

## MINUTES

### CITY COUNCIL – REGULAR MEETING TUESDAY, MARCH 5, 2013 - 7:00 P.M. CALISTOGA COMMUNITY CENTER

#### A) CALL TO ORDER

**Mayor Canning called the Regular Session to order at 7:01 p.m.**

In attendance were the following: Councilmember Barnes, Councilmember Irais Lopez-Ortega, Councilmember Gary Kraus, Vice Mayor Michael Dunsford. Absent: Mayor Canning.

Also present were Planning & Building Director Lynn Goldberg, Interim Director of Public Works Mark Akaba, City Manager Richard Spitler, and Deputy City Clerk Amanda Davis.

#### B) SALUTE TO THE FLAG

#### C) ORAL COMMUNICATION ON CONSENT ITEMS OR NON-AGENDA ITEMS (7:02 p.m.)

**Joe Matthews, 26 View Road**, discussed an article that was submitted to the City Council dated February 21, 2013 from Gary Kraus in regards to the anti-Measure C mailer.

**Shelby Valentine**, Calistoga's representative on the Napa County Library Commission, spoke regarding the Calistoga Library restoration.

**Matt Hickerson, 3225 Lake County Hwy**, spoke regarding Measure C. He discussed the effluent ponds between Dunaweel Lane and the Little League Field.

**Greg Bouillerce, Unit Director for the Calistoga Boys & Girls Club**, expressed his gratitude in being selected to receive a portion of the Community Enrichment Grant.

**City Manager Spitler** presented Interim Public Works Director Mark Akaba, who will serve until a replacement Public Works Director is hired. He stated that the recruitment process has begun.

#### D) ADOPTION OF MEETING AGENDA

It was **MOVED** by Councilmember **Kraus** and **SECONDED** by Councilmember **Barnes** to approve the Council Meeting Agenda as amended to remove Item

No. F:3, Presentation by Jamison Crosby. The Motion was carried unanimously.  
(Mayor Canning was absent)

#### **E) COUNCIL REQUESTS AND IDEAS FOR DISCUSSION**

**Vice Mayor Dunsford** thanked everyone who participated in the first Community Forum that was held on February 20, 2013. He stated that the next Community Forum will take place on Wednesday, March 20, 6:00 p.m. at the Community Center.

**Vice Mayor Dunsford** said that Calistoga Chamber of Commerce's Annual Mustard, Mud and Music Festival will be taking place this upcoming weekend from 12:00 p.m.-5:00 p.m. He said that locals get a discount on ticket pricing.

#### **F) PROCLAMATIONS/ PRESENTATIONS/ AWARDS**

- 1) Appreciation award to Firefighter Robert Ebling for five years of service to the Calistoga Fire Department.**

**Vice Mayor Dunsford** acknowledged Firefighter Robert Ebling for his five years of service to the Calistoga Fire Department. Mr. Ebling was not present at the meeting.

- 2) Proclamation recognizing March 2013 as American Red Cross Month.**

**Anne Steinhauer, Executive Director for the Napa County Chapter,** accepted the Proclamation on behalf of the American Red Cross.

- 3) Presentation by Jamison Crosby, regarding Storm Water Regulations update. (This item was removed from the agenda)**

#### **G) CONSENT CALENDAR**

- 4) Minutes of the March 27, 2012 and March 29, 2012 City Council Study Sessions and the February 19, 2013 regular City Council meeting.**
- 5) Consideration of a Planned Development application requested by the property owners, Robert and Valerie Beck and Thomas Crowley to include; 1) the rezoning of the property from an "R3", Residential/Professional Office to a "PD", Planned Development Zoning District, 2) a Parcel Map, 3) a Preliminary/Final Development Plan, and 4) a waiver from the undergrounding of utilities allowing the creation of 3 parcels from an already developed property located at 1110, 1112 and 1116 Berry Street (APN 011-242-001). (Second reading)**

- 6) **Consideration of text amendments to the Calistoga Municipal Code, initiated by the City of Calistoga, amending Title 2 (Council, Administration and Personnel) Section 2.10.040 (Director of Public Works) to eliminate the requirements that the Director of Public Works must hold a California certification of registration as a Civil Engineer. The proposed amendment is exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the CEQA Guidelines. (Second reading)**

It was **MOVED** by Councilmember **Kraus** and **SECONDED** by Councilmember **Barnes** to approve Item Nos. 4, 5 and 6 on the Consent Calendar. The Motion was carried unanimously. (*Mayor Canning was absent*)

#### H) PUBLIC HEARING

None.

