

City of Calistoga

Staff Report

TO: Honorable Mayor and City Council
FROM: Kathy Flamson, City Clerk
DATE: July 18, 2017
SUBJECT: City Council Minutes

APPROVAL FOR FORWARDING:



Dylan Feik, City Manager

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DISCUSSION: Minutes of the June 20, 2017, Regular City Council Meeting

RECOMMENDATION: Approve Minutes.

ATTACHMENTS:

1. Draft Minutes of the aforementioned meeting.

MINUTES

**CITY COUNCIL – REGULAR MEETING
TUESDAY, JUNE 20, 2017 - 6:00 P.M.
CALISTOGA COMMUNITY CENTER**

A) CALL TO ORDER – ROLL CALL

Mayor Canning called the Regular Session to order at 6:02 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.

Absent: None

Also in attendance: City Attorney Rosenthal, Fire Chief Steve Campbell, Planning/Building Director Lynn Goldberg, Administrative Services Director Gloria Leon, Public Works Director Mike Kirn, Deputy Public Works Director Derek Rayner, 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.

Having no one come forward, **Mayor Canning** closed oral communication.

D) ADOPTION OF MEETING AGENDA

It was **MOVED** Councilmember **Kraus** by and **SECONDED** by Councilmember **Barnes** to approve the Council Meeting Agenda and move **Item H16 to Item J) General Government**. The Motion 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) COUNCIL REQUESTS AND IDEAS FOR DISCUSSION

- **Councilmember Lopez-Ortega** asked everyone to check on neighbors, especially the seniors, to make sure everyone is safe during the heat wave.

- 41 • **Councilmember Barnes** asked everyone to take care of their pets and
42 neighbor pets during the heat wave.
- 43 • **Mayor Canning** asked everyone check on friends and neighbors during
44 the heat wave. He noted Napa County has cooling centers for those who
45 need help. He also thanked the community for supporting Music in the
46 Park, which started last Thursday. He stated over 700 people were in
47 attendance.

48 **F) CITY MANAGER’S REPORT**

- 49 • **City Manager Feik:** Nothing to report.

50 **G) PROCLAMATIONS/PRESENTATION/AWARDS**

- 51 1) **Public Works Director Kirn** presented the recent items the Public Works
52 Department has been involved with.

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54 **Councilmember Kraus** abstained from voting on Item Nos. 9 & 10 due to
55 the proximity of his home to the properties.

56
57 **Mayor Canning** asked Item No. 16 be pulled from the Consent Calendar
58 due to a protest received regarding the bid process and placed it on Item
59 J) General Government.

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61 **H) CONSENT CALENDAR**

- 62 2) **Approval of Minutes** of the June 6, 2017 regular City Council meeting.
- 63
64 3) **Authorization for Mayor Canning** to send a letter of support for
65 legislation providing funding for affordable housing and public
66 infrastructure projects through Bill ACA 4.
- 67
68 4) **Adoption of Resolution No. 2017-055** adopting the Statement of
69 Investment Policy for Fiscal Year 2017-2018.
- 70
71 5) **Adoption of Resolution No. 2017-056** awarding a one-year contract to
72 the Calistoga Tribune for publication of legal advertisements in an
73 amount not to exceed \$15,000 for the period ending June 30, 2018, and
74 authorizing the City Manager to execute the contract.
- 75
76 6) **Adoption of Resolution No. 2017-057** authorizing a Professional
77 Services Agreement (PSA) with CQA, Inc. in an amount not to exceed
78 \$150,000 for Building & Fire Inspection Services related to the Silver
79 Rose Resort Project and authorizing the City Manager to execute the
80 contract.
- 81

