City of Calistoga Staff Report

TO: Honorable Mayor and City Council

FROM: Kathy Flamson, Deputy City Clerk

DATE: November 19, 2013

SUBJECT: City Council Minutes

APPROVAL FOR FORWARDING:

Richard Spitler, City Manager

1 2 3

4

5 6 Brod-Br

<u>DISCUSSION:</u> Minutes of the November 5, 2013 regular City Council meeting.

RECOMMENDATION: Approve Minutes.

ATTACHMENTS: Minutes of November 5, 2013.

1 2 3 4 5 6 7		MINUTES CITY COUNCIL - REGULAR MEETING TUESDAY, NOVEMBER 5, 2013 - 7:00 P.M. CALISTOGA COMMUNITY CENTER 1307 WASHINGTON STREET, CALISTOGA CA 94515
8 9	A)	CALL TO ORDER
10 11		Mayor Canning called the Regular Session to order at 7:01 p.m.
12 13 14		In attendance were the following: Councilmember Irais Lopez-Ortega, Councilmember James Barnes, Councilmember Gary Kraus, Vice Mayor Dunsford and Mayor Chris Canning.
15 16 17 18 19		Also present were the following: Administrative Services Director Gloria Leon, Public Works Director Michael Kirn, Police Chief Mitch Celaya, Consultant David Spilman, City Manager Richard Spitler and Deputy City Clerk Kathy Flamson.
20 21	B)	SALUTE TO THE FLAG
22	C)	ORAL COMMUNICATION ON CONSENT ITEMS OR NON-AGENDA ITEMS
23 24 25 26		Marvin Braun, 21 Rockrose Lane, requested that the deadline for the protest letters be extended to the next meeting.
27 28 29 30 31		Dennis McNay, Foothill Blvd., requested the Council of include wording to exempt service dogs from licensing in the Animal Control Ordinance (Item No. 4). He also requested a limit be put on the charge for service dogs. City Manager Spitler noted that the Council, by resolution, sets the fees for service dogs and will address this issue at that time.
32 33 34 35		Norma Tofanelli, 1001 Dunaweal Lane, submitted to the Council a copy of an Amicus Brief that was filed with the State Appellant Court on October 21 regarding the Reynolds vs. City of Calistoga.
36 37 38 39		Doug Cook, 1447 Second Street, requested that time is extended for public response when the Council addresses complex issues.
40 41 42		Bill Dyer, 1501 Diamond Mountain Road, reported on a recent forum. Expressed concern to water shed issues.
42 43 44 45		Joe Matthews, 26 View Road, read his letter to Mayor Canning regarding the legal issues presented to the City of Calistoga.
43 46 47 48 49		Closed Oral was closed at 7:23 P.M.

50 D) ADOPTION OF MEETING AGENDA

 It was MOVED by Councilmember Kraus and SECONDED by Councilmember Barnes to approve the Council Meeting Agenda with the proposed changes. The Motion was carried unanimously.

E) COUNCIL REQUESTS AND IDEAS FOR DISCUSSION

Councilmember Lopez-Ortega thanked Lynn Goldberg for arranging the community meeting for Fairway Manor residents on October 31, 2013. There will be another meeting on November 9, 2013.

Councilmember Barnes reminded everyone the American Legion Post 231 of Calistoga will be having a ceremony on Monday, November 11, 2013, at 11 am at Veteran's Memorial at Logvy Park.

Mayor Canning thanked Creative Living group for inviting him to the Halloween Party. He encouraged citizens to participate in the Creative Living activities every Wednesday from 10 am to 1:30 pm. There is no age requirement to attend the events. He thanked the Park and Recreation Department for the great post-Halloween Parade carnival. He just returned from San Francisco for the Great Wine Capitals of the World Conference representing the City of Calistoga.

F) PROCLAMATIONS/ PRESENTATIONS/ AWARDS

None

G) CONSENT CALENDAR

- 1) Approval of Minutes of the October 15, 2013, regular City Council meeting.
- 2) Adoption of <u>Resolution No. 2013-097</u> approving a Service Contract with PARSAC and George Hills Company to provide subrogation recovery services for the city of Calistoga.
- 3) Adoption of <u>Ordinance No. 693</u> as an amendment to the Calistoga Municipal Code adding parking limitations and storage in requested single-family residential yards.
- 4) Adoption of <u>Ordinance No. 694</u> as an amendment to the Calistoga Municipal Code regarding Section 6.04 Animal Control.

