

City of Calistoga

Staff Report

TO: Honorable Mayor and City Council
FROM: Kathy Flamson, City Clerk
DATE: December 6, 2016
SUBJECT: City Council Minutes

APPROVAL FOR FORWARDING:



Dylan Feik, City Manager

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2 **DISCUSSION:** Minutes of the November 15, 2016 Regular 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, NOVEMBER 15, 2016 - 6:00 P.M.
CALISTOGA COMMUNITY CENTER**

A) CALL TO ORDER – ROLL CALL

Mayor Canning called the Regular Session to order at 6:00 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 in attendance were: Public Works Director Mike Kirn, Planning and Building Director Lynn Goldberg, Fire Chief Steve Campbell, Building Official Brad Cannon, Recreation Manager Rachel Melick, City Manager Dylan Feik 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.

Dan Sund, 2412 Foothill Blvd. #111, works as a Crossing Guard at the intersection of Berry and Washington Streets. He stated he fell while working his post due to the uneven pavement. He noted the intersection of Cedar and Washington Streets is also uneven. He stated the painted lines at the crossing area is quite slick when wet. He suggested skid protection be implemented in the painted areas.

Mayor Canning closed oral communication.

D) ADOPTION OF MEETING AGENDA

Councilmember Lopez-Ortega requested Item H-3 be pulled for a separate vote.

It was MOVED by Councilmember Barnes and SECONDED by Vice Mayor Dunsford to approve the Council Meeting Agenda Items 2, 4 and 5. The Motion was carried by the following vote:

AYES: Councilmember Barnes, Vice Mayor Dunsford,
Councilmembers Kraus and Lopez-Ortega and
Mayor Canning

NOES: None

ABSTAIN: None

ABSENT: None

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It was **MOVED** by Councilmember Barnes and **SECONDED** by Vice Mayor Dunsford to approve the Council Meeting Agenda Item 3. The Motion was carried by the following vote:

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

E) COUNCIL REQUESTS AND IDEAS FOR DISCUSSION

- **Councilmember Barnes** thanked the community for supporting the Veterans Day events. The sale of poppies netted almost \$2,000, which will go back into the community.
- **Councilmember Lopez-Ortega** stated she is very proud of her community and the people she represents. She stated she is representing those who cannot vote or speak up for themselves; and that they are hardworking. She noted they would keep working hard, dreaming and going forward.
- **Mayor Canning** thanked Councilmember Lopez-Ortega for her constant support of the Calistoga Hispanic community. He noted there was a conference call earlier in the day with all of the Mayors of Napa County and Congressman Thompson. They discussed issues that might be facing the Hispanic community moving forward. Congressman Thompson noted he would minimize any effects on the communities in Napa County.
- **Mayor Canning** also wished everyone a happy and safe Thanksgiving Holiday.
- December 3 will be the Calistoga Tractor Parade starting at 7 P.M. will be celebrating the 21st parade.

F) CITY MANAGER’S REPORT

- Thanked **Councilmember Lopez-Ortega** for her comments. He also noted the **City Council** funds many Calistoga Community Enrichment Grants, which supplies funding to local non-profit groups.
- He introduced new **Recreation Manager Rachel Melick**. She has a great deal of experience in aquatics. She has also worked in Sonoma County at their Regional Parks program. She moved to the community, as well. She is looking forward to addressing the needs of the community.
- **Ms. Melick** spoke to the Council and audience.

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G) PROCLAMATIONS/PRESENTATION/AWARDS

- 1) **Presentation by Fire Chief Steve Campbell of the Calistoga Fire Department.** Council and staff discussion ensued. Chief Campbell noted if you need to contact the Fire Department for a non-emergency, phone 942-2840. The Fire Department will be having their upcoming fundraiser (Bingo, Raffle and Silent Auction) Saturday, November 19th at 5 P.M.