#### I) GENERAL GOVERNMENT

- 7) **Consideration of a Resolution authorizing the City Manager to enter into a five year Use Agreement with the Calistoga Little League to use Tedeschi Field. (7:23 p.m.)**

**City Manager Spitler** presented the item. He discussed the Use Agreement and said that with Council's approval the Agreement will be executed.

It was **MOVED** by Councilmember **Kraus** and **SECONDED** by Councilmember **Lopez-Ortega** to adopt Resolution No. 2013-020 authorizing the City Manager to enter into a Tedeschi Field Use Agreement with the Calistoga Little League. Motion was carried by the following vote:

**AYES:** Councilmembers **Kraus, Lopez-Ortega, Barnes** and Vice Mayor **Dunsford**  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** Mayor **Canning**

- 8) **Consideration of a Resolution authorizing the City Manager to enter into an engagement letter with R.J. Ricciardi, Inc., to conduct audit and financial reporting services for the City for a three year time period.**

**City Manager Spitler** presented the item. He stated that upon conclusion of the agreement with Terri Kreig, Council directed the City to solicit for audit and financial reporting services. He stated that the City has been using Terri Krieg for the last 20 years, and it has been decided that the City should go

out to bid for other potential auditing services. He stated that a sub-committee was formed which consisted of Councilmember Kraus and Mayor Canning. He said the sub-committee met with staff to review the bid documents and are recommending that the City enter into an agreement with J.R. Ricciardi, Inc.

Council discussion ensued.

It was **MOVED** by Councilmember Kraus and **SECONDED** by Councilmember Barnes to adopt **Resolution No. 2013-021** authorizing the City Manager to execute the Letter of Engagement with R.J. Ricciardi, Inc., for Audit Services in connection with the June 30, 2013 Comprehensive Annual Financial Report. Motion was carried by the following vote:

**AYES:** Councilmembers Kraus, Barnes, Lopez-Ortega and Vice Mayor Dunsford  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** Mayor Canning

- 9) Consider directing staff to initiate updates to the Public Safety, Circulation and Housing Elements of the Calistoga General Plan.  
(7:31 p.m.)

**Planning & Building Director Lynn Goldberg** presented the item. She stated that the City is required by State Law to revise parts of its General Plan. She said the Public Safety Element needs to be amended and staff is also recommending amending the Circulation and Housing Elements.

**Public speaking to the item:** Larry Kromann, Calistoga Affordable Housing; Julie Kaplan, 1323 Foothill Blvd.; Shelby Valentine, 2771 Foothill Blvd.; and Matt Hickerson.

Council and staff discussion ensued.

It was **MOVED** by Councilmember Barnes and **SECONDED** by Councilmember Kraus to direct staff to initiate updates to the Public Safety, Circulation and Housing Elements of the Calistoga General Plan. Motion was carried by the following vote:

**AYES:** Councilmembers Barnes, Kraus, Lopez-Ortega and Vice Mayor Dunsford  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** Mayor Canning

- 10) **Consideration of a Resolution directing the City Manager to send a letter to the state Water Resources Control Board to revoke Permit 20395 for the Kimball Reservoir. (7:50 p.m.)**

**City Manager Spitler** presented the item. He discussed the background of the item stating that Permit No. 20395 was initially issued by the State Water Resources Control Board (SWRCB) in November 1989. He said the permit expired on December 31, 2010 and that in mid-December of 2012, the SWRCB issued a letter to the City asking that the City revoke Permit No. 20395. He stated that a sub-committee consisting of Councilmembers Kraus and Barnes was set up to review the letter and came up several recommendations.

He stated that the City Council directed staff to send a response back to SWRCB at the February 5, 2013 meeting. He said he is asking for a formal motion to send the letter requesting that the SWRCB revoke Permit No. 20395.

**It was MOVED by Councilmember Barnes and SECONDED by Councilmember Kraus to adopt Resolution No. 2013-022 requesting the State Water Resources Control Board to revoke Kimball Reservoir Water Right Permit 20395. Motion was carried by the following vote:**

**AYES:** Councilmembers Barnes, Kraus, Lopez-Ortega and Vice Mayor Dunsford  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** Mayor Canning

**J) ADJOURNMENT**

Mayor Canning adjourned the meeting at 7:54 p.m. to the next scheduled special meeting of the Calistoga City Council, on Monday, March 18, 2013, Calistoga Community Center, 1307 Washington Street, 9:00 a.m.

**Respectfully submitted:**

  
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**Prepared by: Amanda Davis, Deputy City Clerk**

  
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**Approved by: Chris Canning, Mayor**