



# CITY OF CALISTOGA

## STAFF REPORT

---

**TO:** Honorable Mayor and City Council

**FROM:** Irene Camacho-Werby, City Clerk

**DATE:** July 16, 2019

**SUBJECT:** Approval of Minutes

---

**Approved by:**

A handwritten signature in blue ink that reads 'Michael Kirn'.

---

**MICHAEL KIRN, City Manager**

---

**DESCRIPTION:**

Approve the minutes of the City Council regular meeting of June 18, 2019.

**RECOMMENDATION:**

Consider approving or revising minutes.

**ATTACHMENTS:**

1. June 18, 2019, Regular Meeting Minutes

## **MINUTES**

### **CALISTOGA CITY COUNCIL REGULAR MEETING**

**Tuesday, June 18, 2019 - 6:00 P.M.**  
**Calistoga Community Center**  
1307 Washington Street, Calistoga, CA 94515

#### **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 Gary Kraus, Councilmember Irais Lopez-Ortega, Councilmember Donald Williams, and Mayor Chris Canning.

Vice Mayor Dunsford was absent.

Also, in attendance: Acting City Manager Michael Kirn, Administrative Services Director Gloria Leon, Deputy Director of Public Works Derek Rayner, Building and Planning Director Lynn Goldberg, Fire Chief Steve Campbell, Parks and Recreation Manager Rachel Melick, Police Chief Mitch Celaya, Senior Planner/Assistant to the City Manager Zach Tusinger and City Clerk Irene Camacho-Werby.

**Mayor Canning** announced that there would be no live broadcasting of this meeting due to technical difficulties. The meeting video would be available online the next morning.

#### **B) SALUTE TO THE FLAG**

**Mayor Canning** led in the Salute to the Flag.

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

**Mayor Canning** opened Oral Communication.

Dr. Frank Mueller, with the UpValley Village Colabria Care Program, thanked the Council for their consideration to award Community Enrichment Grant Funds to the UpperValley Village and introduced Dawnine Dyer.

Dawnine Dyer, with the UpValley Village Colabria Care Program, read a statement from a recipient and volunteer of the program services and spoke in support of the program.

Julie Spencer, Executive Director of Rianda House and Elizabeth Bruno, Program Manager and Volunteer Coordinator thanked the Council for their consideration to

award Community Enrichment Grant Funds to the Rianda House and spoke on upcoming activities. Additional information can be found at [www.raindahouse.org](http://www.raindahouse.org).

Following no further comments, **Mayor Canning** closed Oral Communication.

#### **D) ADOPTION OF MEETING AGENDA**

It was **MOVED** by **Councilmember Kraus** and **SECONDED** by **Councilmember Williams** to approve the Council meeting.

The motion carried by the following vote:

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

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

**Councilmember Lopez-Ortega** spoke on her attendance at the League of California Cities Community Services Policy Committee Meeting held on Friday, June 14, 2019.

**Councilmember Lopez-Ortega** announced she has completed her fellowship program with WELL (Water Education for Latino Leaders) and is working to put together a community workshop with Assembly Member Cecilia Aguiar-Curry to discuss water resources and opportunities for improvement.

**Councilmember Kraus** reported that weed abatement notices were sent out and to please comply with the notice.

**Councilmember Kraus** reminded everyone that all fireworks are illegal within the City limits.

**Mayor Canning** announced he will be representing the City of Calistoga at the U.S. Conference of Mayors beginning on June 28, 2019.

**Mayor Canning** also announced the Napa County sponsored and City of Calistoga supported, Emergency Preparedness meeting being held on Wednesday, June 27, 2019, at the Calistoga High School Multi-Purpose Room, at 6 p.m.

**Mayor Canning** reported the City's first parklet, located on Washington Street near the corner of Lincoln Avenue, has been completed and encountered theft of an umbrella over its first weekend being utilized.

## F) CITY MANAGER'S REPORT

**Acting City Manager Kirn** reported the City is currently out to bid for the installation of geothermal wastewater meters at the Calistoga Roman Spa Hot Springs Resort and staff will be bringing forward a recommendation for contract award to Council at their first meeting in August.

**Acting City Manager Kirn** announced there will be significant street disruptions on First and Second Street and Washington Street, due to the required work. The contractor will be required to limit construction hours Monday-Friday from 9 a.m. to 5 p.m.

