

MINUTES

CITY COUNCIL-CLOSED SESSION TUESDAY, JULY 16, 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 Gary Kraus, Councilmember Irais Lopez-Ortega, Vice Mayor Dunsford and Mayor Chris Canning. Absent: Councilmember James Barnes.

Also present were the following: City Attorney Michelle Kenyon, City Manager Richard Spitler, and Administrative Services Director Gloria Leon.

B) ORAL COMMUNICATIONS

No public comment.

C) ADJOURN TO CLOSED SESSION ON THE FOLLOWING MATTERS:

1. Conference with Legal Counsel, Anticipated Litigation
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9: Two potential cases.
2. Conference with Labor Negotiators (Government Code Section 54957.6)

Agency negotiation: City Manager Richard Spitler and Administrative Services Director Gloria Leon

Employee Organization: Calistoga Public Employees Association
Calistoga Police Officers Association
Calistoga Professional Firefighters Association
Calistoga Unrepresented Employees

D) CONVENE TO OPEN SESSION TO REPORT FROM CLOSED SESSION

Mayor Canning announced that there was no reportable action out of tonight's Closed Session.


E) ADJOURNMENT

Mayor Canning adjourned the Closed Session at 7:00 p.m. to the regular meeting of the Calistoga City Council, on Tuesday, July 16, 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, JULY 16, 2013 - 7:00 P.M. CALISTOGA COMMUNITY CENTER

A) CALL TO ORDER

Mayor Canning called the Regular Session to order at 7:00 p.m.

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

Also present were the following: Public Works Director/City Engineer Michael Kirn, Administrative Services Director Gloria Leon, City Manager Richard Spitler and Deputy City Clerk Amanda Davis.

B) SALUTE TO THE FLAG

C) ACTION OUT OF CLOSED SESSION

Mayor Canning announced that there was no reportable action out of tonight's Closed Session.

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

There was no oral communication.

E) ADOPTION OF MEETING AGENDA

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

F) COUNCIL REQUESTS AND IDEAS FOR DISCUSSION

Councilmember Lopez-Ortega thanked and acknowledged the organizers of the Napa County Fair.

Mayor Canning announced that the next community forum scheduled for July 17, 2013 has been canceled. He stated that the next one will take place on August 21, 2013.

G) PROCLAMATIONS/ PRESENTATIONS/ AWARDS

- 1) **Appreciation award to Plant Operator Ben Zacharia for his fifteen years of service to the Calistoga Public Works Department.**

Mayor Canning presented an appreciation award to Ben Zacharia for his fifteen years of service to the Public Works Department.

H) CONSENT CALENDAR

- 2) **Minutes of the June 11, 2013 special City Council Public Hearing and the June 18, 2013 regular City Council meeting.**

It was **MOVED** by **Councilmember Kraus** and **SECONDED** by **Lopez-Ortega** to approve Item No. 2 on the Consent Calendar. The Motion was carried unanimously. (*Councilmember Barnes was absent*)

I) PUBLIC HEARING (7:10 p.m.)

- 3) **Consideration of a Resolution Authorizing the Levying and Collection of Assessments for the Silverado Place Landscape Maintenance District for Fiscal Year 2013-14.**

Councilmember Kraus recused himself from the item.

Public Works Director Kirn presented the item and gave an overview of the request to authorize the levying and collection of assessments for the Silverado Place Landscape Maintenance District.

Mayor Canning opened public hearing at 7:10 p.m. He confirmed there were no public speakers and closed the public hearing at 7:11 p.m.

It was **MOVED** by **Vice Mayor Dunsford** and **SECONDED** by **Councilmember Lopez-Ortega** to adopt Resolution No. 2013-058 authorizing the levying and collection of assessments for the Silverado Place Landscape and Maintenance District for Fiscal Year 2013-2014. The Motion was carried by the following vote:

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

- 4) **Consideration of a Resolution Authorizing the Levying and Collection of Assessments for the Palisades Landscape Maintenance District for Fiscal Year 2013-14.**

Councilmember Kraus recused himself from the item.