- 82 7) Adoption of Resolution No. 2017-058 regarding the maintaining of use of
83 fees charged to the Zone 3 Solid Waste Collection Franchisee, Upper
84 Valley Disposal Services for City costs.
85
- 86 8) Adoption of Resolution No. 2017-059 adopting the Fiscal Year 2017-2018
87 Appropriation Limit.
88
- 89 9) Adoption of Resolution No. 2017-060 accepting the Engineer's report for
90 the Palisades Subdivision Landscape Maintenance Assessment District,
91 declaring the intention of the City Council to levy and collect
92 assessments and setting the date for the Public Hearing on July 18,
93 2017.
94
- 95 10) Adoption of Resolution No. 2017-061 accepting the Engineer's report for
96 Silverado Place Subdivision Landscape Maintenance Assessment
97 District, declaring the intention of the City Council to levy and collect
98 assessments and setting the date for the Public Hearing on July 18,
99 2017.
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- 101 11) Approval of City Hall closure on Monday, July 3, 2017.
102
- 103 12) Adoption of Resolution No. 2017-062 approving an agreement for water
104 and wastewater allocation and connection fee payment between the City
105 of Calistoga and Dan Farris (Dan Farris Construction).
106
- 107 13) Adoption of Resolution No. 2017-063 authorizing a Consultant Services
108 Agreement with John Draper, P.E. in the amount not to exceed \$50,000
109 for consulting services for capital improvement project development
110 and project management.
111
- 112 14) Adoption of Resolution No. 2017-064 authorizing the City Manager to
113 execute a Professional Services Agreement in the amount not to exceed
114 \$30,000 with the UpValley Family Centers to provide immigration related
115 programs and support services to the Calistoga community.
116
- 117 15) Adoption of Resolution No. 2017-065 approving adjustments to the
118 City's Operating and Capital Improvement Budget for Fiscal Year 2016-
119 2017.
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121 It was **MOVED** by Councilmember Barnes and **SECONDED** by Vice
122 Mayor Dunsford to approve Item Nos. 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 14 & 15
123 of the Consent Calendar. The Motion carried by the following vote:
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126 **AYES:** **Councilmember Barnes, Vice Mayor Dunsford,**
127 **Councilmembers Kraus and Lopez-Ortega and**
128 **Mayor Canning**
129 **NOES:** **None**
130 **ABSTAIN:** **None**
131 **ABSENT:** **None**

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133 **It was MOVED by Councilmember Barnes and SECONDED by Vice**
134 **Mayor Dunsford to approve Item Nos. 9 & 10 of the Consent Calendar.**
135 **The Motion was carried by the following vote:**
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137 **AYES:** **Councilmember Barnes, Vice Mayor Dunsford,**
138 **Councilmember Lopez-Ortega and Mayor Canning**
139 **NOES:** **None**
140 **ABSTAIN:** **Councilmember Kraus**
141 **ABSENT:** **None**
142

143 **I) PUBLIC HEARING**

144 **None**
145

146 **J) GENERAL GOVERNMENT**

147 **Councilmember Lopez-Ortega recused herself from Item J-16 due to the**
148 **proximity of her business to the Berry Street Bridge and left the dais.**
149

- 150 **16) Adoption of Resolution No. 2017-066 awarding a construction contract**
151 **to Granite Construction Company in the amount not to exceed**
152 **\$3,893,954.00 for construction of the Berry Street Bridge Replacement**
153 **Project and authorizing the City Manager to execute the contract.**
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155 **City Manager Feik introduced the item and turned it over to Public Works**
156 **Director Kirn to present the item.**
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158 **Council and staff discussion ensued. It was noted on Monday, June 19, 2017,**
159 **a protest was received by the Public Works Department from Gordon N. Ball,**
160 **Inc., the other bidder for this project.**
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162 **Hal Stober, Sonoma, president of Gordon N. Ball, Inc., explained the**
163 **process his company used regarding the bid process for this project. Gordon**
164 **N. Ball, Inc. Attorney Mark Rice, San Rafael, discussed the requirements of**
165 **the bid documents. Both protested the bid process used by Granite**
166 **Construction for this project.**
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168 **Granite Construction Representative John Boies, Santa Rosa**, gave a
169 rebuttal to the statements made by Mr. Stober and Mr. Rice. He also
170 explained the bid process done by Granite Construction.
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172 Discussion ensued by Council, staff, City Attorney Rosenthal and presenters.
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174 **Mayor Canning** opened public comment.
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176 Having no one come forward, **Mayor Canning** closed public comment.
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178 Council and staff discussion ensued.
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180 **It was MOVED by Councilmember Kraus and SECONDED by**
181 **Councilmember Barnes to adopt Resolution No. 2017-066 awarding a**
182 **construction contract to Gordon N. Ball, Inc. in the amount not to**
183 **exceed \$3,940,392.00 for construction of the Berry Street Bridge**
184 **Replacement Project and authorizing the City Manager to execute the**
185 **contract. The Motion carried by the following roll call vote:**
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187 **AYES: Councilmembers Kraus and Barnes, Vice Mayor**
188 **Dunsford and Mayor Canning**

189 **NOES: None**

190 **ABSTAIN: None**

191 **ABSENT: Councilmember Lopez-Ortega**
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193 **Councilmember Lopez-Ortega returned to the dais.**
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195 **17) Adoption of Resolution No. 2017-067 in support of the Paris Agreement**
196 **to Reduce Global Greenhouse Gas Emissions.**
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198 **City Clerk Flamson** presented the item.
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200 Council and staff discussion ensued.
201

202 **Mayor Canning** opened public comment.
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204 Having no one come forward, **Mayor Canning** closed public comment.
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206 **It was MOVED by Councilmember Kraus and SECONDED by Vice Mayor**
207 **Dunsford to adopt Resolution 2017-067 in support of the Paris**
208 **Agreement to reduce global greenhouse gas emissions. The Motion**
209 **was carried by the following vote:**
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258 Council and staff discussion ensued.

