

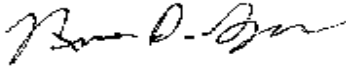
# City of Calistoga

## Staff Report

**TO:** Honorable Mayor and City Council  
**FROM:** Kathy Flamson, Deputy City Clerk  
**DATE:** August 5, 2014  
**SUBJECT:** City Council Minutes

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APPROVAL FOR FORWARDING:



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Richard Spitler, City Manager

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- 2 **DISCUSSION:** Minutes of the July 15, 2014 Closed Session and Regular City Council
- 3 meetings.
- 4
- 5 **RECOMMENDATION:** Approve Minutes.
- 6
- 7 **ATTACHMENTS:** Draft Minutes of the aforementioned meetings.
- 8

**MINUTES**

**CITY COUNCIL CLOSED SESSION  
TUESDAY, JULY 15, 2014 – 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 James Barnes, Councilmember Gary Kraus, Councilmember Irais Lopez-Ortega, Vice Mayor Michael Dunsford, and Mayor Chris Canning.

Also present was City Manager Richard Spitler, City Attorneys Michelle Kenyon and Leah Costello and Public Works Director Michael Kirn.

**B) ORAL COMMUNICATIONS**

No public comment.

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

1) Conference with Legal Counsel – Existing Litigation  
Gov. Code § 54956.9(d)(1)  
Name of Case: Reynolds v. City of Calistoga  
Case Nos.: A134190, A135501

2) Conference with Legal Counsel – Existing Litigation  
Gov. Code § 54956.9(d)(1)  
Name of Case: O’Gorman v. City of Calistoga  
Case No.: 34-2014-00164846

3) Conference with Labor Negotiators (Government Code Section 54957.6)  
Agency negotiation: City Manager Richard Spitler and Administrative Services Director Gloria Leon  
Employee Organization: Calistoga Police Officers Association

**D) ADJOURN CLOSED SESSION at 6:58 P.M.**

**E) RECONVENE TO OPEN SESSION**

**ADJOURNMENT**

**Mayor Canning adjourned the Closed Session at 7:00 P.M.** to the regular meeting of the Calistoga City Council, on Tuesday, July 15, 2014 Calistoga Community Center, 1307 Washington Street, 7:00 P.M.

**Respectfully submitted:**

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**Prepared by: Richard Spitler, Acting City Clerk**

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**Approved by: Chris Canning, Mayor**

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**MINUTES**  
**CITY COUNCIL – REGULAR MEETING**  
**TUESDAY, JULY 15, 2014 - 7:00 P.M.**  
**CALISTOGA COMMUNITY CENTER**  
**1307 Washington Street, Calistoga, CA 94515**

**A) CALL TO ORDER/ROLL CALL**

**Mayor Canning called the Regular Session to order at 7:02 P.M.**

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

Also present were the following: Planning and Building Director Lynn Goldberg, Public Works Director Michael Kirn, Administrative Services Director Gloria Leon, Senior City Planner Erik Lundquist, City Manager Richard Spitler and Deputy City Clerk Kathy Flamson.

**B) ACTION OUT OF CLOSED SESSION**

**Mayor Canning** announced that there was no reportable action on any of the Closed Session items.

**C) SALUTE TO THE FLAG**

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

**Mayor Canning** opened Oral Communication at 7:06 P.M.

**Tom Sherman**, 96 Jasmine Lane, asked to have the Calistoga's Active Transportation Plan and the proposed active transportation pathway changes included on a future Calistoga City Council agenda.

**Jean Haidary**, 2412 Foothill Blvd., discussed issues at Rancho de Calistoga with regard to rent increases. She also discussed the need for senior housing and help with the Rent Stabilization Ordinance.

**Doug Cook**, 1447 Second Street, asked what the standards are for having a closed session and reporting the items to the public. **Mayor Canning** explained there are regulations governing closed session items.

**Rancho de Calistoga Manager Dean Moser**, offered the historic house currently being used as the Rancho de Calistoga club house to anyone who wants to take it off the property.

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**Mayor Canning** closed Oral Communication at 7:25 P.M.

**E) ADOPTION OF MEETING AGENDA**

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

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

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

**Councilmember Lopez-Ortega** asked to adjourn the meeting in the name of Charlie Rose of the Napa County Gang and Youth Violence Commission who passed away on July 14, 2014.

**Councilmember Barnes** discussed the option of giving away treated tertiary water to their citizens. **Public Works Director Kirn** will look into the matter.

**Councilmember Kraus** thanked the citizens of Calistoga for the safe 4<sup>th</sup> of July celebration.

**Mayor Canning** thanked the citizens for the great 4<sup>th</sup> of July, as well. He also announced Wednesday, July 16, 2014, will be a Community Forum. The topics will be the Calistoga Active Transportation Plan and the Berry Street Bridge Project.