Public Works Director Kirn presented the item and gave an overview of the request to authorize the levying and collection of assessments for the Palisades Landscape Maintenance District.

Mayor Canning opened public hearing at 7:13 p.m. He confirmed there were no public speakers and closed the public hearing at 7:14 p.m.

It was **MOVED** by Vice Mayor Dunsford and **SECONDED** by Councilmember Lopez-Ortega to adopt Resolution No. 2013-059 authorizing the levying and collection of assessments for the Palisades Landscape and Maintenance District for Fiscal Year 2013-2014. The Motion was carried by the following vote:

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

J) GENERAL GOVERNMENT (7:13 p.m.)

- 5) **Consideration of a Resolution Approving a Joint Powers Agreement to Fund and Administer the Napa County Stormwater Management Program.**

Public Works Director Kirn presented the item and gave an overview of the Joint Powers Agreement to Fund and Administer the Napa County Stormwater Management Program.

It was **MOVED** by Vice Mayor Dunsford and **SECONDED** by Councilmember Kraus to adopt Resolution No. 2013-060 authorizing a Joint Powers Agreement with the Napa County Flood Control and Water Conservation District to fund and administer the Napa County Stormwater Management Program. The Motion was carried by the following vote:

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

- 6) **Consideration of a Resolution approving Joint Zone Project No. 96-1 Maintenance and Watershed Management Program Cost-Sharing Agreement with the Napa County Flood Control and Water Conservation District for Storm Drain Outfall Repair at Logvy Park/Napa River.**

Public Works Director Kirn presented the item and stated that this is a minor capital improvement project that was approved in the Budget. He discussed the storm drain outfall repair at Logvy Park/Napa River and the steps that will be

taken for this repair. He stated that more information regarding funding will be provided at the August 6, 2013 City Council meeting.

It was **MOVED** by Councilmember Kraus and **SECONDED** by Vice Mayor Dunsford to adopt Resolution No. 2013-061 approving a Joint Zone Project No. 96-1 Maintenance and Watershed Management Program Cost-Sharing Agreement with Napa County Flood Control and Water Conservation District for Storm Drain Outfall on the Napa River at Logvy Park. The Motion was carried by the following vote:

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

- 7) Consideration of a Resolution awarding a one-year contract with the Calistoga Tribune in an amount not to exceed \$10,000 for publication of City of Calistoga legal advertisements for the period ending June 30, 2014, and authorizing the City Manager to execute the contract.

City Manager Spitler presented the item and explained the requirement for the City to submit bids of adjudicated newspapers for publication of legal advertisements. He discussed RFP criteria, consideration of the submittal received from the Calistoga Tribune and options for the Council to consider. He stated for the record that the Napa Valley Register did not submit an RFP this year.

It was **MOVED** by Councilmember Lopez-Ortega and **SECONDED** by Councilmember Kraus to adopt Resolution No. 2013-062 awarding a one-year contract to the Calistoga Tribune for publication of legal advertisements in an amount not to exceed \$10,000 for the period ending June 30, 2014 and authorizing the City Manager to execute the contract. The Motion was carried by the following vote:

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

- 8) Consideration of a Resolution authorizing the City Manager to execute a Memorandum of Understanding with the Calistoga Public Employees Association.

City Manager Spitler presented the item and stated that the City has been in labor negotiations with three groups which include the Calistoga Public Employees' Association (CPEA), the Calistoga Professional Firefighters' Association (CPFA) and the Unrepresented. He stated that negotiations with

the Calistoga Police Officers' Association is not yet complete. He stated that the Memorandums of Understanding (MOU) with the CPEA and CPFA expired on December 31, 2012. He was pleased to announce that an agreement has been reached with each of the groups. The MOU's will commence on January 1, 2013 and end on December 31, 2014.

