

**MINUTES**

**CITY COUNCIL – REGULAR MEETING  
TUESDAY, JUNE 18, 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 James Barnes, Councilmember Gary Kraus, Councilmember Irais Lopez-Ortega, and Mayor Chris Canning. Absent: Vice Mayor Michael Dunsford

Also present were Director of Public Works Michael Kirn, Planning and Building Director Lynn Goldberg, Administrative Services Director Gloria Leon, Police Chief Mitch Celaya, Fire Chief Steve Campbell, Recreation Manager Olivia Lemen, City Manager Richard Spitler and Executive Secretary to the City Manager Kathy Flamson.

**B) SALUTE TO THE FLAG**

**C) ORAL COMMUNICATION ON CONSENT ITEMS OR NON-AGENDA ITEMS**

**Yvonne Henry** spoke on behalf of Calistoga Art Center and the current board members.

**Carlene Moore** of the Napa County Fair Grounds, thanked the City of Calistoga Public Works Department for their help with a recent water leak. She thanked Erik Lundquist for his help with grant writing. She also reminded the Council of the upcoming Napa County Fair and Fireworks July 3-7.

**D) ADOPTION OF MEETING AGENDA**

**It was MOVED by Councilmember Kraus and SECONDED by Councilmember Barnes to approve the Council Meeting Agenda. The Motion was carried unanimously. Vice Mayor Dunsford was absent.**

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

**Mayor Canning** stated that the Pride Flag was removed from flying over City Hall as the City does not have a formalized process for such an activity.

**F) PROCLAMATIONS/ PRESENTATIONS/ AWARDS**

None

**G) CONSENT CALENDAR**

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- 1) Minutes of the June 4, 2013 City Council Meeting
- 2) Adoption of Resolution No. 2013-045 accepting the Engineer's Report for the Palisades Subdivision Landscape Maintenance Assessment District, declaring the intention of the City Council to levy and collect assessments and setting the date for the public hearing.
- 3) Adoption of Resolution No. 2013-046 accepting the Engineer's Report for the Silverado Place Subdivision Landscape Maintenance Assessment District, declaring the intention of the City Council to levy and collect assessments and setting the date for the public hearing.
- 4) Adoption of Resolution No. 2013-047 approving Amendment No. 5 to the Professional Services Agreement with Larry Walker Associates for ongoing permit assistance services related to the City's current Wastewater Treatment Plant NPDES Permit and the State's General Water Reuse Permit in the amount of \$59,810.
- 5) Rescinding Resolution No. 2013-044 and adoption of Resolution No. 2013-048 authorizing the Public Works Director to file the Storm Water Notice of Intent (NOI) ) for the Storm Water General Permit.
- 6) Adoption of Resolution No. 2013-049 approving Operating and Capital Improvement Budget Adjustments for Fiscal Year 2012-13.

Councilmember Kraus recused himself from Item Nos. 2 and 3.

Councilmember Barnes requested that Item No. 6 be pulled for discussion.

Mayor Canning recused himself from Item No. 6.

It was MOVED by Councilmember Kraus and SECONDED by Councilmember Barnes to approve Item Nos. 1, 4 and 5 on the Consent Calendar. The motion was carried unanimously. Vice Mayor Dunsford was absent.

It was MOVED by Councilmember Barnes and SECONDED by Councilmember Lopez-Ortega to approve Item Nos. 2 and 3 on the Consent Calendar. The motion was carried unanimously. Councilmember Kraus and Vice Mayor Dunsford were absent.

Discussion ensued regarding Consent Item No. 6.

Councilmember Barnes requested clarification regarding the TOT bonus that was given to the Chamber of Commerce and if it will continue. Administration Services Director Leon explained that the City of Calistoga staff, not the Chamber of Commerce, set the TOT incentive project. The bonus will not be implemented in the upcoming budget, according to City Manger Spitler.

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97           **It was MOVED by Councilmember Barnes and SECONDED by**  
98           **Councilmember Lopez-Ortega to approve Item No. 6 on the Consent**  
99           **Calendar. Vice Mayor Dunsford and Mayor Canning were absent.**

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101 **H) PUBLIC HEARING**

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103           None.

