

MINUTES

CITY COUNCIL REGULAR MEETING

TUESDAY, July 7, 2015 – 7:00 P.M.

CALISTOGA COMMUNITY CENTER

A) CALL TO ORDER- ROLL CALL

Mayor Canning called the Regular Session to order at 7:00 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: Public Works Director Mike Kirn, Administrative Services Director Gloria Leon, Police Chief Mitch Celaya, Senior City Planner Erik Lundquist, City Manager Richard Spitler and City Clerk Kathy Flamson.

B) SALUTE TO THE FLAG

C) ACTION OUT OF CLOSED SESSION

Mayor Canning stated there was no reportable action from the Closed Session held on June 23, 2015, regarding a conference with Legal Counsel (City Attorney Michelle Kenyon) and City Manager Richard Spitler pursuant to GC §54957.6 involving existing litigation and Conference with Labor Negotiators (Labor Negotiator Deborah Glasser, City Manager Richard Spitler and Administrative Services Director Gloria Leon) pursuant to GC §54957.6.

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

Mayor Canning opened Oral Communication.

Norma Tofanelli, Dunaweal Lane, spoke of Calistoga bike path safety issues.

Police Chief Celaya addressed the issues. **Mayor Canning** suggested changes to the bike path could occur during the construction of the new holding pond.

Mayor Canning closed Oral Communication.

E) ADOPTION OF MEETING AGENDA

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

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

F) COUNCIL REQUESTS AND IDEAS FOR DISCUSSION

Councilmember Lopez-Ortega noted receiving nice comments regarding the 4th of July Parade. She mentioned requests for portable toilets along the parade route for next year's parade.

Councilmember Kraus mentioned it was a great, safe 4th of July.

Mayor Canning stated the Fair, parade and fireworks were great this year. He thanked the Calistoga Fire Department and Cal Fire for their response to the structure fire on July 6, 2015. He suggested action be taken against the Francis House owners for immediate weed abatement and fencing.

G) PROCLAMATIONS/PRESENTATIONS

None

G) CONSENT CALENDAR

- 1) Approval of Minutes of June 16, 2015 Regular City Council Meeting and June 23, 2015 Closed Session Meeting.
- 2) Adoption of Resolution No. 2015-075 declaring certain property surplus, and authorizing the City Manager to dispose of said property.
- 3) Adoption of Resolution No. 2015-076 approving the Use of City Seal and Logo Policy.
- 4) Adoption of Resolution No. 2015-077 approving Amendment No. 8 to the Professional Services Agreement with Larry Walker Associates for services related to the City's Wastewater and Water Treatment Plant Operating Permits.
- 5) Adoption of Resolution No. 2015-078 authorizing the City Manager or designee to submit a loan application to the Safe Drinking Water State Revolving Fund (SDWSRF) for construction of the Dwyer Road Pump Station on behalf of the cities of Napa, Calistoga and St. Helena. Adoption of Resolution No. 2015-079 stating intent to reimburse project expenditures from financing proceeds for the Dwyer Road Pump Station. Adoption of Resolution No. 2015-080 ratifying the negative declaration adopted by the City of Napa for the Dwyer Road Pump Station.

It was **MOVED** by Vice Mayor Dunsford and **SECONDED** by Councilmember Barnes to approve Item Nos. 1 through 5 of the Consent Calendar. The motion was carried by the following vote:

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

H) PUBLIC HEARING

- 6) Adoption of Resolution No. 2015-081 requesting a determination of public convenience and necessity authorizing a Permanent Vehicle for Rent Service (Pedi-cab) in the City of Calistoga.

Police Chief Celaya presented the item. The Pedi-Cab will mainly serve the downtown area of Calistoga.

Mayor Canning noted he met with the owner. Council discussion ensued.

Mayor Canning opened the Public Hearing.

Mary Sue Frediani, 1255 Lincoln Avenue, inquired as to the difference between the pedi-cab and regular cab. **Chief Celaya** responded to the question.

Council and staff discussion ensued.

Mayor Canning closed the Public Hearing.

It was **MOVED** by Councilmember Kraus and **SECONDED** by Vice Mayor Dunsford to adopt Resolution No. 2015-81 requesting a determination of public convenience and necessity authorizing a Permanent Vehicle for Rent Service (Pedi-cab) in the City of Calistoga. The motion was carried by the following vote:

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

- 7) Introduction of Ordinance No. 712 rezoning the property located at 33 Brannan Street (APN 011-050-023) from the R-2 Two-Family Residential to the R-3 Multi-Family Residential/Office Zoning District and waiving its first reading.

Senior Planner Lundquist presented the item. He introduced correspondence received from Mr. Gamage.

Councilmember Barnes stated he visited the site. Council and staff discussion ensued.

Mayor Canning opened the Public Hearing.

Mary Sue Frediani 1255 Lincoln Avenue, addressed the traffic and parking issues in front of this property.

Mayor Canning closed the Public Hearing.

Council and staff discussion ensued.

It was **MOVED** by Councilmember Lopez-Ortega and **SECONDED** by Councilmember Barnes to introduce **Ordinance No. 712** rezoning the property located at 33 Brannan Street (APN 011-050-023) from the R-2 Two-Family Residential to the R-3 Multi-Family Residential/Office Zoning District and waiving its first reading. The motion was carried by the following roll call vote:

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

- 8) Introduction of **Ordinance No. 713** amending Chapter 3.12, as it relates to Documentary Transfer Tax. This item was continued from January 20, 2015 Calistoga City Council meeting.

Administrative Services Director Leon presented the item.

Council and staff discussion ensued.

Mayor Canning opened the Public Hearing.