H) CONSENT CALENDAR

- 2) **Approval of Minutes of the November 1, 2016 closed session and regular City Council meetings.**
- 3) **Adoption of Ordinance No. 726 relating to a zoning ordinance text amendment deleting the requirement for a Primary Agricultural Use in order to expand a winery on the property located at 333 Silverado Trail, within the Planned Development District PD 2002-2. (ZOA 2016-1) (Second Reading)**
- 4) **Adoption of Resolution No. 2016-089 approving the 2016 Sanitary Sewer Management Plan.**
- 5) **Adoption of Resolution No. 2016-090 confirming the Marin Clean Energy Alternate Representative to the Marin Clean Energy Board.**

It was **MOVED** by Councilmember Kraus and **SECONDED** by Vice Mayor Dunsford to approve **Items No. 2, 4 and 5** of the Consent Calendar. The Motion was carried by the following vote:

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

It was **MOVED** by Councilmember Kraus and **SECONDED** by Vice Mayor Dunsford to approve **Item No. 3** of the Consent Calendar. The Motion was carried by the following vote:

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

130 **I) PUBLIC HEARING**

131 6) **Introduction of Ordinance No. 727 initiated by the City of Calistoga,**
132 **repealing Calistoga Municipal Code Chapters 15.01 General**
133 **Provisions, 15.04 Administrative Code, 15.08 California Building**
134 **Code, 15.12 California Residential Code, 15.16 California Electrical**
135 **Code, 15.20 California Mechanical Code, 15.24 California Plumbing**
136 **Code, 15.28 California Energy Code, 15.32 California Historical**
137 **Building Code, 15.36 California Fire Code, 15.40 California Existing**
138 **Building Code, 15.44 California Green Building Standards and 15.48**
139 **California Reference Standards of Title 15, California Building**
140 **Standards, and adopting the 2016 California Building Standards**
141 **Code, Title 24, as adopted by the California State Building Standards**
142 **Commission, with local amendments and waiving its first reading.**

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144 **Building Official Cannon** presented the item. **Fire Chief Campbell** was
145 available for questions.

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147 Council and staff discussion ensued. It was requested to add NFDA 13-D
148 for the appropriate dwellings and stated the Fire Code Official must be a
149 full time fire official will also be added.

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151 **Mayor Canning** opened the Public Hearing at 6:53 P.M.

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153 Having no one come forward, **Mayor Canning** closed the Public Hearing
154 at 6:53 P.M.

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156 Council and staff discussion ensued.

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158 **It was MOVED by Vice Mayor Dunsford and SECONDED by**
159 **Councilmember Kraus to adopt Ordinance No. 727 initiated by the**
160 **City of Calistoga, repealing Calistoga Municipal Code Chapters 15.01**
161 **General Provisions, 15.04 Administrative Code, 15.08 California**
162 **Building Code, 15.12 California Residential Code, 15.16 California**
163 **Electrical Code, 15.20 California Mechanical Code, 15.24 California**
164 **Plumbing Code, 15.28 California Energy Code, 15.32 California**
165 **Historical Building Code, 15.36 California Fire Code, 15.40 California**
166 **Existing Building Code, 15.44 California Green Building Standards**
167 **and 15.48 California Reference Standards of Title 15, California**
168 **Building Standards, and adopting the 2016 California Building**
169 **Standards Code, Title 24, as adopted by the California State Building**
170 **Standards Commission, with local amendments and waiving the first**
171 **reading. The Motion was carried by the following roll call vote:**

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173 **AYES: Vice Mayor Dunsford, Councilmembers Kraus,**
174 **Barnes and Lopez Ortega and Mayor Canning**
175 **NOES: None**

176 **ABSTAIN: None**
177 **ABSENT: None**

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179 **J) GENERAL GOVERNMENT**

180 7) **Presentation of a report related to revision to the Calistoga Municipal**
181 **Code Chapters 8/30 and 17.48, Marijuana Activities Regulations, to**
182 **reflect the passage of Proposition 64, to Control, Regulate and Tax**
183 **Adult Use of Marijuana Act.**

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

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187 Council and staff discussion ensued.

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189 **Mayor Canning** opened public comments.

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191 **Alicia Surber Wong**, spoke in favor of allowing marijuana growth and
192 sales in Calistoga.

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194 **Mayor Canning** closed public comments. He requested fiscal impact
195 information be investigated.