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105 **I) GENERAL GOVERNMENT**

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107           **7) Consideration of a Resolution approving Amendment No. 11 to the**  
108           **Water Supply Contract with the Napa County Flood Control and Water**  
109           **Conservation District Agreement No. 1926 authorizing the sale of a**  
110           **portion of Calistoga's 2013 State Water Project Carryover Water**  
111           **Allocation via the Napa County Flood Control and Water Conservation**  
112           **District.**

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114           **Public Works Director Kirn** presented the item. He stated that if the  
115           carryover is not sold in 2013, will remain in the City of Calistoga's bank but it  
116           will not be available for sale in the future. The proceeds from this water sale  
117           are not included in the 2013-2014 budget. An adjustment to the budget will  
118           be made when the revenues are received.

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120           **Mayor Canning** opened the item for Public Comment. Hearing none, he  
121           closed the Public Comment portion.

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123           **It was MOVED by Councilmember Kraus and SECONDED by**  
124           **Councilmember Barnes to a adopt Resolution No. 2013-050.**

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126           **Ayes:           Councilmembers Kraus, Barnes, Lopez-Ortega and**  
127                           **Mayor Canning**

128           **Noes:           None**

129           **Abstain:       None**

130           **Absent:       Vice Mayor Dunsford**

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132           **8) Consideration of a Resolution authorizing submittal of an application to**  
133           **the California State Department of Housing and Community**  
134           **Development for funding under the HOME Investment Partnerships**  
135           **Program (HOME); and if selected, the execution of a standard**  
136           **agreement.**

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138           **Planning and Building Director Goldberg** discussed this issue. **City of**  
139           **Napa Housing Authority Specialist Andrea Clark** with the First Time  
140           Home Buyer Program was available for questions. Ms. Clark suggested that  
141           the Resolution be amended to read 'City Manager' and not include a specific  
142           name. She mentioned that this grant is similar to the CDBG, but from a  
143           different funding source. The City of Calistoga has a good chance of being  
144           awarded this grant, especially with a rural community status. This is a self-

145 generating fund, with the payments coming back to the city for future  
146 appropriate loans.

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148 **Roxanne Bell, 1802 School Street** inquired about the specific types of  
149 housing rehabilitation needed to receive this type of loan. **Councilmember**  
150 **Barnes** inquired the timeline before the funds are disbursed. Discussion  
151 ensued.

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153 **Mayor Canning** opened the item for further Public Comment. Hearing none,  
154 he closed the Public Comment portion.

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156 **It was MOVED by Councilmember Kraus and SECONDED by**  
157 **Councilmember Lopez-Ortega to adopt Resolution No. 2013-051**  
158 **authorizing submittal of an application to the California State**  
159 **Department of Housing and Community Development for funding under**  
160 **the HOME Investment Partnerships Program (HOME); and if selected, the**  
161 **execution of a standard agreement . The Motion was carried**  
162 **unanimously as amended.**

163  
164 **Ayes: Councilmembers Kraus, Lopez-Ortega, Barnes and**  
165 **Mayor Canning**  
166 **Noes: None**  
167 **Abstain: None**  
168 **Absent: Vice Mayor Dunsford**  
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170 **9) Consideration of a Resolution authorizing the City Manager to expend**  
171 **asset forfeiture funds to purchase a patrol vehicle for the Police**  
172 **Department in the amount not to exceed \$30,000.00.**

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174 **City Manager Spittler** discussed this item. **Councilmember Barnes**  
175 **confirmed that the funds will be allocated from the 2012-2013 budget.**

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177 **Mayor Canning** opened the item for Public Comment. Hearing none, he  
178 closed the Public Comment portion.

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180 **It was MOVED by Councilmember Barnes and SECONDED by**  
181 **Councilmember Kraus to adopt Resolution No. 2013-052. The Motion**  
182 **was carried unanimously.**

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184 **Ayes: Councilmembers Kraus, Barnes, Lopez-Ortega and**  
185 **Mayor Canning**  
186 **Noes: None**  
187 **Abstain: None**  
188 **Absent: Vice Mayor Dunsford**  
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190 **10) Consideration of a Resolution directing the City Manager to execute a**  
191 **two-year agreement with the County of Napa to provide fire service to**  
192 **certain unincorporated areas in Napa County.**

193

194 **Fire Chief Campbell** summarized this issue. He also noted that there is an  
195 error on line 92 & 94. It was noted that if the number of incidents goes over  
196 350 per year, any calls excess the contracted amount will be provided for  
197 free. Assistance By Hire Agreement and Strike Teams were discussed. **Fire**  
198 **Chief Campbell** thanked **City Manager Spitler** for having a huge impact for  
199 this contract by going directly to the County.

200  
201 **Mayor Canning** opened the item for Public Comment. Hearing none, he  
202 closed the Public Comment portion.

