

MINUTES

CITY COUNCIL-CLOSED SESSION TUESDAY, JANUARY 15, 2013- 6:00 P.M. CALISTOGA COMMUNITY CENTER

A) CALL TO ORDER

Mayor Canning called the Closed Session to order at 6:00 p.m.
In attendance were the following: Councilmember Barnes, Councilmember Gary Kraus, Vice Mayor Michael Dunsford, and Mayor Chris Canning.

Also present was City Manager Richard Spittle and Administrative Services Director Gloria Leon.

B) ORAL COMMUNICATIONS

No public comment.

C) ADJOURN TO CLOSED SESSION ON THE FOLLOWING MATTERS:

- 1) Conference with Labor Negotiators (City Manager Richard Spittle and Administrative Services Director Gloria Leon) pursuant to GC §54957.6.

Employee Organizations:

Calistoga Public Employees Association
Calistoga Police Officers Association
Calistoga Professional Firefighters Association
Unrepresented Employees

D) CONVENE TO OPEN SESSION TO REPORT FROM CLOSED SESSION

E) ADJOURNMENT

To the scheduled meeting of the Calistoga City Council, on Tuesday, January 15, 2013, Calistoga Community Center, 1307 Washington Street, 7:00 p.m.

Respectfully submitted:



Prepared by: Amanda Davis, Deputy City Clerk



Approved by: Chris Canning, Mayor

MINUTES

CITY COUNCIL – REGULAR MEETING TUESDAY, JANUARY 15, 2013 - 7:00 P.M. CALISTOGA COMMUNITY CENTER

A) CALL TO ORDER

Mayor Canning called the Regular Session to order at 7:08 p.m.

In attendance were the following: Councilmember Barnes, Councilmember Gary Kraus, Vice Mayor Michael Dunsford, and Mayor Chris Canning.

Also present were Senior Civil Engineer Derek Rayner, Senior Planner Erik Lundquist, Administrative Services Director Gloria Leon, Public Works Director/City Engineer Dan Takasugi, Recreation Services Manager Olivia Lemen, City Manager Richard Spidler, and Deputy City Clerk Amanda Davis.

B) ACTION OUT OF CLOSED SESSION

Mayor Canning announced that there was no action out of the Closed Session held this evening.

C) SALUTE TO THE FLAG

D) ORAL COMMUNICATION ON CONSENT ITEMS OR NON-AGENDA ITEMS

Joe Bob Hitchcock, 1322 Berry St., spoke regarding the Council not appointing Charlotte Williams to fill the vacant Council seat.

Dennis McNay, stated that he received a mysterious phone call asking him to take a survey.

Dawnine Dyer, 1501 Diamond Mountain Rd., spoke regarding the upcoming community forums and suggested possible ideas for discussion.

Don Scott, 4281 Scott Way, spoke regarding the loud noise from modified motorcycles.

E) ADOPTION OF MEETING AGENDA

It was **MOVED** by Vice Mayor Dunsford and **SECONDED** by Councilmember Kraus to approve the Council Meeting Agenda as amended to hear Item H3:

Oath of Office, before Item F: Council Requests and Ideas for Discussion.
The Motion was carried unanimously.

H) OATH OF OFFICE (7:23 p.m.)

3) Swearing in of Police Officer Pedro Magana and Chief of Police Mitchell Celaya.

The **Acting City Clerk, Richard Spitler**, gave the Oath of Office to Mitchell Celaya, Chief of Police and Pedro Magana, Police Officer.

F) COUNCIL REQUESTS AND IDEAS FOR DISCUSSION (7:43 p.m.)

Mayor Canning discussed the following:

- The spraying field at the end of Washington St. as a potential site to rent out for grazing cattle.
- Safety Concerns on the Stone Bridge on Berry Street
- Community Forums will be held every third Wednesday of each month at 6:00 p.m. at the Community Center
- This evening's meeting will be adjourned in honor of St. Helena Mayor Del Britton who recently passed away

G) PROCLAMATIONS/ PRESENTATIONS/ AWARDS

1) Presentation on the Audited Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended June 30, 2012 and to receive and file report.

Terry E. Krieg, CPA, presented the item. Mr. Krieg gave an overview of Calistoga's Comprehensive Annual Financial Report (CAFR) stating that it is an audited summary report of the financial transactions of the City for the Fiscal Year 2011/2012, ending June 30, 2012. The report provides summary financial information for citizens, other government agencies, municipal lenders and other interested parties.

It was MOVED by Vice Mayor Dunsford and SECONDED by Councilmember Kraus to receive and file the report. The Motion was carried unanimously.

2) Presentation of the Community Pool Year End Report by Olivia Lemen, Recreation Services Manager. (8:10 p.m.)

Recreation Services Manager Lemen presented the item. She gave an overview of the 2012 community pool season. She discussed the pre-season and post-season options for 2013.

I) CONSENT CALENDAR (8:20 p.m.)

