

City of Calistoga

Staff Report

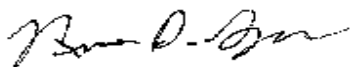
TO: Honorable Mayor and City Council

FROM: Kathy Flamson, City Clerk

DATE: March 17, 2015

SUBJECT: City Council Minutes

APPROVAL FOR FORWARDING:



Richard D. Spitler, City Manager

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2 **DISCUSSION:** Minutes of the February 24, 2015 and March 3, 2015 Closed Sessions
3 and March 3, 2015 Regular City Meetings.
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5 **RECOMMENDATION:** Approve Minutes.
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7 **ATTACHMENTS:**
8 1. Draft Minutes of the aforementioned meetings.

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3 **MINUTES**
4 **CITY COUNCIL SPECIAL MEETING**
5 **CLOSED SESSION**
6 **TUESDAY, FEBRUARY 24, 2015 – 6:00 P.M.**
7 **CALISTOGA COMMUNITY CENTER**

8 **A) CALL TO ORDER**

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10 **Mayor Canning called the Closed Session to order at 6:00 P.M.** In attendance were
11 the following: Councilmember James Barnes, Councilmember Gary Kraus,
12 Councilmember Irais Lopez-Ortega, Vice Mayor Michael Dunsford and Mayor Chris
13 Canning.

14
15 Also present was City Manager Richard Spitler.

16 **B) ORAL COMMUNICATIONS**

17
18 No Public Comment

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

- 21
22 1) Conference with Real Property Negotiations Gov. Code §54956.8
23 Property: 1401 N. Oak, Calistoga, APN 011-140-056
24 Agency Negotiator: City Manager
25 Negotiating Parties: Boys & Girls Clubs of St. Helena and Calistoga, Inc.
26 Under Negotiation: Price and/or Terms of Payment for Potential Lease
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29 **D) REPORT OUT OF CLOSED SESSION**

30 **Mayor Canning** stated there was nothing to report.

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32 **E) ADJOURNMENT**

33 **Mayor Canning adjourned the Closed Session at 6:55 P.M.** to the next scheduled
34 meeting of the Calistoga City Council, on Tuesday, March 3, 2015, Calistoga
35 Community Center, 1307 Washington Street, 7:00 p.m.

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37 **Respectfully submitted:**

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40 _____
41 **Prepared by: Kathy Flamson, City Clerk**

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

1 **MINUTES**

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3 **CITY COUNCIL REGULAR MEETING**

4 **TUESDAY, MARCH 3, 2015 – 7:00 P.M.**

5 **CALISTOGA COMMUNITY CENTER**

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

8 **Mayor Canning called the Regular Session to order at 7:06 P.M.**

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

12

13 **Also present were the following:** Police Chief Mitch Celaya, Planning and
14 Building Director Lynn Goldberg, Public Works Director Michael Kirn, Police
15 Sergeant Tim Martin, Police Officer Carolina Wieggers, Police Officer
16 Samantha Arlen, Police Sergeant Matt Freese, City Manager Richard Spitler
17 and City Clerk Kathy Flamson.

18

19 **B) SALUTE TO THE FLAG**

20 **C) ACTION OF CLOSED SESSIONS**

21 **Mayor Canning** stated there was nothing to report from the February 24,
22 2015, Closed Session Conference with:

- 23
- 24 1) Real Property Negotiations 54956.8
25 Property: 1401 N. Oak Street, Calistoga, APN 011-140-056
26 Agency Negotiator: City Manager
27 Negotiating Parties: Boys & Girls Clubs of St. Helena and Calistoga Inc.
28 Under Negotiation: Price and/or Terms of Payment for Potential Lease
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30 **Mayor Canning** also stated due to a continuance of the Closed Session to
31 follow this evening's Regular City Council Meeting, there was nothing to
32 report from the March 3, 2015, Closed Session Conference with:

- 33
- 34 1) Conference with Legal Counsel Anticipated Litigation
35 Significant exposure to litigation pursuant to Gov. Code § 54956.9(d)(2)
36
- 37 2) Conference with Real Property Negotiations Gov. Code § 54956.8
38 Property: 1705 Washington, Calistoga, APN 011-171-011
39 Agency Negotiator: City Manager
40 Negotiating Parties: Jeff Feeney
41 Under Negotiation: Potential Purchase
42
- 43 3) Conference with Real Property Negotiations 54956.8
44 Property: 1401 N. Oak, Calistoga, APN 011-140-056
45 Agency Negotiator: City Manager
46 Negotiating Parties: Boys & Girls Clubs of St. Helena and Calistoga, Inc.