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260 **Mayor Canning** opened public comment.

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

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264 **It was the consensus of the Council to accept the report as given and to**
265 **implement the option to notify neighbors within 300 feet of pending**
266 **development in advance of approval to allow them to provide input on a**
267 **proposed design (Alternative 1). A Zoning Code amendment will be**
268 **brought back to the Council at a future point.**

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270 **20) Adoption of Resolution No. 2017-069 regarding the Operating and**
271 **Capital Budgets for all funds for Fiscal Year 2017-2018.**

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273 **Administrative Services Director Leon** presented the item.

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275 Council and staff discussion ensued.

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277 **Mayor Canning** opened public comment.

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

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281 **It was MOVED by Councilmember Kraus and SECONDED by Vice Mayor**
282 **Dunsford to adopt Resolution No. 2017-069 regarding the Operating and**
283 **Capital Budgets for all funds for Fiscal Year 2017-2018. The Motion**
284 **carried by the following vote:**

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286 **AYES: Councilmember Kraus, Vice Mayor Dunsford,**
287 **Councilmembers Barnes and Lopez-Ortega and**
288 **Mayor Canning**
289 **NOES: None**
290 **ABSTAIN: None**
291 **ABSENT: None**

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293 **21) Adoption of Resolution No 2017-070 establishing a Five-Minute**
294 **Passenger Loading Zone on Cedar Street at Pioneer Park from June**
295 **through August on Thursday evenings between the hours of 5:30 P.M.**
296 **and 8 P.M. pursuant to Calistoga Municipal Code §10.36.080;**
297 **designating two (2) parking spaces in a public parking lot for a physical**
298 **therapy business.**

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300 **Public Works Director Kirn** presented the item.

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302 Council and staff discussion ensued. **Mayor Canning** noted the hours should
303 reflect 5:30 P.M. to 9 P.M., instead of 8 P.M.

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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. 2017-070** establishing a **Five-Minute Passenger Loading Zone** on Cedar Street at Pioneer Park from June through August on Thursday evenings between the hours of 5:30 P.M. and 9 P.M. pursuant to Calistoga Municipal Code §10.36.080; designating two (2) parking spaces in a public parking lot for a physical therapy business. The Motion carried by the following vote:

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

22) Adoption of Resolution No. 2017-071 approving the City of Calistoga Annex to the County of Napa Emergency Operations Plan.

Napa County OES Coordinator Kevin Twohey 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. 2017-071** approving the City of Calistoga Annex to the County of Napa Emergency Operations Plan. The Motion carried by the following vote:

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

23) Discussion of reducing water and sewer connection fees for multi-family residential uses.

City Manager Feik presented the item. **Bartle Wells Associates President Douglas Dove** and **Financial Analyst Abigail Seaman** were introduced.

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Council and staff discussion ensued.

Mayor Canning opened public comment.

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

It was the consensus of the City Council to accept the report as presented, have a Public Hearing on July 18, 2017, regarding this matter.

- 24) Discussion of Kimball Intake Tower Project including permitting and construction issues; adoption of Resolution No. 2017-072 awarding a construction contract to Maggiora & Ghilotti, Inc. and authorizing a Professional Services Agreement to Consolidated CM and AECOM in an amount not to exceed \$1,804,693 for the Kimball Intake Tower Project. This project will be funded by Measure A funding.**

Public Works Director Kirn and Deputy Public Works Director Derek Rayner 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. 2017-072 awarding a construction contract to Maggiora & Ghilotti, Inc. and authorizing a Professional Services Agreement to Consolidated CM and AECOM in an amount not to exceed \$1,804,693 for the Kimball Intake Tower Project. The Motion carried by the following vote:

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

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K) ADJOURNMENT

Mayor Canning adjourned the meeting at 8:34 P.M. to a regular meeting of the City Council held at 1307 Washington Street, on July 18, 2017, at 6:00 P.M.

Respectfully submitted:

Prepared by: Kathy Flamson, City Clerk

Approved by: Chris Canning, Mayor