

**CITY COUNCIL – REGULAR MEETING  
TUESDAY, NOVEMBER 3, 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 James Barnes,  
Councilmember Irais Lopez-Ortega, Councilmember Gary Kraus and Mayor  
Canning.

**Absent:** Vice Mayor Michael Dunsford

**Also, present were the following:** Public Works Director Mike Kirn, Administrative  
Services Director Gloria Leon, Planning and Building Director Lynn Goldberg and  
Deputy City Clerk Melissa Velasquez.

**B) SALUTE TO THE FLAG**

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

**Mayor Canning** opened Oral Communication.

**Teresa Butler, 1207 Silver St.,** expressed concerns over lack of traffic control at  
the intersection of Silver Street and Cedar Street.

**Leslie Wilkes, 1517 Cedar St.,** expressed concerns over lack of traffic control at  
the intersection of Cedar and Silver Streets, lack of stop signs on Cedar, speed  
issues on Cedar and lack of sidewalk on part of Cedar.

Council and staff discussion ensued.

**Mayor Canning** closed Oral Communication.

**D) ADOPTION OF MEETING AGENDA**

**Adding Urgency item to Meeting Agenda, to Approve Designation Of, And  
Authorizing Compensation For, Acting City Manager, and Approving a Fiscal  
Year 2015-16 Operating Budget Adjustment Not to Exceed \$4,661.**

**Mayor Canning** opened Oral Communication.

Having no one come forward, **Mayor Canning** closed Oral Communication.

**It was moved by Councilmember Barnes and SECONDED by Councilmember  
Kraus to approve the addition of the Urgency item to the Meeting Agenda. The  
motion was carried by the following vote:**

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

**NOES:** None

**ABSTAIN:** None  
**ABSENT:** Vice Mayor Michael Dunsford

**ROLL CALL:** Present were the following, Councilmember Kraus, Councilmember Lopez-Ortega, Councilmember Barnes and Mayor Canning.

It was moved by Councilmember Kraus and **SECONDED** by Councilmember Lopez-Ortega to approve the Council Meeting Agenda as presented, including the addition of the Urgency item. The motion was carried by the following vote:

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

#### **E) COUNCIL REQUESTS AND IDEAS FOR DISCUSSION**

**Councilmember Lopez-Ortega** reminding everyone, although we have had some rain, the drought is still in effect.

**Councilmember Barnes** announced that the Calistoga American Legion is not able to present a Veteran's Day program at Logvy Park this year and offers his apologies.

**Councilmember Kraus** acknowledged the official groundbreaking on the Silver Rose Project.

**Mayor Canning** announced that on November 21<sup>st</sup>, from 11am-3pm at the Napa County Fairgrounds (707-942-5111) there will be a Valley Fire Evacuation Center Volunteer Appreciation Event. He also acknowledged the official groundbreaking on the Silver Rose Project.

#### **F) PROCLAMATIONS/PRESENTATIONS/AWARDS**

None

#### **G) CONSENT CALENDAR**

- 1) **Approval of Minutes of the October 20, 2015 Closed Session and Regular City Council and October 26, 2015 Special City Council Meetings.**
- 2) **Adoption of Resolution No. 2015-129 Approving the 2016 City Council Meeting Schedule.**

- 3) **Adoption of Ordinance No. 715 Amending Chapter 13.12, Cable System Franchise Regulations, of the City of Calistoga Municipal Code. (Second Reading)**
- 4) **Adoption of Ordinance No. 717 Rescinding and Replacing Chapter 17.44, Nonconforming Uses, of the Calistoga Municipal Code primarily to 1) Allow the Replacement of a Nonconforming Residential Structure if it is Destroyed and 2) Delete the Provision Allowing the Planning Commission to Require a Nonconforming Use to Annually Apply for a Use and Occupancy Permit. (ZOA 2015-6) (Second Reading)**
- 5) **Adoption of Ordinance No. 718 Approving the implementation of a Community Choice Aggregation Program within the City of Calistoga's Jurisdiction by and through the City's Participation in Marin Clean Energy (MCE) and Authorizing the Mayor to Execute the MCE Joint Powers Agreement. (Second Reading)**

It was moved by Councilmember Barnes and **SECONDED** by Councilmember Lopez-Ortega to approve Item Nos. 1-5 of the Consent Calendar. The motion was carried by the following vote:

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

**URGENCY ITEM**

**Adoption of Resolution No. 2015-130 to Approve Designation Of, And Authorizing Compensation For, Acting City Manager, and Approving a Fiscal Year 2015-16 Operating Budget Adjustment Not to Exceed \$4,661.**

**Mike Kirn** leaves the dais and exits the building.

Council discussion ensued.

**Mayor Canning** opened Oral Communication.

Having no one come forward, **Mayor Canning** closed Oral Communication.

It was moved by Councilmember Kraus and **SECONDED** by Councilmember Barnes to adopt Resolution No. 2015-130 authorizing the Designation Of, AND Authorizing Compensation For, Acting City Manager, and Approving a Fiscal Year 2015-16 Operating Budget Adjustment Not to Exceed \$4,661.

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Vice Mayor Michael Dunsford

**ROLL CALL:** Present were the following, Councilmember Kraus,  
Councilmember Lopez-Ortega, Councilmember Barnes and  
Mayor Canning.

**Mike Kirn** returns to the dais.

**Mayor Canning** offers the position of Acting City Manager for the City of  
Calistoga to Mike Kirn.

**Mike Kirn** accepted the position of Acting City Manager for the City of  
Calistoga.

**Mayor Canning** advised that the workload at Public Works be evaluated and  
suggested the possibility of out-sourcing some work.

#### H) PUBLIC HEARING

- 6) **Adoption of a Resolution Approving a Policy Requiring the Inclusion of  
Secondary Retail in New Wine Tasting Facilities Within the Downtown  
Commercial Zoning District. (P 2015-1)**

**Planning and Building Director Goldberg** presented this item.

Council and staff discussion ensued.

**Mayor Canning** opened the Public Hearing.

Having no one come forward, **Mayor Canning** closed the Public Hearing.

Council and staff discussion ensued.

**It was moved by Mayor Canning and SECONDED by Councilmember  
Lopez-Ortega to adopt a Resolution requiring the inclusion of  
Secondary Retail in New Wine Tasting Facilities within the Downtown  
Commercial Zoning District. (P 2015-1) The motion was denied by the  
following vote:**

**AYES:** Mayor Canning & Councilmember Lopez-Ortega

**NOES:** Councilmember Kraus & Councilmember Barnes

**ABSTAIN:** None

**ABSENT:** Vice Mayor Michael Dunsford

**Due to a tied vote the item was rendered Dead.**

**I) GENERAL GOVERNMENT**

**7) Initiation of Code Amendments Prohibiting the Cultivation of Medical Marijuana in Calistoga.**

**Planning and Building Director Goldberg** presented this item.


Council and staff discussion ensued.

**Council** directed staff to initiate Municipal Code amendments to ban the indoor and outdoor cultivation of marijuana except as allowed by the existing State Law for medical marijuana grown by the patient or their caregiver.

**J) ADJOURNMENT**

**At 7:53 P.M., Mayor Canning adjourned the meeting to the next regular City Council meeting at 7:00 P.M. on Tuesday, November 17, 2015, at the Calistoga Community Center, 1307 Washington Street, Calistoga.**

**Respectfully submitted:**

  
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**Prepared by: Melissa Velasquez, Deputy City Clerk**

  
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**Approved by: Chris Canning, Mayor**

