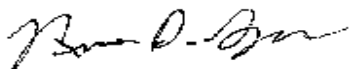


City of Calistoga

Staff Report

TO: Honorable Mayor and City Council
FROM: Kathy Flamson, Deputy City Clerk
DATE: September 16, 2014
SUBJECT: City Council Minutes

APPROVAL FOR FORWARDING:



Richard Spitler, City Manager

1
2 **DISCUSSION:** Minutes of the September 2, 2014 Closed 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, SEPTEMBER 2, 2014 – 6:30 P.M.****CALISTOGA COMMUNITY CENTER****A) CALL TO ORDER**

Mayor Canning called the Closed Session to order at 6:32 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 and City Attorney Matt Visick

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: Chateau Calistoga, LLC dba Chateau Calistoga v. City of Calistoga, et al.
Case No.: 26-60772

D) ADJOURNMENT

Mayor Canning adjourned the Closed Session at 6:58 P.M. to the regular meeting of the Calistoga City Council, on Tuesday, September 2, 2014 Calistoga Community Center, 1307 Washington Street, 7:00 P.M.

E) RECONVENE TO OPEN SESSION

Respectfully submitted:

Prepared by: Richard Spitler, Acting City Clerk

Approved by: Chris Canning, Mayor

1 **MINUTES**
2 **CITY COUNCIL – REGULAR MEETING**
3 **TUESDAY, SEPTEMBER 2, 2014 - 7:00 P.M.**
4 **CALISTOGA COMMUNITY CENTER**
5 **1307 Washington Street, Calistoga, CA 94515**
6

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

8 **Mayor Canning** called the Regular Session to order at 7:05 P.M.
9

10 In attendance were the following: Councilmember James Barnes,
11 Councilmember Gary Kraus, Councilmember Irais Lopez-Ortega, Vice
12 Mayor Michael Dunsford and Mayor Chris Canning.
13

14 Also present were the following: Planning and Building Director Lynn
15 Goldberg, Public Works Director Michael Kirn, Administrative Services
16 Director Gloria Leon, City Attorney Matthew Visick, City Manager Richard
17 Spitler and Deputy City Clerk Kathy Flamson.
18

19 **B) ACTION OUT OF CLOSED SESSION**

20 **Mayor Canning** announced there was no reportable action from the
21 Closed Session.
22

23 **C) SALUTE TO THE FLAG**
24

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

27 **Mayor Canning** opened Oral Communication at 7:07 P.M.
28

29 **Rancho de Calistoga Homeowners Association President and**
30 **President of Golden State Manufactured-Home Owners League**
31 **Community Chapter Jerry Jackson** spoke of Senior Housing and mobile
32 home park closures. He discussed the need for a comprehensive a Park
33 Closure Ordinance.
34

35 **Mayor Canning** closed Oral Communication at 7:09 P.M.
36

37 **E) ADOPTION OF MEETING AGENDA**
38

39 **It was MOVED by Councilmember Kraus and SECONDED by Vice**
40 **Mayor Dunsford to approve the Council Meeting Agenda. The Motion**
41 **was carried by the following vote:**
42
43

44 **AYES:** **Councilmembers Kraus, Vice Mayor Dunsford,**
45 **Councilmember Barnes and Lopez-Ortega and**
46 **Mayor Canning**

47 **NOES:** **None**

48 **ABSTAIN:** **None**

49 **ABSENT:** **None**

50

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

52

53 **Councilmember Barnes** asked to adjourn tonight's meeting in honor of
54 the two journalists who were slain in the Middle East.

55

56 **Councilmember Kraus** commented on the recent earthquake and an
57 earthquake alarm at the Fire Station. He also discussed the option of
58 Calistoga declaring a state of emergency in light of the recent earthquake.
59 He also mentioned the UpValley Family Center sponsored a Back-to-
60 School event that was very informative for those who attended.

61

62 **Mayor Canning** also commented the City of Calistoga was very lucky with
63 the results of the earthquake. Calistoga was able to send staff to Napa to
64 assist with the aftermath cleanup of the earthquake. This Sunday is the
65 Harvest Table. Lincoln Avenue will be closed from 1:00 – 11:00 P.M.