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204 It was **MOVED** by Councilmember Kraus and **SECONDED** by  
205 Councilmember Barnes to adopt **Resolution No. 2013-053**. The Motion  
206 was carried unanimously.

207  
208 **Ayes:** Councilmembers Kraus, Barnes, Lopez-Ortega and  
209 Mayor Canning  
210 **Noes:** None  
211 **Abstain:** None  
212 **Absent:** Vice Mayor Dunsford

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214 **11) Consideration of a Resolution authorizing the Mayor to execute a one-**  
215 **year agreement with Cal-Fire to provide fire dispatch services to the City**  
216 **of Calistoga in the amount of \$28,813.29.**

217  
218 **Fire Chief Campbell** discussed this item. The Fire Department will continue  
219 to look at other options throughout the year, but at this time this is the best  
220 option.

221  
222 It was **MOVED** by Councilmember Kraus and **SECONDED** by  
223 Councilmember Barnes to adopt **Resolution No. 2013-054**. The Motion  
224 was carried unanimously.

225  
226 **Ayes:** Councilmembers Kraus, Barnes, Lopez-Ortega and  
227 Mayor Canning  
228 **Noes:** None  
229 **Abstain:** None  
230 **Absent:** Vice Mayor Dunsford

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233 **12) Consideration of a Resolution authorizing the City Manager to enter into**  
234 **a Payment Plan Agreement for Connection Fees in the amount of**  
235 **\$24,865 between the City of Calistoga and Dan Farris.**

236  
237 **City Manager Spitler** discussed this item. Mr. Farris will enter into an  
238 agreement with the City to pay \$24,865.00 in connection fees.

239  
240 Council discussion ensued.

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242 **Mayor Canning** opened the item for Public Comment. Hearing none, he  
243 closed the Public Comment portion.

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245 **It was MOVED by Councilmember Kraus and SECONDED by**  
246 **Councilmember Lopez-Ortega to adopt Resolution No. 2013-055. The**  
247 **Motion was carried unanimously.**

248  
249 **Ayes: Councilmembers Kraus, Lopez-Ortega, Barnes and**  
250 **Mayor Canning**

251 **Noes: None**

252 **Abstain: None**

253 **Absent: Vice Mayor Dunsford**

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255 **13) Consideration of a Resolution adopting the City of Calistoga Fiscal Year**  
256 **2013/14 Operating and Capital Budget.**

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258 **Administrative Services Director Leon** discussed this issue. Water and  
259 Wastewater operations are the two areas with deficits. A consultant is being  
260 used to help determine how to correct the issue of water and waste water  
261 rates that are causing deficits. All other funds are running positive.

262

263 **Family Center Director Victoria Li** thanked the City Council for including  
264 funds for the Calistoga Family Center in the upcoming budget.

265

266 **Mayor Canning** reiterated the use of \$2 million from Silver Rose Impact Fees  
267 are addressed under Quality of Life, Public Safety and Waste Water in this  
268 budget.

269

270 **Mayor Canning** opened the item for Public Comment. Hearing none, he  
271 closed the Public Comment portion.

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273 **It was MOVED by Councilmember Barnes and SECONDED by**  
274 **Councilmember Lopez-Ortega to adopt Resolution No. 2013-056. The**  
275 **Motion was carried unanimously.**

276

277 **Ayes: Councilmembers Barnes, Lopez-Ortega, Kraus and**  
278 **Mayor Canning**

279 **Noes: None**

280 **Abstain: None**

281 **Absent: Vice Mayor Dunsford**

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284 **14) Consideration of a Resolution adopting the Fiscal Year 2013/14**  
285 **appropriation limit.**

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287 **Administrative Services Director Leon** discussed this issue.

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289 **Mayor Canning** opened the item for Public Comment. Hearing none, he  
290 closed the Public Comment portion.

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It was **MOVED** by Councilmember Kraus and **SECONDED** by Councilmember Barnes to adopt **Resolution No. 2013-057**. The Motion was carried unanimously.

- Ayes:** Councilmembers Kraus, Barnes, Lopez-Ortega and Mayor Canning
- Noes:** None
- Abstain:** None
- Absent:** Vice Mayor Dunsford

**J) ADJOURNMENT**

**Mayor Canning** adjourned the meeting at 8:25 p.m. to the next scheduled regular meeting of the Calistoga City Council, on Tuesday, July 16, 2013, Calistoga Community Center, 1307 Washington Street, 7:00 p.m.

**Respectfully submitted:**

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**Prepared by: Kathy Flamson, Executive Secretary to the City Manager**

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**Approved by: Chris Canning, Mayor**