

## MINUTES

### CITY COUNCIL-CLOSED SESSION TUESDAY, AUGUST 6, 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, Councilmember James Barnes, Vice Mayor Dunsford and Mayor Chris Canning.

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

#### B) ORAL COMMUNICATIONS

No public comment.

#### C) ADJOURN TO CLOSED SESSION ON THE FOLLOWING MATTERS:

- 1) Pending Litigation (Gov. Code § 54956.9)

It is the intention of the City Council to meet in Closed Session concerning:

- a) Conference with Legal Counsel- Existing Litigation  
Gov. Code § 54956.9(d)(1)  
Name of Case: Solano County Water Agency, et al. v. DWR Case  
No. 34-2008-00016338 CU-BCGDS
- b) Conference with Legal Counsel- Existing Litigation  
Gov. Code § 54956.9(d)(1)  
Name of Case: U.S. ex rel. Hendrix v. J-M Manufacturing Company,  
Inc. et al., Civil Action No. 06-00055(GW), US District Court  
(Central District of California); and

#### 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:**

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

  
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**Approved by: Chris Canning, Mayor**

## MINUTES

### CITY COUNCIL – REGULAR MEETING TUESDAY, AUGUST 6, 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, Councilmember James Barnes, Vice Mayor Dunsford and Mayor Chris Canning.

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

#### B) ACTION OUT OF CLOSED SESSION

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

#### C) SALUTE TO THE FLAG

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

**Buddy Barberas**, spoke regarding the City water and stated his concerns with its color and odor and asked that Council address the issue.

**Tom Sherman**, spoke regarding bicycling in Calistoga and stated that the Active Transportation Committee put together a bilingual brochure which outlines the safe bicycling guidelines. He discussed the brochure and encouraged the community to follow the safe guidelines.

#### E) ADOPTION OF MEETING AGENDA

It was **MOVED** by Councilmember Kraus and **SECONDED** by Councilmember Lopez-Ortega by to approve the Council Meeting Agenda. The Motion was carried unanimously.

#### F) COUNCIL REQUESTS AND IDEAS FOR DISCUSSION

**Councilmember Lopez-Ortega** discussed the possibility of setting up an emergency fund to assist seniors when they have basic emergency needs.

**Councilmember Kraus** responded to Councilmember Lopez-Ortega's comments on setting up an emergency fund and suggested speaking with the Community Chest and the Calistoga Family Center.

**Mayor Canning** congratulated the Calistoga Inn for re-opening. He stated that the next community forum will be held on August 21, 2013, at 6:00p.m.

#### **G) PROCLAMATIONS/ PRESENTATIONS/ AWARDS**

- 1) **Appreciation award to Calistoga Firefighter Darrin Hill (5 years of service)**

**Mayor Canning** presented the award to Darrin Hill for his five years of service to the Calistoga Fire Department.

#### **H) CONSENT CALENDAR**

- 2) **Minutes of the July 16, 2013 regular City Council meeting.**

It was **MOVED** by Councilmember Kraus and **SECONDED** by Councilmember Barnes to approve Item No. 2 on the Consent Calendar. The motion was carried unanimously.

#### **I) PUBLIC HEARING**

None.

#### **J) GENERAL GOVERNMENT**

- 3) **Consideration of a Resolution authorizing the City Manager to execute a Professional Services Agreement in the amount of \$300,000 with the Calistoga Chamber of Commerce for marketing and promotional services for Fiscal Year 2013/2014.**

**Mayor Canning** recused himself from participating in the item due to a conflict of interest and left the Chambers.

**City Manager Spitler** gave the staff report and brief overview of the matter.

Council discussion ensued.

**Vice Mayor Dunsford** opened the item for public comment. There was no public comment.

It was **MOVED** by Councilmember Kraus and **SECONDED** Councilmember Barnes to adopt **Resolution No. 2013-068** authorizing the execution of a Professional Servicers Agreement with the Calistoga Chamber of Commerce for Marketing and Promotional Services. The Motion was carried by the following vote:

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

- 4) **Consideration of a Resolution authorizing the Friends of Pioneer Park to proceed with conceptual plans for a new gazebo and other improvements at Pioneer Park.**

**Public Works Director Kirn** presented and discussed the background of the item and introduced Bob Fiddaman who will further discuss the proposed project.

**Bob Fiddaman, Friends of Pioneer Park**, discussed the item and provided an update on the proposed Gazebo and the next steps for the approval process and construction.

**Thomas Stimpert, Architect**, discussed the conceptual design and location.

**Public speaking to the item:** Don Hollingsworth, 919 Champagne Circle South; Placido Garcia; Joe Bob Hitchcock, 1322 Berry Street.