**G) PROCLAMATIONS/ PRESENTATIONS/ AWARDS**

- 1) Appreciation award to **Planning and Building Senior Planner Erik Lundquist** (10 years of service) was presented by **Mayor Canning**.
- 2) **Public Works Director Kirn** reported on the Monhoff Center. Council discussion ensued.

**H) CONSENT CALENDAR**

- 3) **Minutes of the June 17, 2014 Regular City Council Meeting.**
- 4) **Adoption of Resolution No. 2014-054 Entering into a Professional Services Agreement with Fischer Computer Systems for Technology**

87 Services in an amount not to exceed \$63,000 for Fiscal Year 2014-2015  
88 and Approving a Budget Adjustment to add \$13,000 from the  
89 Unappropriated Equipment Fund Balance into Account 15-4975-4401.  
90

91 5) Adoption of Resolution No. 2014-055 Approving Amendment No. 6 to the  
92 Professional Services Agreement with Larry Walker Associates for  
93 Ongoing Permit Assistance Services Related to the City's National  
94 Pollutant Discharge Elimination System Permit and the State's General  
95 Water Reuse Permit in the Amount of \$68,300.  
96

97 6) Adoption of Resolution No. 2014-056 Authorizing the Expenditure of  
98 Budgeted Funds to Purchase a Replacement Patrol Vehicle for the Police  
99 Department in the Amount not to Exceed \$45,000.  
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101 It was MOVED by Vice Mayor Dunsford and SECONDED by  
102 Councilmember Barnes to approve Item Nos. 3, 4, 5 and 6 on the Consent  
103 Calendar. The Motion was carried unanimously.  
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105 I) PUBLIC HEARING  
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107 7) Adoption of Resolution No. 2014-057 authorizing the Levying and  
108 Collection of Assessments for the Silverado Place Landscape  
109 Maintenance District for Fiscal Year 2014-15.  
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111 Councilmember Kraus recused himself from the item based on the proximity  
112 of his home and left the dais.  
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114 Public Works Director Kirn presented the item. He gave an overview of the  
115 request to authorize the levying and collection of assessments for the Silverado  
116 Place Landscape Maintenance District.  
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118 Mayor Canning opened public hearing at 7:44 P.M. He confirmed there were  
119 no public speakers and closed the public hearing.  
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121 It was MOVED by Councilmember Barnes and SECONDED by Vice Mayor  
122 Dunsford to adopt Resolution No. 2014-057 authorizing the levying and  
123 collection of assessments for the Silverado Place Landscape and  
124 Maintenance District for Fiscal Year 2014-2015. The Motion was carried  
125 by the following vote:  
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127 AYES: Councilmember Barnes, Vice Mayor Dunsford,  
128 Councilmembers Lopez-Ortega and Mayor  
129 Canning

130 NOES: None

131 ABSTAIN: None

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**ABSENT: Councilmember Kraus**

- 8) **Adoption of Resolution No. 2014-058 authorizing the Levying and Collection of Assessments for the Palisades Landscape Maintenance District for Fiscal Year 2014-15.**

**Councilmember Kraus** recused himself from the item.

**Public Works Director Kirn** presented the item. He 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 7:46 P.M. He confirmed there were no public speakers and closed the public hearing.

**It was MOVED by Vice Mayor Dunsford and SECONDED by Councilmember Barnes to adopt Resolution No. 2014-058 authorizing the levying and collection of assessments for the Palisades Landscape and Maintenance District for Fiscal Year 2014-2015. The Motion was carried by the following vote:**

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

**Councilmember Kraus** returned to the dais.

- 9) **Preparation for Adoption of Ordinance No. 703 amending Calistoga Municipal Code to Prohibit the Distribution of Single-Use Carryout Bags by Designated Businesses; CEQA Categorical Exemption (Sections 15307 and 15308) (MCA 2014-1, ZOA 2014-2).**

**Planning and Building Director Goldberg** introduced the item, indicating it will be effective January 1, 2015.

**Mayor Canning** opened the Public Hearing at 7:50 P.M.

With no public comments, **Mayor Canning** closed the Public Hearing at 7:50 P.M.

**It was MOVED by Vice Mayor Dunsford and SECONDED by Councilmember Kraus to introduce Ordinance No. 703 and waive the first reading. The Motion was carried by the following roll call vote:**

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

**J) GENERAL GOVERNMENT**

**10) Presentation by Vernazza Wolfe Associates, Inc. of a recently-completed study on the viability of mobile home parks as an affordable housing option.**

**Planning and Building Director Goldberg** introduced the item. She then introduced **Lucina Vernazza** to present the item. Council discussion ensued.

**Mayor Canning** opened Oral Communication at 8:04 P.M.

**Jerry Jackson**, Rancho de Calistoga, clarified the statement that Rancho de Calistoga has a rent deferment and not a rent credit program as stated on page 13 of the report. He discussed renter-owned parks versus a single owner park.