City Manager Spitler discussed the changes and additions made to the Calistoga Public Employees' Association Memorandum of Understanding.

Council discussion ensued.

It was **MOVED** by Councilmember Kraus and **SECONDED** by Councilmember Lopez-Ortega to adopt Resolution No. 2013-063 authorizing the City Manager to execute a Memorandum of Understanding with the Calistoga Public Employees' Association from January 1, 2013 through December 31, 2014. The Motion was carried by the following vote:

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

- 9) **Consideration of a Resolution authorizing the City Manager to execute a Memorandum of Understanding with the Calistoga Professional Firefighters Association.**

City Manager Spitler presented the item and discussed the changes and additions made to the Calistoga Professional Firefighters' Association Memorandum of Understanding.

It was **MOVED** by Councilmember Lopez-Ortega and **SECONDED** by Vice Mayor Dunsford to adopt Resolution No. 2013-064 authorizing the City Manager to execute a Memorandum of Understanding with the Calistoga Professional Firefighters' Association from January 1, 2013 through December 31, 2014. The Motion was carried by the following vote:

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

- 10) **Consideration of a Resolution authorizing the change in salaries and benefits for Unrepresented Employees.**

City Manager Spitler presented the item and stated that the Unrepresented Employees do not belong to a bargaining unit. He stated that Council can adopt a resolution authorizing changes and additions to their current salaries and benefits. He discussed the proposed changes and additions.

Public speaking to the item: Pat Hampton, Calistoga Tribune.

It was **MOVED** by Vice Mayor Dunsford and **SECONDED** by Councilmember Kraus to adopt Resolution No. 2013-065 rescinding City Council Resolution No. 2006-088 and No. 2011-108 and authorizing certain salary and labor benefits for unrepresented employees. The Motion was carried by the following vote:

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

11) Consideration of a Resolution adopting a Statement of Investment Policy for Fiscal Year 2013-14.

Administrative Services Director Leon presented the item stating that the Council has to approve a Resolution annually which adopts a Statement of Investment Policy. She discussed the items that have been added into the Investment Policy.

It was **MOVED** by Councilmember Kraus and **SECONDED** by Councilmember Lopez-Ortega to adopt Resolution No. 2013-066 adopting the statement of investment policy for Fiscal Year 2013-14. The Motion was carried by the following vote:

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

12) Consideration of a Resolution confirming the Mayor's appointments to local and regional bodies.

Mayor Canning introduced the item. He stated that the previous Resolution No. 2013-007 appointing Councilmembers to the various Regional Boards and Committees as representatives was passed when only four Councilmembers were serving. There was one vacant seat. Councilmember Irais Lopez-Ortega was appointed to the vacant seat on February 5, 2013. The Mayor recommended rescission of Resolution No. 2013-007, and adoption of a new Resolution appointing each of the Councilmembers to serve as representatives on the Regional Boards and Committees.

Council discussion ensued.

It was **MOVED** by Councilmember Kraus and **SECONDED** by Councilmember Lopez-Ortega to adopt Resolution No. 2013-067 confirming the Mayor's appointments to local and regional bodies. The Motion was carried by the following vote:

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

13) Establish a date for a City Council Water/Wastewater Rate Study Session.

City Manager Spitler presented the item and stated that staff is ready to have another Water/Wastewater Study Session to discuss rates on August 13, 2013.

It was **MOVED** by Vice Mayor Dunsford and **SECONDED** by Councilmember Kraus to set the Water/Wastewater Rate Study Session date as August 13, 2013 at 6:00 p.m. at the Calistoga Community Center. The Motion was carried unanimously. (*Councilmember Barnes was absent*)

K) ADJOURNMENT

Mayor Canning adjourned the meeting at 7:48 p.m. to the next scheduled regular meeting of the Calistoga City Council, on Tuesday, August 6, 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

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