It was **MOVED** by Councilmember Kraus and **SECONDED** by Vice Mayor Dunsford to adopt **Resolution No. 2013-069** approving the location and conceptual design of the Calistoga Gazebo and Pioneer Park improvements and directing staff to undertake the design review, environmental review, permitting and inspection process for the Gazebo replacement and associated improvements at Pioneer Park. The Motion was carried by the following vote:

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

- 5) **Consideration of the preferred configuration of a new Roundabout at SR 29 at Lincoln Ave./Silverado Trail/Lake St. Intersection and adoption of a resolution authorizing the City Manager to enter into a Cooperative Agreement with Caltrans and Napa County Transportation Planning Agency (NCTPA), jointly or separately, to prepare a Project Study Report (PSR) for a new roundabout to be located at the SR 29 at Lincoln Avenue/Silverado Trail/Lake Street intersection.**

**Councilmember Lopez-Ortega** recused herself from participating in the item due to a conflict of interest and left the Chambers.

**City Manager Spitler** introduced the item. He discussed the background of the item and stated that what is before Council is the consideration of adopting a resolution authorizing the City Manager to enter into a cooperative agreement with Caltrans and Napa County Transportation Agency, to prepare a Project Study Report for a new roundabout to be located at the SR 29 at Lincoln Avenue/Silverado Trail/Lake Street Intersection.

**Public Works Director Kirn** discussed the item.

Council discussion ensued.

**Public speaking to the item:** Barbara Lee; Don Hollingsworth, 919 Champagne Circle South; Joe Matthews; Joe Bob Hitchcock; Aldo Nunez, 5795 Sharp Road, Owner of La Prima pizza, Elizabeth Nunez, Co-Owner of La Prima Pizza, 1923 Lake Street; Don Williams; Denise Drawsky, 8799 Franz Valley School Road; Karen Slusser, 1715 Mora Avenue; Placido Garcia, 1127 Mitzi Drive; Edgar Lantz; Tom Sherman, 96 Jasmine Lane; Julie Garcia, 1812 Foothill Blvd.; Dennis McNay; Deiter Deiss, 3000 Palisades Road.

Council discussion ensued.

**Mayor Canning** asked for a motion to adopt the resolution in support of entering into a Cooperative Agreement with Caltrans and the Napa County Transportation and Planning Agency to install a roundabout. No Councilmember made a motion to adopt.

Consensus of the council is that they do not support the installation of a roundabout at SR 29 at the Lincoln Avenue/Silverado Trail/ Lake Street intersection.

Council's direction to staff is to not continue engaging with Caltrans any further in regards to the roundabout.

- 6) **Consideration of a Resolution Authorizing a Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2013/14 Transportation Development Act Article 3 Pedestrian/Bicycle Project funding in the amount of \$180,000 and Authorizing the City Manager to Appropriate and Adjust the 2013/14 Budget if TDA-3 Grant Funding is Approved.**

**Public Works Director Kirn** presented the item and stated that there has been a call for projects through the Napa County Transportation and Planning Agency (NCTPA) and it is administered by the Metropolitan Transportation Commission (MTC). The Transportation Development Act (TDA) funds are intended to be used exclusively for bicycle and pedestrian projects. The Calistoga Active Transportation Committee came to a consensus on activities they would like to see funded by this grant should it be approved. The MTC and NCTPA require a resolution from all local agency claimants for this grant. Staff is requesting Council's approval authorizing the City Manager to appropriate and adjust the 2013/2014 budget if TDA-3 grant funding is approved.

Council discussion ensued.

It was **MOVED** by Councilmember Barnes and **SECONDED** by Councilmember Kraus to adopt Resolution No. 2013-070 authorizing a request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2013/14 Transportation Development Act Article 3 Pedestrian/Bicycle Project funding in the amount of \$180,000 and authorizing the City Manager to appropriate and adjust the 2013/14 budget if TDA-3 grant funding is approved. The Motion was carried by the following vote:

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

- 7) **Direction on the 2013 League of California Cities Conference Resolutions**

**City Manager Spitler** presented the item. He stated that Mayor Canning and Councilmember Lopez-Ortega are attending the California League of Cities Annual Business Meeting in September and Mayor Canning will serve as the City's voting delegate. He stated that there are statewide resolutions and policy issues that the League wants to pursue. He requested voting direction on the League's resolutions.

Councilmembers Kraus, Barnes, Lopez-Ortega, Vice Mayor Dunsford and Mayor Canning voted their support for the approval of the resolutions.

**8) Consideration of a Resolution designating two Councilmembers as the Community Enrichment Grant sub-committee.**

**City Manager Spitler** introduced this item. He suggested that the Council approve the objectives and establish a subcommittee consisting of two Councilmembers to evaluate the Community Enrichment Grant applications in order to make a future recommendation to the Council for funding.

**Councilmember Kraus and Councilmember Lopez-Ortega** volunteered to serve on the subcommittee.

It was **MOVED** by Vice Mayor Dunsford and **SECONDED** by Councilmember Barnes to adopt **Resolution No. 2013-071** establishing objectives for the 2013/2014 Calistoga Community Enrichment Grant Program and confirming the Mayor's appointments to an evaluation committee The Motion was carried by the following vote:

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

**K) ADJOURNMENT**

**Mayor Canning** adjourned the meeting at 9:18 p.m. to the Calistoga Public Facilities Corporation, on Tuesday, August 6, 2013, Calistoga Community Center, 1307 Washington Street, after the adjournment of the regular City Council meeting held on that same day.

**Respectfully submitted:**

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

  
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**Approved by: Chris Canning, Mayor**