47 Under Negotiation: Price and/or Terms of Payment for Potential Lease

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

51 **Mayor Canning** opened Oral Communication.

52

53 **Napa County Arts and Cultural Advisory Committee Member Elizabeth**
54 **Stokkebye, 1730 Adele Avenue**, announced the acceptance of Tourism and
55 Capacity Grant applications to the Napa County Arts and Cultural Advisory
56 Committee. The deadline to turn in the applications is April 3, 2015, at 5
57 P.M. For more information, go to www.countyofnapa.org/ceo/arts. Awards
58 for the grants will be announced on May 19, 2015.

59

60 **City Manager Spitler** introduced newly hired **Recreation Administration**
61 **Manager Shannon Clegg**.

62

63 **Mayor Canning** closed Oral Communication.

64

65 **E) ADOPTION OF MEETING AGENDA**

66 It was **MOVED** by Councilmember Kraus and **SECONDED** by
67 Councilmember Barnes to approve the Council Meeting Agenda as
68 presented after moving Items 12 and 13 before Items 10 and 11. The
69 Motion was carried by the following vote:

70

71 **AYES:** Councilmembers Kraus, Barnes and Lopez-
72 Ortega, Vice Mayor Dunsford and Mayor Canning

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74 **NOES:** None

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76 **ABSTAIN:** None

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

79 **Councilmember Barnes** announced the local American Legion Memorial
80 Day program including laying and calling the roll of new memorial brick
81 recipients at the Veteran's Memorial at Logvy Park. He noted the deadline to
82 purchase a memorial brick is April 15, 2015. **Councilmember Barnes** also
83 requested an update on the status of the Monohoff Center at the next City
84 Council Meeting.

85

86 **Councilmember Lopez-Ortega** invited everyone to attend the Soroptimists
87 Crab Feed on Saturday, March 7, 2015, with money going to scholarships for
88 local students.

89

90 **Mayor Canning** announced on a growth management session put on by the
91 County of Napa on March 10, 2015. It will be held in Lincoln Theatre in
92 Yountville. For more information, go to www.countyofnapa.org.

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G) PROCLAMATIONS/PRESENTATIONS

- 1) Mayor Canning presented Police Officer Carolina Wieggers a plaque recognizing her 15 years of service to the City of Calistoga. He then presented Police Sergeant Tim Martin with a plaque recognizing his 20 years of service to the City of Calistoga.

H) CONSENT CALENDAR

- 2) Approval of Minutes of February 7, 2015 Closed and Regular City Council Meetings.
- 3) Adoption of Ordinance No. 708 amending the Calistoga Municipal Code adding Chapter 15.46, Seismic Retrofit Requirements. (Second Reading)
- 4) Adoption of Ordinance No. 709 amending the Calistoga Municipal Code rescinding and replacing Chapter 17.08, Affordable Housing. (Second Reading)
- 5) Adoption of Resolution No. 2015-023 awarding a contract to Paul Coates Construction for the Police Department improvement project in an amount not to exceed \$24,855.00.
- 6) Adoption of Resolution No. 2015-024 authorizing North Valley Labor Compliance Services to submit a Labor Compliance Program to the Department of Industrial Relations on behalf of the City and authorizing the City Manager to execute a purchase order with North Valley Labor Compliance Services for labor compliance monitoring services for the Recycled Water Storage Pond.
- 7) Adoption of Resolution No. 2015-025 revising the Program Guidelines for the HOME Residential Rehabilitation Program to allow greater loan amounts for manufactured housing for health and safety reasons.
- 8) Adoption of Resolution No. 2015-026 authorizing the City Manager to execute purchase orders with G3 Engineering and Oakville Pump Service in amounts not to exceed \$46,000.00, for the purchase and installation of a new pump and motor assembly at the Dunaweal Water Station and approving a budget adjustment in the amount of \$46,000.00.