It was MOVED by Councilmember Kraus and SECONDED by Councilmember Lopez to approve the Consent Calendar Items. The Motion was carried by the following vote:

98 AYES: Councilmembers Kraus, Lopez-Ortega Barnes, Vice Mayor Dunsford and Mayor Canning 99 100 NOES: None **ABSTAIN: None** 101 102 ABSENT: None 103 104 H) PUBLIC HEARING 105 106 5) Adoption of Resolution No. 2013-098 approving Water and Wastewater 107 Rate Studies and Directing the Introduction of Rate Increase 108 Ordinances. 109 110 City Manager Spitler introduced the proposal for the water and wastewater 111 rate increase. Starting in January 2013, there have been 4 workshops and a public hearing regarding this issue. The City of Napa increased the rates for 112 water, which caused more of a deficit. Per Proposition 218, over 3,000 113 notices were sent to every water and wastewater consumer in the Calistoga 114 115 45 days prior to this public protest hearing. There must be 725 written protest letters received by the closed of the public hearing for a successful 116 117 protest to be issued to the Council, which would stop the rate increase 118 process. 119 120 David Spilman presented the 2013 Water and Wastewater Rate Studies and conclusions. Council discussion ensued. 121 122 123 The following people spoke against the rate increases: Carl Sherrill, 1132 124 Denise Drive; Bill Daly, 120 Heather Lane; Esther Pilch, 1706 Adele; and 125 **Christine Aranguren.** 126 127 Carolee Arch, Mora Avenue, spoke about imposing a building moratorium. 128 129 Doug Cook, 1447 Second Street, discussed the protest process. 130 131 Norma Tofanelli, 1001 Dunaweal Lane, discussed the facts of the study. 132 133 Kathleen Meyer, Berry and Washington, requested clarification regarding 134 the protest process. City Manager Spitler and Mayor Canning explained 135 the process for counting the protest letters. 136 137 Paul Dohring, 1220 Washington Street, discussed the Staff Report and the 138 Napa water rate increase. 139 Tony McBeardsley, 1405 Lake Street, discussed the cost of treating 140 141 wastewater with regard to groundwater discharge. 142 143 Tom Balcer, 1705 Michael Way, inquired about how Calistoga's water rates 144 compare to other cities. Mayor Canning stated that Calistoga has the

highest rates in Northern California.

145

Carol Caywood 1710 Adele Street, requested clarification on the metering 146 147 of the spas and conservation by their quests. 148 149 Dennis McNay, Foothill Blvd., requested clarification regarding the purpose 150 of the meters and who paid for the legal bills for the Enterprise System. 151 152 Hubert Verdeille, 17 Rosedale Road, requested clarification regarding the 153 metering and protest processes. 154 Discussion ensued. Calistoga City Council and City Staff responded to 155 public comments and questions. Public Hearing was closed at 9:30 P.M. 156 The Acting City Clerk was directed to count the protest letters received 157 prior to the close of the Public Hearing. 158 159 160 At 9:47 P.M., regular session was reconvened. Acting City Clerk Spitler reported 131 letters of protest in any form were received. This number 161 represents 9% of eligible property owners and therefore does not constitute 162 163 a valid protest and does not prohibit the Calistoga City Council from further 164 action. 165 166 It was MOVED by Barnes and SECONDED by Vice Mayor Dunsford to adopt Resolution No. 2013-098, approving the adoption of the updated 167 2013 Water and Wastewater Rate Studies and direct staff to bring the 168 updated ordinances to the City Council on November 19, 2013. The 169 Motion was carried by the following vote: 170 171 172 AYES: Councilmember Barnes, Vice Mayor Dunsford, Councilmembers Lopez-Ortega and Kraus and 173 **Mayor Canning** 174 175 NOES: None 176 **ABSTAIN: None** 177 ABSENT: None 178 179 **GENERAL GOVERNMENT** I) 180 None 181 182 J) ADJOURNMENT 183 Mayor Canning adjourned the meeting at 9:52 P.M. to the next scheduled regular meeting of the Calistoga City Council, on Tuesday, November 19, 2013, Calistoga 184 185 Community Center, 1307 Washington Street, 7:00 p.m. 186 Respectfully submitted: 187 188 Prepared by: Kathy Flamson, Deputy City Clerk 189 190 191 Approved by: Chris Canning, Mayor 192