- 4) Consideration of an Ordinance for a Development Agreement (DA 2011-01) requested by John Merchant, on behalf of Resort at Indian Springs, LLC, for the Indian Springs Expansion Project located on the property at 1712 Lincoln Avenue (APN 011-340-019) within the "CC-DD", Community Commercial-Design District. (Second Reading).**
- 5) Adoption of Resolution No. 2013-001 adopting Rosenberg's Rules of Order as the official Parliamentary Procedures for Council Meetings.**
- 6) Adoption of Resolution No. 2013-002 authorizing the acceptance of donations to the Holiday Dinner in the amount of \$3,256.**
- 7) Adoption of Resolution No. 2013-003 adopting a Complete Streets Policy.**
- 8) Consideration of sending a letter to Representative Mike Thompson in support of taking a more comprehensive look at the issue of reducing gun violence.**
- 9) Establish date for a City Council public workshop on Water/Wastewater enterprise funds for Tuesday, January 22, 2013 6:00 p.m.**

Councilmember Barnes requested that Consent Item No. 8 be pulled for discussion.

Mayor Canning requested that Consent Item No. 6 be pulled for discussion.

It was MOVED by Vice Mayor Dunsford and **SECONDED** by Councilmember Barnes to approve Item Nos. 4, 5, 7 and 9 on the consent calendar. The Motion was carried unanimously.

Discussion ensued regarding Consent Item No. 8.

It was MOVED by Vice Mayor Dunsford and **SECONDED** by Councilmember Barnes to approve Item No. 8 on the consent calendar. The Motion was carried unanimously.

Discussion ensued regarding Consent Item No. 6.

It was MOVED by Councilmember Kraus and **SECONDED** by Councilmember Barnes to approve Item No. 6 on the consent calendar. The Motion was carried unanimously.

AYES: Councilmembers Kraus, Barnes, Vice Mayor Dunsford, and Mayor Canning
NOES: None
ABSTAIN: None
ABSENT: None

J) PUBLIC HEARING

None.

K) GENERAL GOVERNMENT (8:27 p.m.)

- 10) **Consideration of Resolution to accept the resignation of Councilmember Carl Sherrill and to discuss and consider Resolutions regarding a Council Appointment or a call for a special election to fill the Council vacancy created by the resignation of Councilmember Carl Sherrill.**

Mayor Canning presented the item. City Manager Spitler discussed the item.

It was MOVED by Councilmember Kraus and SECONDED by Vice Mayor Dunsford to adopt Resolution 2013-004 accepting the resignation of Carl Sherrill from the City Council. The Motion was carried unanimously.

AYES: Vice Mayor Dunsford, Councilmembers Barnes, Kraus, and Mayor Canning
NOES: None
ABSTAIN: None
ABSENT: None

Council discussion ensued regarding the option to either appoint a Councilmember or call for a special election to fill the Council vacancy created by the resignation of Councilmember Carl Sherrill.

Public speaking to the item: Don Hollingsworth, Norma Tofanelli and Dennis McNay.

Consensus of the Council is to not hold a special election and instead go through the appointment process, understanding that if someone is not appointed by the end of the 60 day period, a special election will be held.

It was MOVED by Councilmember Barnes and SECONDED by Councilmember Kraus to continue the appointment of a Councilmember to the February 5, 2013 Council Meeting. The Motion was carried unanimously.

- 11) **The City Clerk will administer the Oath of Office to the newly appointed City Council Member, should one be appointed, who will then assume his or her seat.**

Acting City Clerk Spitler stated that this item will be moved to the February 5, 2013 City Council meeting.

- 12) **Consideration of Request of the Pioneer Park Improvement Committee to raise funds to design and build a new Gazebo at Pioneer Park.**

City Manager Spitler presented the item stating that he received a letter from Bob Fiddaman requesting that the City allow a group of volunteers to design and build a replacement gazebo at Pioneer Park.

Council and staff discussion ensued.

Public speaking to the item: Bob Fiddaman, 1300 Cedar St., John, Oat Hill Court, Calistoga.

It was MOVED by Councilmember Kraus and SECONDED by Vice Mayor Dunsford to authorize the Pioneer Park Improvement Committee to proceed with the Gazebo replacement project to be located in Pioneer Park in coordination with City staff. The Motion was carried unanimously.

- 13) **Consideration of a Resolution to enter into a Use Agreement with Calistoga Dog Park Group (Cal Dogs) to install and manage a dog park at Logvy Park and authorization to City Manager solicit public interest in installing Bocce Ball courts at Logvy Park. (8:53 p.m.)**

Recreation Services Manager Lemen presented the item. She noted that a revised Resolution has been provided for adoption.

Council and staff discussion ensued regarding insurance coverage, prohibition of alcohol, required age limit of attendees at the Dog Park and bocce ball courts.