**Doug Cook**, 1447 Second Street, inquired about the average age of the parks. **Lucina Vernazza** clarified that the ages reflected in the report was that of the responders. Discussion ensued.

**Rancho de Calistoga Manager Dean Moser** discussed the survey. Discussion ensued.

**Larry Kromann**, 19 Rockrose Lane, recommended the data from this study be used to continue this type of study throughout Napa County and compare it to the U. S. Census data.

**Bill Daley**, 120 Heather Lane, discussed the data from the survey regarding the Rent Stabilization Ordinance. Discussion ensued.

**Mayor Canning** closed Oral Communication at 8:33 P.M. Council discussion ensued.

**It was MOVED by Mayor Canning and SECONDED by Councilmember Barnes to accept the report with the following direction to staff:**

**Research other options of private rent subsidy funding and use the data to apply for grants.**

222           **The Motion was carried by the following vote:**

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224           **AYES:           Mayor Canning, Councilmember Barnes, Kraus and**  
225                           **Lopez-Ortega and Vice Mayor Dunsford**

226           **NOES:           None**

227           **ABSTAIN:   None**

228           **ABSENT:     None**

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230           **11) Adoption of Resolution No. 2014-059 authorizing the City Manager to**  
231           **execute a Three-Year Professional Services Agreement with the**  
232           **Calistoga Chamber of Commerce in the Amount of \$325,000 for the First**  
233           **Year for Marketing and Visitor Promotion Services.**

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235           **Mayor Canning** recused himself due to a conflict of interest and left the dais.

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237           **City Manager Spitler** introduced item.

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239           **Vice Mayor Dunsford** opened Oral Communication at 8:46 P.M.

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241           **Doug Cook**, 1447 Second Street, requested clarification of the item.  
242           Discussion ensued.

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244           **Vice Mayor Dunsford** closed Oral Communication at 8:51 P.M. Council  
245           discussion ensued.

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247           **It was MOVED by Councilmember Kraus and SECONDED by**  
248           **Councilmember Lopez-Ortega to adopt Resolution No. 2014-059**  
249           **authorizing the City Manager execute a Three-Year Professional**  
250           **Services Agreement with the Calistoga Chamber of Commerce in the**  
251           **Amount of \$325,000 for the First Year for Marketing and Visitor**  
252           **Promotion Services. The Motion was carried by the following vote:**

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254           **AYES:           Councilmembers Kraus, Lopez-Ortega and Barnes and**  
255                           **Vice Mayor Dunsford**

256           **NOES:           None**

257           **ABSTAIN:   None**

258           **ABSENT:     Mayor Canning**

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260           **12) Adoption of Resolution No. 2014-060 authorizing the use of Lincoln**  
261           **Avenue from Cedar Street to the ACE Hardware parking lot entrance for**  
262           **the Calistoga Chamber of Commerce Harvest Table Event on September**  
263           **7, 2014.**

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265           **Mayor Canning and Vice Mayor Dunsford** left the dais due to a potential  
266           conflict of interest.



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**Public Works Director Michael Kirn** presented the item. Council discussion ensued.

**Councilmember Kraus** opened Oral Communication at 9:05 P.M.

**Calistoga Chamber of Commerce Membership and Events Coordinator Carolyn Denero** addressed the item. Council discussion ensued.

**Councilmember Kraus** closed Oral Communication at 9:10 P.M.

It was **MOVED** by **Councilmember Barnes** and **SECONDED** by **Councilmember Lopez-Ortega** to adopt **Resolution No. 2014-060** authorizing the use of Lincoln Avenue from Cedar Street to the ACE Hardware parking lot entrance for the Calistoga Chamber of Commerce Harvest Table Event on September 7, 2014:

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

**Mayor Canning** and **Vice Mayor Dunsford** returned to the dais.

- 13) Adoption of **Resolution 2014-061** expanding the Water Conservation Rebate Program for Fiscal Year 2014-15 and approving a budget adjustment in the amount of \$30,000 for water use efficiency.

**Water Conservation Program Manager Anais Hall** presented the item.

**Mayor Canning** opened for Oral Communication at 9:17 P.M.

**Doug Cook** inquired if these items are included in this Fiscal Year 2014-2015 Budget. Council discussion ensued.

**Mayor Canning** closed Oral Communication at 9:19 P.M.

It was **MOVED** by **Councilmember Kraus** and **SECONDED** by **Councilmember Barnes** to adopt **Resolution No. 2014-061** expanding the Water Conservation Rebate Program for Fiscal Year 2014-15 and approving a budget adjustment in the amount of \$30,000. The Motion was carried by the following vote:

- AYES:** Councilmember Kraus, Barnes and Lopez-Ortega, Vice Mayor Canning

312                   **NOES:           None**  
313                   **ABSTAIN:       None**  
314                   **ABSENT:        None**

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316       **14) Adoption of Resolution 2014-062 authorizing a Sole Source Contract**  
317       **with Precision Concrete Cutting (PCC) in the amount not to exceed**  
318       **\$25,000 for Phase II of the Sidewalk Repair Program.**

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320           **Public Works Director Kirn presented the item.**

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322           Council discussion ensued.

