

City of Calistoga

Staff Report

TO: Honorable Mayor and City Council
FROM: Kathy Flamson, City Clerk
DATE: March 15, 2016
SUBJECT: City Council Minutes

APPROVAL FOR FORWARDING:



Dylan Feik, City Manager

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2 **DISCUSSION:** Minutes of the March 1, 2016 Regular and Closed City Council Meeting.
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4 **RECOMMENDATION:** Approve Minutes.
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6 **ATTACHMENTS:**
7 1. Draft Minutes of the aforementioned meeting.

MINUTES

**CITY COUNCIL – REGULAR MEETING
TUESDAY, MARCH 1, 2016 - 6:00 P.M.
CALISTOGA COMMUNITY CENTER**

A) CALL TO ORDER – ROLL CALL

Mayor Canning called the Regular Session to order at 6:01 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 Dylan Feik, Planning and Building Director Lynn Goldberg, Senior Planner Erik Lundquist and City Clerk Kathy Flamson.

B) SALUTE TO THE FLAG

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

Mayor Canning opened oral communication.

Calistoga Community Garden President Jerry Jackson, 2412 Foothill Blvd., spoke in favor of Item No. 9 and the use of the area as a Community Garden.

Mayor Canning closed oral communication.

D) ADOPTION OF MEETING AGENDA

It was **MOVED** by **Councilmember Kraus** and **SECONDED** by **Councilmember Barnes** to approve the Council Meeting Agenda as presented with one additional item of swearing in Dylan Feik. 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

E) CITY MANAGER DYLAN FEIK took the Oath of Office by City Clerk Flamson.

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F) COUNCIL REQUESTS AND IDEAS FOR DISCUSSION

- **Councilmember Lopez-Ortega** inquired about the lighting issue from the last meeting. **Public Works Director Kirn** reported that P.G. & E. was notified and a work order has been placed.
- **Vice Mayor Dunsford** mentioned the city street lamp in front of 1250 Lincoln Avenue is not working at this time.

G) City Manger's Report –

- **City Manager Feik** thanked **Mike Kirn** for all of his efforts as Interim City Manager. He noted that he has met with many of the employees and is looking forward to the goal setting and budget meetings during the next few months.

H) CONSENT CALENDAR

- 1) **Approval of Minutes of February 16, 2016 Regular City Council Meetings.**
- 2) **Adoption of Resolution No. 2016-018 to Rescind Resolution No. 2014-018 and to Adopt a Revised Conflict of Interest Code.**

It was **MOVED** by Councilmember Kraus and **SECONDED** by Councilmember Lopez-Ortega to approve Item Nos. 1 & 2 of the Consent Calendar. 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

I) PUBLIC HEARING

- 3) **Adoption of Resolution No. 2016-019 for a Lease Disposition and Development Agreement by and between the City of Calistoga and the Corporation for Better Housing (CBH) in order to set forth the terms and conditions relating to (1) the developer's ground lease of 611 Washington Street from the City, (2) the developer's development of the project, and (3) the developer's agreement to provide senior affordable housing on the property. The proposed agreement is exempt from the California Environmental Quality Act (CEQA) and Section 15061 (b)(3) of the CEQA Guidelines.**

83 **Planning and Building Manager Goldberg** presented the item. She
84 introduced **Corporation for Better Housing** representative **Justin Hardt**,
85 who discussed the project.

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87 Council and staff discussion ensued.

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89 **Mayor Canning** opened the Public Hearing.

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

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93 It was **MOVED** by Councilmember **Kraus** and **SECONDED** by
94 Councilmember **Barnes** to adopt **Resolution No. 2016-019** for a Lease
95 Disposition and Development Agreement by and between the City of
96 Calistoga and the Corporation for Better Housing (CBH) in order to set
97 forth the terms and conditions relating to (1) the developer's ground
98 lease of 611 Washington Street from the City, (2) the developer's
99 development of the project, and (3) the developer's agreement to
100 provide senior affordable housing on the property. The Motion was
101 carried by the following vote:

102
103 **AYES:** Councilmembers **Kraus, Barnes and Lopez-**
104 **Ortega, Vice Mayor Dunsford and Mayor Canning**
105 **NOES:** None
106 **ABSTAIN:** None
107 **ABSENT:** None

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109 4) Introduction of an Ordinance amending text to allow short-term
110 vacation rentals with approval of a Use Permit within the existing PD
111 2002-2 Planned Development District (ZOA 2015-9) and waive its first
112 reading. The proposed amendment is exempt from the California
113 Environmental Quality Act (CEQA) under section 15061 (b)(3) of the
114 CEQA Guidelines.

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116 **Senior Planner Lundquist** presented the item.

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118 Council and staff discussion ensued.

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120 **Mayor Canning** opened the Public Hearing.

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122 **Dennis McNay**, inquired as to the nature of the use of the building. **Senior**
123 **Planner Lundquist** it was transient occupancy of the residence.

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125 **Michael Quast, 1300 Washington**, inquired about unit fees for this
126 establishment and if there will be fire inspections. **Senior Planner**
127 **Lundquist** noted the establishment will need a business license and will be
128 inspected by the fire department.

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130 **Dianna Patrick, 810 Champagne Circle East**, spoke against this project.

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132 **Mayor Canning** closed the Public Hearing.

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134 Council and staff discussion ensued.