Councilmember Barnes asked to be recused from Item No. 5 due to a potential financial conflict of interest. Vice Mayor Dunsford noted Paul Coates Construction is currently under contract with the Calistoga Inn to complete a project.

140 It was **MOVED** by Mayor Canning and **SECONDED** by Councilmember
141 Kraus to approve Item Nos. 2, 3, 4, 6, 7 and 8 of the Consent
142 Calendar. The motion was carried by the following vote:

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144 **AYES:** Mayor Canning, Councilmembers Kraus, Barnes
145 Lopez-Ortega and Barnes and Vice Mayor
146 Dunsford
147 **NOES:** None
148 **ABSTAIN:** None
149 **ABSENT:** None
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151 It was **MOVED** by Mayor Canning and **SECONDED** by Councilmember
152 Kraus to approve Item No. 5 of the Consent Calendar. The motion
153 was carried by the following vote:

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155 **AYES:** Mayor Canning, Councilmembers Kraus and
156 Lopez-Ortega
157 **NOES:** None
158 **ABSTAIN:** Vice Mayor Dunsford
159 **ABSENT:** Councilmember Barnes
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161 **I) PUBLIC HEARING**

162 9) Preparation for Adoption of an Ordinance No. 710 amending the
163 Calistoga Municipal Code to implement the 2014 Housing Element
164 and State Law. (ZOA 2015-1)
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166 **Planning and Building Director Goldberg** presented the item. Council
167 and staff discussion ensued.
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169 **Mayor Canning** opened the Public Hearing.
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171 Receiving none, **Mayor Canning** closed the Public Hearing.
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173 It was **MOVED** by Vice Mayor Dunsford and **SECONDED** by
174 Councilmember Kraus to introduce the Ordinance by Title and Waive
175 its first reading. The motion was carried by the following roll call
176 vote:

177
178 **AYES:** Vice Mayor Dunsford, Councilmembers Kraus,
179 Barnes and Lopez-Ortega and Mayor Canning
180 **NOES:** None
181 **ABSTAIN:** None
182 **ABSENT:** None
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184 **J) GENERAL GOVERNMENT**

185 10) Adoption of Resolution No. 2015-027 authorizing the acceptance of
186 donated materials valued at \$7,370.00, from The Resort at Indian
187 Springs to the Public Works Department.

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Public Works Director Kirn presented this item.

Mayor Canning opened public comment.

Receiving none, **Mayor Canning** closed public comment.

It was **MOVED** by Councilmember Kraus and **SECONDED** by Councilmember Barnes to adopt **Resolution No. 2015-027** authorizing the acceptance of donated materials valued at \$7,370.00, from The Resort at Indian Springs to the Public Works Department. 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

- 11) Presentation of the Annual Report on the status of the Calistoga General Plan and progress made toward its implementation during 2014.**

Planning and Building Director Goldberg presented this item.

Council discussion ensued.

Mayor Canning opened public comment.

Receiving none, **Mayor Canning** closed public comment.

It was **MOVED** by Councilmember Kraus and **SECONDED** by Vice Mayor Dunsford to accept the Annual Report on the status of the Calistoga General Plan and progress made toward its implementation during 2014. The Motion was carried by the following vote:

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

- 12) Adoption of Resolution No. 2015-028 approving the proposed renovation of the Calistoga Library by Napa County.**

City Manager Spitler presented the item.

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Calistoga Library Renovation Subcommittee Members Ed Tapper and Councilmember Barnes concurred with **City Manager Spitler's** presentation of the committee's findings.

County Librarian Danis Kreimeier was thanked for her service on this project and she commented on the renovation process.

Mayor Canning opened public comment.

