

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.

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

F) CITY MANAGER'S REPORT

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

G) PROCLAMATIONS/PRESENTATION/AWARDS

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

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

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

H) CONSENT CALENDAR

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

- 7) Adoption of Resolution No. 2017-058 regarding the maintaining of use of fees charged to the Zone 3 Solid Waste Collection Franchisee, Upper Valley Disposal Services for City costs.
- 8) Adoption of Resolution No. 2017-059 adopting the Fiscal Year 2017-2018 Appropriation Limit.
- 9) Adoption of Resolution No. 2017-060 accepting the Engineer's report for the Palisades Subdivision Landscape Maintenance Assessment District, declaring the intention of the City Council to levy and collect assessments and setting the date for the Public Hearing on July 18, 2017.
- 10) Adoption of Resolution No. 2017-061 accepting the Engineer's report for Silverado Place Subdivision Landscape Maintenance Assessment District, declaring the intention of the City Council to levy and collect assessments and setting the date for the Public Hearing on July 18, 2017.
- 11) Approval of City Hall closure on Monday, July 3, 2017.
- 12) Adoption of Resolution No. 2017-062 approving an agreement for water and wastewater allocation and connection fee payment between the City of Calistoga and Dan Farris (Dan Farris Construction).
- 13) Adoption of Resolution No. 2017-063 authorizing a Consultant Services Agreement with John Draper, P.E. in the amount not to exceed \$50,000 for consulting services for capital improvement project development and project management.
- 14) Adoption of Resolution No. 2017-064 authorizing the City Manager to execute a Professional Services Agreement in the amount not to exceed \$30,000 with the UpValley Family Centers to provide immigration related programs and support services to the Calistoga community.
- 15) Adoption of Resolution No. 2017-065 approving adjustments to the City's Operating and Capital Improvement Budget for Fiscal Year 2016-2017.

It was MOVED by Councilmember Barnes and SECONDED by Vice Mayor Dunsford to approve Item Nos. 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 14 & 15 of the Consent Calendar. The Motion 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

It was **MOVED** by Councilmember Barnes and **SECONDED** by Vice Mayor Dunsford to approve Item Nos. 9 & 10 of the Consent Calendar. The Motion was carried by the following vote:

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

I) PUBLIC HEARING

None

J) GENERAL GOVERNMENT

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

- 16) Adoption of Resolution No. 2017-066 awarding a construction contract to Granite Construction Company in the amount not to exceed \$3,893,954.00 for construction of the Berry Street Bridge Replacement Project and authorizing the City Manager to execute the contract.

City Manager Feik introduced the item and turned it over to Public Works Director Kirn to present the item.

Council and staff discussion ensued. It was noted on Monday, June 19, 2017, a protest was received by the Public Works Department from Gordon N. Ball, Inc., the other bidder for this project.

Hal Stober, Sonoma, president of Gordon N. Ball, Inc., explained the process his company used regarding the bid process for this project. Gordon N. Ball, Inc. Attorney Mark Rice, San Rafael, discussed the requirements of the bid documents. Both protested the bid process used by Granite Construction for this project.

Granite Construction Representative John Boies, Santa Rosa, gave a rebuttal to the statements made by Mr. Stober and Mr. Rice. He also explained the bid process done by Granite Construction.

Discussion ensued by Council, staff, City Attorney Rosenthal and presenters.

Mayor Canning opened public comment.

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

Council and staff discussion ensued.

It was **MOVED** by Councilmember Kraus and **SECONDED** by Councilmember Barnes to adopt *Resolution No. 2017-066* awarding a construction contract to Gordon N. Ball, Inc. in the amount not to exceed \$3,940,392.00 for construction of the Berry Street Bridge Replacement Project and authorizing the City Manager to execute the contract. The Motion carried by the following roll call vote:

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

Councilmember Lopez-Ortega returned to the dais.

17) Adoption of *Resolution No. 2017-067* in support of the Paris Agreement to Reduce Global Greenhouse Gas Emissions.

City Clerk Flamson 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 Vice Mayor Dunsford to adopt *Resolution 2017-067* in support of the Paris Agreement to reduce global greenhouse gas emissions. 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

Mayor Canning recused himself from the following item due to a business conflict. Vice Mayor Dunsford took over the meeting.

- 18) Adoption of Resolution No. 2017-068 authorizing the City Manager to execute a three-year Professional Services Agreement with the Calistoga Chamber of Commerce for Marketing and Promotional Services in the amount of \$400,000 during the first year.**

City Manager Feik introduced the item. He noted the funded amount will be \$400,000 the first year, \$450,000 the second year and \$450,000 plus a C.P.I. increase the third year. **Chamber of Commerce President Stephen Patel and Chamber of Commerce Marketing Director Charlene Peters** presented the item.

Council and staff discussion ensued.

Vice Mayor Dunsford opened public comment.

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

It was MOVED by Councilmember Kraus and SECONDED by Councilmember Barnes to adopt Resolution No. 2017-068 authorizing the City Manager to execute a three-year Professional Services Agreement with the Calistoga Chamber of Commerce for Marketing and Promotional Services in the amount of \$400,000 during the first year. The Motion carried by the following vote:

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

Mayor Canning returned to the dais and took over the meeting.

- 19) Accepting a report on the Residential Design Process.**

Planning and Building Director Goldberg 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 the consensus of the Council to accept the report as given and to implement the option to notify neighbors within 300 feet of pending development in advance of approval to allow them to provide input on a proposed design (Alternative 1). A Zoning Code amendment will be brought back to the Council at a future point.

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

Administrative Services Director Leon 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 Vice Mayor Dunsford to adopt Resolution No. 2017-069 regarding the Operating and Capital Budgets for all funds for Fiscal Year 2017-2018. The Motion 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

21) Adoption of 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 8 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.

Public Works Director Kirn presented the item.

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

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.

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

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

Approved July 18, 2017