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136 **This item died for lack of a motion.**

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138 **J) GENERAL GOVERNMENT**

139 **5) Receiving a presentation from the Napa Valley Transportation**
140 **Authority (NVTA) regarding the Draft Countywide Pedestrian Plan.**

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142 **Senior Planner Lundquist** introduced **Napa Valley Transportation**
143 **Authority Assistant Program Planner Alberto Esqueda**, who present the
144 item. He noted NVTA will be taking comments up to March 23, 2016. It can
145 be viewed at the NCTPA.net website. **Napa Valley Transportation**
146 **Authority Planning Manager Danielle Schmitz** clarified the Active
147 Transportation Plan.

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149 Council discussion ensued.

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151 **Mayor Canning** opened public comment.

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153 **Michael Quast** inquired about the extent of the grants.

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155 **Mr. Esqueda** referred to Chapter 8 of the plan, which describes the protocol
156 for pedestrian paths.

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158 **Mayor Canning** closed public comment.

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160 **6) Receiving the annual report on the status of the Calistoga General**
161 **Plan and the progress made toward its implementation during 2015.**

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163 **Planning and Building Director Goldberg** presented the item.

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165 **Mayor Canning** opened public comment.

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

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169 **It was the consensus of the City Council to accept the report given.**

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171 **7) Adoption of Resolution No. 2016-020 declaring the Calistoga City**
172 **Council's intent to consider the partial vacation of Fir and Washington**
173 **Streets Right-of-Way (SV 2015-1) and set the matter for a Public**
174 **Hearing on April 5, 2016.**

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Planning and Building Director Goldberg presented the item.

Council 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. 2016-020 declaring the Calistoga City Councils' intent to consider the partial vacation of Fir and Washington Streets Right-of-Way (SV 2015-1) and set the matter for a Public Hearing on April 5, 2016. 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

- 8) Adoption of Resolution No. 2016-021 to repeal Resolution No. 96-65 and adopt revisions to the Calistoga Personnel Rules & Regulations Manual.

City Manager Feik presented the item.

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 Lopez-Ortega to adopt Resolution No. 2016-021 to repeal Resolution No. 96.95 and adopt revisions to the Calistoga Personnel Rules & Regulations Manual. 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

- 9) Adopt Resolution No. 2016-022 awarding a contract to Central Valley Environmental for demolition and removal of the classroom and

221 mobile home adjacent to the Little League Field – Lower Washington
222 Street.

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224 Public Works Director Kirn presented the item.

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226 Council and staff discussion ensued.

227
228 Mayor Canning opened public comment.

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

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232 It was MOVED by Councilmember Barnes and SECONDED by
233 Councilmember Kraus to adopt Resolution No. 2016-022 awarding a
234 contract to Central Valley Environmental for demolition and removal of
235 the classroom and mobile home adjacent to the Little League Field –
236 Lower Washington Street. The Motion was carried by the following
237 vote:

238
239 AYES: Councilmembers Barnes, Kraus and Lopez-
240 Ortega, Vice Mayor Dunsford and Mayor Canning

241 NOES: None

242 ABSTAIN: None

243 ABSENT: None

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245 **K) ADJOURNMENT**

246 Mayor Canning adjourned the meeting at 7:45 p.m. to the closed session of
247 the City Council meeting of the Calistoga City Council, on Tuesday, March 1,
248 2016, Calistoga Community Center, 1307 Washington Street, directly
249 following this meeting..

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251 Respectfully submitted:

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Prepared by: Kathy Flamson, City Clerk

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Approved by: Chris Canning, Mayor

1 **MINUTES**

2 **CITY COUNCIL – CLOSED SESSION**
3 **TUESDAY, MARCH 1, 2016 - 7:50 P.M.**

4 **CALISTOGA COMMUNITY CENTER**

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6 **A) CALL TO ORDER**

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8 **Mayor Canning called the Closed Session to order at 7:50 p.m.**

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

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13 Also present was City Manager Dylan Feik, Public Works Director Michael
14 Kirn, City Attorney Michele Kenyon (via teleconference) and City Attorney
15 Matthew Visick (via teleconference)

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17 **B) ORAL COMMUNICATIONS**

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

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21 1) Conference with Legal Counsel – Existing Litigation
22 Gov. Code § 54956.9(d)(1)
23 Name of Case: O’Gorman v. City of Calistoga
24 Case No.: 34-2014-00164846
25
26 2) Conference with Real Property Negotiators: pursuant to GC §54956.8
27 Property: APN: 011-222-001
28 Agency Negotiator: Michael Kirn, Interim City Manager/Public Works Director
29 Negotiating Parties: LeStrange, et. al.
30 Under Negotiation: Price and Terms
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33 **D) CONVENE TO OPEN SESSION IN THE COMMUNITY CENTER**

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35 **Mayor Canning** announced there was no reportable action on Item Nos. 1
36 and 2 from the Calistoga City Council Closed Session.
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38 **E) ADJOURNMENT**

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40 **Mayor Canning adjourned the Closed Session at 8:43 p.m.** to the
41 regular session meeting of the Calistoga City Council, on Tuesday, March
42 15, 2016 at Calistoga Community Center, 1307 Washington Street, 6:00
43 p.m.

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Respectfully submitted:

Prepared by: Kathy Flamson, City Clerk

Approved by: Chris Canning, Mayor