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197 **It was the consensus of the City Council to accept the report and**
198 **directed staff to continue the ordinance amendment process banning**
199 **marijuana dispensing, maintaining inside growth only, not allowing**
200 **permits for commercial growth, sell or outdoor cultivate but allowing**
201 **indoor growth, possessing and use.**

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203 8) **Presentation of a report related to the potential zoning code**
204 **amendments related to Administrative Use and Temporary Use**
205 **Permits.**

206
207 **Planning and Building Director Goldberg** presented the item.

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209 Council and staff discussion ensued.

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211 **Mayor Canning** opened public comments.

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

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215 **It was the consensus of the City Council to accept the report and**
216 **establish a Temporary Use Permit for specific uses and other various**
217 **amendments and changes to the zoning code.**

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219 9) **Presentation of a report regarding the implementation of the Urban**
220 **Design Plan.**

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222 **Planning and Building Director Goldberg** presented the item.
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224 Council and staff discussion ensued.
225
226 **Mayor Canning** opened public comments.
227
228 Having no one come forward, **Mayor Canning** closed public comments.
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230 **It was the consensus of the City Council to accept the report.**

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232 10) **Adoption of Resolution No. 2016-091 confirming the Mayor's**
233 **appointments to the Planning Commission, Active Transportation**
234 **Advisory Committee and Building Standards Advisory and Appeals**
235 **Board.**

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237 **City Clerk Flamson** presented the item.
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239 Council and staff discussion ensued.
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241 **Mayor Canning** opened public comments.
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243 Having no one come forward, **Mayor Canning** closed public comments.
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245 **It was MOVED by Mayor Canning and SECONDED by Councilmember**
246 **Lopez-Ortega to adopt Resolution No. 2016-091 confirming the**
247 **Mayor's appointments to the Planning Commission, Active**
248 **Transportation Advisory Committee and Building Standards**
249 **Advisory and Appeals Board. The Motion was carried by the**
250 **following vote:**

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252 **AYES: Mayor Canning, Councilmembers Lopez-Ortega,**
253 **Barnes and Kraus and Vice Mayor Dunsford**
254 **NOES: None**
255 **ABSTAIN: None**
256 **ABSENT: None**

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258 11) **Adoption of Resolution No. 2016-092 authorizing the City Manager to**
259 **execute a Professional Services Agreement with Bartle Wells**
260 **Associates for a Water and Wastewater Rate Study, in an amount not**
261 **to exceed \$45,100 from the unappropriated water and wastewater**
262 **fund balances, establishment of a City Council Rate Review Ad hoc**
263 **Committee and Appointment of two (2) City Council members to**
264 **serve on the committee.**

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266 **City Manager Feik** presented the item.
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268 Council and staff discussion ensued.

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270 **Mayor Canning** opened public comments.

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

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274 It was **MOVED** by **Mayor Canning** and **SECONDED** by **Vice Mayor**
275 **Dunsford** to adopt **Resolution No. 2016-092** authorizing the **City**
276 **Manager** to execute a **Professional Services Agreement** with **Bartle**
277 **Wells Associates** for a **Water and Wastewater Rate Study**, in an
278 amount not to exceed **\$45,100** from the unappropriated water and
279 wastewater fund balances, establishment of a **City Council Rate**
280 **Review Ad hoc Committee** and **Appointment** of two (2) **City Council**
281 **members** to serve on the committee (**Councilmembers Barnes** and
282 **Kraus**). The **Motion** was carried by the following vote:

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284 **AYES:** **Mayor Canning, Vice Mayor Dunsford,**
285 **Councilmembers Lopez-Ortega, Barnes and Kraus**
286 **NOES:** **None**
287 **ABSTAIN:** **None**
288 **ABSENT:** **None**
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290 **K) ADJOURNMENT**

291 **Mayor Canning** adjourned the meeting at 7:55 p.m. to the next regular meeting
292 of the City Council held at 1307 Washington Street, on December 6, 2016.

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294 **Respectfully submitted:**

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298 **Prepared by: Kathy Flamson, City Clerk**

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Approved by: Chris Canning, Mayor