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324           **Mayor Canning** opened for public comment at 9:23 P.M. Having none,  
325           **Mayor Canning** closed public comment.

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327           **It was MOVED by Councilmember Barnes and SECONDED by**  
328           **Councilmember Kraus to Resolution 2014-062 authorizing a Sole Source**  
329           **Contract with Precision Concrete Cutting (PCC) in the amount not to**  
330           **exceed \$25,000 for Phase II of the Sidewalk Repair Program. The Motion**  
331           **was carried by the following vote:**

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333                   **AYES:           Councilmembers Barnes, Kraus and Lopez-Ortega, Vice**  
334                   **Mayor Dunsford and Mayor Canning**  
335                   **NOES:           None**  
336                   **ABSTAIN:       None**  
337                   **ABSENT:        None**

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339       **15) Adoption of Resolution No. 2014-063 awarding a one-year contract in**  
340       **the amount not to exceed \$10,000 for publication of City of Calistoga**  
341       **Legal Advertisements for the period ending June 30, 2015 and**  
342       **authorizing the City Manager to execute the contract.**

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344           **City Manager Spitler** presented the item. It was recommended that The  
345           Calistoga Tribune be awarded the contract based on the contributing factors  
346           shown in their application.

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348           **Mayor Canning** opened Oral Communication at 9:28 P.M. With no one  
349           coming forward, Oral Communication was closed.

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351           **It was MOVED by Councilmember Kraus and SECONDED by**  
352           **Councilmember Lopez-Ortega to adopt Resolution No. 2014-063**  
353           **awarding a one-year contract for City of Calistoga Legal Advertisements**  
354           **to the Calistoga Tribune. The Motion was carried by the following vote:**

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356                   **AYES:**           Councilmembers Kraus, Lopez-Ortega and Barnes, Vice  
357    Mayor Dunsford and Mayor Canning  
358                   **NOES:**           None  
359                   **ABSTAIN:** None  
360                   **ABSENT:**    None

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362           **16) Adoption of Resolution No. 2014-064 rejecting of the claim of Robert**  
363           **Cline for an undetermined amount.**

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365           **City Manager Spitler presented the item.**

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367           **Mayor Canning** opened public comment at 9:29 P.M. Having none, **Mayor**  
368           **Canning** closed public comment.

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370           **It was MOVED by Councilmember Kraus and SECONDED by Vice Mayor**  
371           **Dunsford to adopt Resolution No. 2014-064 rejecting of the claim of**  
372           **Robert Cline for an undetermined amount. The Motion was carried by**  
373           **the following vote:**

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375                   **AYES:**           Councilmembers Kraus, Vice Mayor Dunsford,  
376    Councilmembers Barnes and Lopez-Ortega and Mayor  
377    Canning  
378                   **NOES:**           None  
379                   **ABSTAIN:** None  
380                   **ABSENT:**    None

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382           **17) Adoption of Resolution No. 2014-065 establishing objectives and the**  
383           **appointment of a Council Subcommittee for the Fiscal Year 2014-15**  
384           **Community Enrichment Grant Program.**

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386           **City Manager Spitler presented the item. Council discussion ensued.**

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388           **It was MOVED by Mayor Canning and SECONDED by Vice Mayor**  
389           **Dunsford to adopt Resolution No. 2014-065 establishing objectives and**  
390           **the appointment of a Councilmembers Kraus and Lopez-Ortega to the**  
391           **Council Subcommittee for the Fiscal Year 2014-15 Community**  
392           **Enrichment Grant Program. The Motion was carried by the following**  
393           **vote:**

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395                   **AYES:**           Mayor Canning, Vice Mayor Dunsford, Councilmembers  
396    Kraus, Barnes and Lopez-Ortega  
397                   **NOES:**           None  
398                   **ABSTAIN:** None  
399                   **ABSENT:**    None

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401 **K) ADJOURNMENT**

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403 **Mayor Canning** adjourned the meeting in memory to Charlie D. Rose at 9:31 P.M.  
404 to the next scheduled special meeting of the Calistoga City Council, on Tuesday, July  
405 29, 2014, Calistoga Community Center, 1307 Washington Street, 7:00 P.M.

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407 **Respectfully submitted:**

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410 **Prepared by: Kathy Flamson, Deputy City Clerk**

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414 **Approved by: Chris Canning, Mayor**

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