Receiving none, **Mayor Canning** closed public comment.

It was **MOVED** by **Vice Mayor Dunsford** and **SECONDED Councilmember Kraus** by to adopt **Resolution No. 2015-028** approving the proposed renovation of the **Calistoga Library** by **Napa County**. The Motion was carried by the following vote:

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

13) Presentation of a report on the status of the Animal Control Services contract.

City Manager Spitler presented the item. **Mayor Canning** noted the receipt of emails and letters requesting this item be continued for 30 days.

Mayor Canning opened public comment.

Wine Country Animal Lovers (WCAL) Board Member Scott Atkinson, 2103 Oat Hill Court, asked the City Council this item be continued for 30 days to review the proposal from **Petaluma Animal Services Foundation** for sheltering animals.

Dr. Steve Franquelin, 20 Urbani Place, commented on past experience with the **Napa County Animal Control**.

Mayor Canning closed public comment.

Council discussion ensued. **Mr. Atkinson** addressed the Council's concern regarding the end result of the 30 day continuance.

It was recommended by **Mayor Canning** to grant a continuance of this item to the **April 21, 2015 Calistoga City Council meeting**. **WCAL** was asked to submit a report on the status of the use permit for an animal shelter and a possible contract with **Petaluma Animal Services**

284 **Foundation for animal control and shelter services by April 10, 2015.**
285 **Council consensus was achieved.**

286

287 **K) ADJOURNMENT**

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289 **Mayor Canning adjourned the meeting at 8:10 P.M. to reconvene the**
290 **Closed Session meeting of the Calistoga City Council on Tuesday,**
291 **March 3, 2015, at Calistoga Community Center, 1307 Washington Street.**

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293 **Respectfully submitted:**

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296 _____
296 **Prepared by: Kathy Flamson, City Clerk**

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

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2 **MINUTES**
3 **CITY COUNCIL CLOSED SESSION**
4 **TUESDAY, MARCH 3, 2015 – 6:00 P.M.**
5 **CALISTOGA COMMUNITY CENTER**
6

7 **A) CALL TO ORDER**
8

9 **Mayor Canning called the Closed Session to order at 6:00 P.M.** In attendance were
10 the following: Councilmember James Barnes, Councilmember Gary Kraus,
11 Councilmember Irais Lopez-Ortega, Vice Mayor Michael Dunsford and Mayor Chris
12 Canning.
13

14 Also present was City Manager Richard Spitler, Public Works Director Mike Kirn, Legal
15 Counsel Michelle Kenyon and Paul Simmons (via teleconference)
16 .

17 **B) ORAL COMMUNICATIONS**

18 No public comment.
19

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

- 21 1) Conference with Legal Counsel Anticipated Litigation
22 Significant exposure to litigation pursuant to Gov. Code § 54956.9(d)(2)
23
24 2) Conference with Real Property Negotiations Gov. Code § 54956.8
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34 Under Negotiation: Price and/or Terms of Payment for Potential Lease
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36 **D) CONTINUANCE OF CLOSED SESSION TO IMMEDIATELY FOLLOW THE**
37 **REGULAR OPEN SESSION ON MARCH 3, 2015.**

38 **E) REPORT OUT OF CLOSED SESSION**

39 **Mayor Canning** stated there was nothing to report due to the continuance of the
40 Closed Session to immediately follow the Open Session of March 3, 2015.
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42 **F) CONVENE TO OPEN SESSION TO REPORT FROM CLOSED SESSION AT 7:00**
43 **P.M.**

44 **G) RECONVENE TO CONTINUED CLOSED SESSION AT 8:15 P.M. AFTER 5**
45 **MINUTE BREAK.**
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H) ADJOURNMENT

Mayor Canning adjourned the Closed Session at 8:45 P.M. with no reportable action to the next scheduled meeting of the Calistoga City Council, on Tuesday, March 17, 2015, Calistoga Community Center, 1307 Washington Street, 7:00 p.m.

Respectfully submitted:

Prepared by: Kathy Flamson, City Clerk

Approved by: Chris Canning, Mayor