Not having anyone come forward, **Mayor Canning** closed the Public Hearing.

It was **MOVED** by Councilmember Barnes and **SECONDED** by Vice Mayor Dunsford to introduce **Ordinance No. 713** amending Chapter 3.12, as it related to Documentary Transfer Tax and waiving its first reading. The motion was carried by the following roll call vote:

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

I) GENERAL GOVERNMENT

Councilmembers Kraus and Barnes stated they had a conflict of interest with **Item No. 1-9** due to the locations of their residences. They recused themselves and left the dais.

- 9) Adoption of **Resolution No. 2015-082** awarding a Professional Services Contract to Associated Engineering Consultants Inc. for design services related to the 2015 Micro Surfacing Pavement Preservation Project in an amount not to exceed \$45,000. This item was continued from June 16, 2015 Calistoga City Council meeting.

Public Works Director Kirn presented the item.

Mayor Canning opened public comment.

Having no one come forward, Mayor Canning closed public comment.

It was **MOVED** by Vice Mayor Dunsford and **SECONDED** by Councilmember Lopez-Ortega to adopt **Resolution No. 2015-082** awarding a Professional Services Contract to Associated Engineering Consultants Inc. for design services related to the 2015 Micro Surfacing Pavement Preservation Project in an amount not to exceed \$45,000. The motion was carried by the following vote:

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

Councilmembers Kraus and Barnes returned to the dais.

- 10) Accepting a report on Growth Management System Program Allocations for the 2015-2019 program cycle and update on available water supply and wastewater treatment capacity.

Senior Planner Lundquist (Growth Management System) and **Public Works Director Kirn** (Available Water Supply and Wastewater Treatment Capacity) presented the item.

Council and staff discussion ensued.

Mayor Canning opened public comment.

Having no one come forward, **Mayor Canning** closed public comment.

The Council accepted the report as presented.

11) Accepting a report to consider whether to make collection of refuse and recycle goods mandatory for all residential and nonresidential uses within the City of Calistoga.

Senior Planner Lundquist introduced the item.

Council and staff discussion ensued.

Mayor Canning opened public comment.

Carl Sherrill, 1132 Denise Drive spoke of those 'opting out' of trash pick-up and illegal dumping of trash.

Kristin Casey, 1132 Denise Drive, spoke in favor of reinstating mandatory garbage pick-up.

Karen Chang, 3067 Myrtledale Road, spoke of the lack of a connection between those who don't have garbage collected and those who throw garbage and litter in rural areas. She also felt the Yountville ordinance is very restrictive.

Mary Sue Frediani, 1255 Lincoln Avenue, stated she has seen people dumping personal garbage into public bins.

Mayor Canning closed public comment.

Council and staff discussion ensued.

Consensus of the Council was to have staff proceed researching options for mandatory collection of trash and recycled goods, along with clarifying any Proposition 218 issues on this matter.

12) Accepting a report to consider whether to limit the number of downtown wine tasting facilities.

Senior Planner Lundquist presented the item.

Council and staff discussion ensued.

Mayor Canning opened public comment.

Mary Sue Frediani, 1255 Lincoln, spoke in favor of wine makers with wine made in Calistoga or from locally grown grapes.

Mayor Canning closed public comment.

Council and staff discussion ensued.

Senior Planner Lundquist suggested as businesses leave, revoke the use permit so the land use entitlement will be readdressed with the new business.

The City Council directed staff to look into what similar communities have done, and potential options for control of tasting rooms with the Planning Commission's input.

- 13) Adoption of **Resolution No. 2015-083** to enter into a contract with Napa County to provide law enforcement services as necessary to cover shifts due to vacancies.

Police Chief Celaya presented the item.

Council and staff discussion ensued.

Mayor Canning opened public comment.

Having no one come forward, **Mayor Canning** closed public comment.

It was **MOVED** by Councilmember Barnes and **SECONDED** by Councilmember Kraus to adopt **Resolution No. 2015-083** entering into a contract with Napa County to provide law enforcement services as necessary to cover shifts due to vacancies. The motion was carried by the following vote:

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

- 14) Adoption of **Resolution No. 2015-084** establishing objectives and appointment of a Council Subcommittee for Fiscal Year 2015-2016 Community Enrichment Grant Program.

City Manager Spitler presented the item.

Mayor Canning opened public comment.

Having no one come forward, **Mayor Canning** closed public comment.

It was **MOVED** by Vice Mayor Dunsford and **SECONDED** by Councilmember Barnes to adopt Resolution No. 2015-084 establishing objectives and appointment of a Council Subcommittee consisting of Councilmembers Lopez-Ortega and Kraus for the Fiscal Year 2015-2016 Community Enrichment Grant Program. The motion was carried by the following vote:

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

- 15) Adoption of Resolution No. 2015-085 approving a budget adjustment to fund one Operator II position with Water and Wastewater Enterprise Funds.

Public Works Director Kirn presented the item.

Council and staff discussion ensued.

Mayor Canning opened public comment.

Having no one come forward, **Mayor Canning** closed public comment.

It was **MOVED** by Councilmember Kraus and **SECONDED** by Councilmember Barnes to adopt Resolution No. 2015-085 approving a budget adjustment to fund one Operator II position with Water and Wastewater Enterprise Funds. 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 |

J) ADJOURNMENT

Mayor Canning adjourned the meeting at 9:12 P.M. to next regular meeting of the Calistoga City Council on Tuesday, July 21, 2015, at 7:00 P.M. at the Calistoga Community Center, 1307 Washington Street, Calistoga.

Respectfully submitted:



Prepared by: Kathy Flamson, City Clerk



Approved by: Chris Canning, Mayor