66

67 **G) PROCLAMATIONS/PRESENTATIONS**

68

69 **H) CONSENT CALENDAR**

70

71 **1) Approval of Minutes of August 19, 2014 Closed Session and Regular**
72 **City Council Meetings.**

73

74 **2) Adoption of Resolution 2014-070 establishing a minimum charge for**
75 **recyclable paper bags provided by designated businesses.**

76

77 **It was MOVED by Councilmember Barnes and SECONDED by**
78 **Councilmember Krause to approve Item Nos. 1 and 2 of the Consent**
79 **Calendar. The motion was carried by the following vote:**

80

81 **AYES:** **Councilmembers Barnes, Kraus and Lopez-**
82 **Ortega, Vice Mayor Dunsford and Mayor Canning**

83 **NOES:** **None**

84 **ABSTAIN:** **None**

85 **ABSENT:** **None**

86

87 **I) GENERAL GOVERNMENT**

88

- 89 3) **Adoption of Resolution No. 2014-071 approving a Stipulation and**
90 **Proposed Order regarding Chateau Calistoga Settlement of Petition**
91 **for Writ of Administrative Mandamus.**

92
93 **City Manager Spitler** presented the item. Council discussion ensued with
94 **City Attorney Matthew Visick.**

95
96 **Mayor Canning** opened Public Comment.

97
98 **Doug Cook, 1447 Second Street**, inquired about the attorney fees and
99 costs for this action. **City Manager Spitler** stated the cost was about
100 \$20,000.

101
102 **Mayor Canning** closed Public Comment.

103
104 It was **MOVED** by Vice Mayor Dunsford and **SECONDED** by
105 Councilmember Kraus to adopt Resolution No 2014-071 to approve a
106 Stipulation and Proposed Order regarding Chateau Calistoga
107 Settlement of Petition for Writ of Administrative Mandamus. The
108 Motion was carried by the following vote:

109
110 **AYES:** Vice Mayor Dunsford, Councilmembers Kraus,
111 Barnes and Lopez-Ortega and Mayor Canning,
112 **NOES:** None
113 **ABSTAIN:** None
114 **ABSENT:** None
115

- 116 4) **Adoption of Resolution No. 2014-072 authorizing Fiscal Year**
117 **2014/2015 Community Enrichment Grant Awards and Budget**
118 **Adjustment of \$5,000.**

119
120 **City Manager Spitler** presented the item. Council discussion ensued.

121
122 **Mayor Canning** opened up for public comment on this matter. Having no
123 one come forward, public comment was closed.

124
125 It was **MOVED** by Mayor Canning and **SECONDED** by Councilmember
126 Kraus to adopt Resolution No 2014-072 authorizing Fiscal Year
127 2014/2015 Community Enrichment Grant Awards in the amount of
128 \$10,000. The Motion was carried by the following vote:

129
130 **AYES:** Mayor Canning, Councilmembers Kraus, Barnes
131 and Lopez-Ortega and Vice Mayor Dunsford
132 **NOES:** None
133 **ABSTAIN:** None
134 **ABSENT:** None

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- 5) **Adoption of Resolution No. 2014-073 finding a local emergency pursuant to Sections 20168 and 22050 of the Public Contract Code and authorizing the expenditure of funds for Emergency Corrective Action to the Dunaweal Wastewater Treatment Plant Wet Pit Effluent Pumps without competitive bidding.**

Public Works Director Kirn presented the item. Council discussion ensued. Because this is an urgency declaration, Public Contract Code requires this item will be on future Council agendas until it is resolved.

Mayor Canning opened up for public comment on this matter. Having no one come forward, public comment was closed.

It was **MOVED** by Councilmember Kraus and **SECONDED** by Councilmember Barnes to adopt Resolution No 2014-073 finding a local emergency pursuant to Sections 20168 and 22050 of the Public Contract Code and authorizing the expenditure of funds for Emergency Corrective Action to the Dunaweal Wastewater Treatment Plant Wet Pit Effluent Pumps without competitive bidding. The Motion was carried by the following vote:

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

- 6) **Received a report on the Status of Emergency Response and Preparedness of the City of Calistoga.**

City Manager Spitler presented the item. Council discussion ensued.

Council directed staff to proceed with pursuing the Incident Command Solutions Disaster Training for certain staff members and to start an Unreinforced Masonry Program in Calistoga.

- 7) **Received a report regarding the Second Annual Napa River and Calistoga Community Clean-up Event scheduled for September 20, 2014.**

Public Works Director Kirn presented the item. The Report was accepted by the City Council.

- 8) **Cancellation or rescheduling of the November 4, 2014 City Council Meeting**

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City Manager Spitler presented this item. Council discussion ensued. Council directed staff to reschedule the meeting on November 4th to November 5, 2014. If there aren't enough items for a meeting, it will be cancelled.

J) ADJOURNMENT

Mayor Canning adjourned the meeting at 8:08 P.M. in honor of the two journalists who were killed in the Middle East to the next scheduled regular meeting of the Calistoga City Council, on Tuesday, September 16, 2014, Calistoga Community Center, 1307 Washington Street, 7:00 p.m.

Respectfully submitted:

Prepared by: Kathy Flamson, Deputy City Clerk

Approved by: Chris Canning, Mayor