It was MOVED by Councilmember Kraus and SECONDED by Vice Mayor Dunsford to adopt Resolution 2013-005 authorizing the City Manager to execute a Use Agreement with the Wine Country Animal Lovers, Inc. also known as the Calistoga Dog Park Group for the operation of the Calistoga Dog Park. The Motion was carried unanimously.

AYES: Councilmembers Kraus, Barnes, Vice Mayor Dunsford, and Mayor Canning
NOES: None
ABSTAIN: None
ABSENT: None

- 14) **Consideration of Resolution to amend the agreement with Napa County to change the Library Cost Allocation Agreement Amendment for the Calistoga Library.**

City Manager Spitler presented the item and discussed the background of the agreement between the County of Napa and the City of Calistoga.

Danis Kreimeier, Library Director, spoke regarding the Agreement and discussed the proposed renovations to the Calistoga Library.

Jack Bengé, Chair of the Napa County Library Commission, discussed the item.

Shelby Valentine, Vice-Chair of the Napa County Library Commission and Calistoga's Representative, discussed the item.

Council discussion ensued regarding the proposed agreement and renovations.

Public speaking to the item: Michele Amendola, St. Helena; Anne Scott, 4281 Scott Way; David Monn—Wainwright, 1210 Pine Street; Norma Tofanelli, 1001 Dunaweel Lane.

Consensus of the Council was to table this item and bring it back to the Council at a later date to be determined.

There was a MOTION by Councilmember Barnes and SECONDED by Councilmember Kraus to move General Government Item No. K:15 after K:18. The Motion was carried unanimously. (10:25 p.m.)

- 16) **Consideration of a Resolution authorizing a Request to the Metropolitan Transportation Commission (MTC) for the Allocation of Fiscal Year 2012/13 Highway Bridge Program project funding in the amount of \$319,000 and appropriation of said funds during the 2012/13 budget year. (10:26 p.m.)**

Public Works Director Takasugi presented the item discussing the Highway Bridge Program project funding and the appropriation of said funds during the 2012/13 budget year.

Public speaking to the item: Norma Tofanelli, 1001 Dunaweel Lane.

It was **MOVED** by Councilmember Kraus and **SECONDED** by Councilmember Barnes to adopt **Resolution 2013-006** authorizing a request to the Metropolitan Transportation Commission for the allocation of Fiscal Year 2012/13 Highway Bridge Program Project funding in the amount of \$319,000 and appropriation of said funds during the 2012/13 budget year. The Motion was carried unanimously.

AYES: Councilmembers Kraus, Barnes, Vice Mayor Dunsford, and Mayor Canning

NOES: None

ABSTAIN: None

ABSENT: None

- 17) **Consideration of rescinding Resolution No. 2012-086 confirming the Mayor's appointments to local and regional bodies and adopt a new Resolution confirming the Mayor's appointments to local and regional bodies.**

City Manager Spitler presented the item. He stated that the reason for the rescission is due to the fact that Councilmember Carl Sherrill resigned and the Regional Boards and Committees he was assigned as a representative, now need to have new representation appointed.

It was **MOVED** by Councilmember Kraus and **SECONDED** by Councilmember Barnes to adopt **Resolution 2013-007** rescinding Resolution No. 2012-086 and confirming the Mayor's appointments to local and regional bodies. The Motion was carried unanimously.

AYES: Councilmembers Kraus, Barnes, Vice Mayor Dunsford, and Mayor Canning

NOES: None

ABSTAIN: None

ABSENT: None

- 18) **Consideration of a Resolution confirming the Mayor's appointment to the Measure A Financial Oversight Committee. (10:36 p.m.)**

City Manager Spitler presented the item. He stated that during the application process staff received an application from Christina Aranguren to serve on the Napa County Measure A Financial Oversight Committee.

It was **MOVED** by Vice Mayor Dunsford and **SECONDED** by Councilmember Barnes to adopt Resolution 2013-008 confirming the Mayor's appointment to the Napa County Measure A Financial Oversight Committee. The Motion was carried unanimously.

AYES: Vice Mayor Dunsford, Councilmembers Kraus, Barnes, and Mayor Canning

NOES: None

ABSTAIN: None

ABSENT: None

- 15) **Discussion and direction regarding Kimball Bypass concerns by the State Water Resources Control Board. (10:38 p.m.)**

City Manager Spitler presented the item. **Public Works Director Takasugi** discussed the item.

Consensus of the Council is to appoint a sub-committee, consisting of Councilmember Barnes and Councilmember Kraus, to discuss a response to the State Water Resources Control Board and bring this item back to the February 5, 2013 Council meeting.

L) ADJOURNMENT

Mayor Canning adjourned the meeting at 10:48 p.m. in honor of St. Helena Mayor Del Britton, to the next scheduled Special Meeting of the Calistoga City Council, on Tuesday, January 22, 2013, Calistoga Community Center, 1307 Washington Street, 6:00 p.m.

Respectfully submitted:



Prepared by: Amanda Davis, Deputy City Clerk



Approved by: Chris Canning, Mayor