlike local governments, neither issue permits and licenses.

The Political Reform Act (PRA) - Assembly Bill No. 571
AB 571 (Mullin) Chaptered by Secretary of State. Chapter 556, Statutes of 2019 established default campaign contribution limits for county and city office at the same level as the limit on contributions from individuals to candidates for Senate and Assembly, effective January 1, 2021. This bill permitted a county or city to establish its own contribution limits, which would prevail over these default limits.

The Resolution cites AB 571 as an example of treating cities differently than the State. The Fair Political Practices Commission clarifies in their AB 571 fact sheet that under AB 571 a city may elect to have "no" contribution limit in which case the state contribution limit will not apply as a default for that jurisdiction. A city or county can set contribution limits higher than the default state limit, AB 571 sets a default in line with contributions Assembly Members and Senators if a city or county is silent on contribution limits.

Fiscal Impact:
Unknown.

Existing Cal Cities Policy:
Mission Statement
To expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.
We Believe:

- Local self-governance is the cornerstone of democracy.
- In the involvement of all stakeholders in establishing goals and in solving problems.
- In conducting the business of government with transparency, openness, respect, and civility. The spirit of honest public service is what builds communities.
- Open decision-making that is of the highest ethical standards honors the public trust.
- The vitality of cities is dependent upon their fiscal stability and local autonomy. The active participation of all city officials increases Cal Cities' effectiveness.

- Partnerships and collaborations are essential elements of focused advocacy and lobbying.
- Ethical and well-informed city officials are essential for responsive, visionary leadership and effective and efficient city operations.

Comments:

Additional Examples

The Legislature has passed and the Governor has signed many laws that apply to local governments and do not apply to the state or the state Legislature. This year AB 2561(McKinnor) was introduced, which requires local governments to present in a public meeting a detailed report about their vacancy rates and detailed information about their hiring practices. This is an attempt to address public sector vacancy rates. This bill does not apply to the state in a time when they are also dealing with high vacancy rates.

Additionally, there were several bills that aim to amend the Levine Act, which now applies to local elected officials, to make changes to SB 1439, referenced previously in the analysis. None of the bills would amend the law to be applicable to Assembly Members or Senators.

AB 817 (Pacheco), co-sponsored by Cal Cities tried to bring parity to the Brown Act by making the teleconference rules for state advisory bodies the same for local advisory bodies but the Legislature struck the bill down.

Applying to elected officials or to the legislative body? Legislature or the State?

The resolution also states, "… applies solely to elected officials of California cities and counties, unless such law or regulation also applies equally to members of the California State Assembly and Senate."

This portion of the resolve clause is specifically speaking to local elected officials and State Assembly Members and Senators. However, many of the "where as" clauses are in reference to laws that apply to cities, the state and the Legislature as government agencies and not specifically to the elected officials on the governing bodies. For example, the Brown Act applies rules to the Legislative body and not the individual council member. Additionally, the city council as a whole is the lead agency under CEQA and not the individual council members.

Inherent Powers of the Legislative Branch

The resolution also states, "This prohibition shall not apply to laws or regulations affecting the inherent powers of the legislative branch under the California Constitution."

It is unclear what inherent powers of the legislate branch under the California Constitution means in this context. The legislative branch does have the power

of preemption over cities and can state that a change in law is a matter of state wide concern. This allows the legislative branch to apply new laws or amend existing laws to apply to general law and charter cities. It seems like the last sentence of the resolve clause could negate the rest of the resolve clause if not clarified.

Support:
The following letters of concurrence were received:

April A. Verlato, Mayor, City of Arcadia
Robert Gonzales, Mayor, City of Azusa
Tim Hepburn, Mayor, City of La Verne
Bill Uphoff, Mayor, City of Lomita
John M. Cruikshank, Mayor, City of Rancho Palos Verdes