**Acting City Manager Kirn** announced the upcoming retirement of City staff Louise Harrison, Administrative Services Technician and Jill Saunders, Administrative Assistant. Both have over 18 years of service with the City of Calistoga.

**Mayor Canning** sent regards and congratulations on their retirement.

## G) PROCLAMATIONS/PRESENTATIONS/AWARDS

1. Presentation by the Parks and Recreation Department

**Parks and Recreation Director Melick** gave a presentation on the Parks and Recreation Department and provided an overview of current and future programs.

**Parks and Recreation Director Melick** also announced the Calistoga Community Pool turns 10 years old and the City will be having a 10-year anniversary celebration on August 4, 2019 from 12-6 p.m.

2. Proclamation Proclaiming Countywide Commitment to Address Climate Change

**Mayor Canning** read a proclamation proclaiming a countywide commitment to address Climate Change.

Susan Crosby, representing Napa Climate Now, accepted the proclamation, spoke in support of the Countywide commitment towards climate change and thanked the Council for their support.

Angela Keno, President of the Interact Club at Calistoga High School and Jimena Guerrero, Secretary of the Interact Club at Calistoga High School and Rotary Exchange student, accepted the proclamation, spoke in support of the Countywide commitment towards climate change and thanked the Council for their support.

**Mayor Canning** announced the City of Calistoga was the first to develop and adopt a climate action plan in Napa County.

Paul Knoblich, representing Napa Climate Now, spoke in support of the item and appreciated the comments made by Ms. Crosby. He also recognized **Councilmember Kraus** and former Councilmember Jim Barnes for their efforts early on and thanked the Council for their support.

## H) CONSENT CALENDAR

**Councilmember Williams** requested to pull Consent Calendar Item No. 3 (*Minutes of the City Council regular meeting of June 4, 2019*).

**Councilmember Kraus** requested to pull Consent Calendar Item No. 8 (*Resolution accepting donations from Calistoga Community Pool Project for two memorial benches and the Bill Shaw Family for one memorial bench and approving a budget adjustment in the amount of \$7,463.66*).

**Mayor Canning** announced he would be pulling Consent Calendar Item No. 12 (*Resolution authorizing the City Manager to enter into a Police Shared Services Agreement with the City of St. Helena for Police Officer and Police Dispatcher services on a as needed basis*).

It was **MOVED** by **Councilmember Kraus** and **SECONDED** by **Councilmember Lopez-Ortega** to approve **Item Nos. 4, 5, 6, 7, 9, 10, 11 and 13** of the **Consent Calendar**. The Motion carried by the following vote:

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

### 3. Minutes of the City Council regular meeting of June 4, 2019.

**Councilmember Williams** requested the following amendments to the minutes:

- Spelling correction to the name of Public Comment speaker Dawnine Dyer
- Additional comments added to the minutes regarding the Complete Streets requirement, reported by **Acting City Manager Kirn** during item **F) CITY MANAGER'S REPORT**, on the Myrtledale Road and Grant Street Overlay and Pedestrian Pathway Project

- Additional comments added to the minutes regarding actual costs of the parklet construction, including the construction of sidewalk repair and improvements

With the recommended modifications, it was **MOVED** by **Councilmember Williams** and **SECONDED** by **Councilmember Kraus** to approve as amended the minutes of the City Council regular meeting of June 4, 2019.

The Motion carried by the following vote:

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

4. **Adopted Resolution No. 2019-048** adopting appropriations limit for Fiscal Year 2019-20 budget.
5. **Adopted Resolution No. 2019-049** approving the Statement of Investment Policy for Fiscal Year 2019-20.
6. **Adopted Resolution No. 2019-050** approving budget adjustments for Fiscal Year 2018-19.
7. **Adopted Resolution No. 2019-051** accepting as complete the Spring Street Utility Replacement and Pavement Rehabilitation Project – Cedar Street to End and authorizing the Public Works Director to file a Notice of Completion.
8. Resolution accepting donations from Calistoga Community Pool Project for two memorial benches and the Bill Shaw Family for one memorial bench and approving a budget adjustment in the amount of \$7,463.66.

**Councilmember Kraus** requested this item be pulled from the agenda to publicly recognize the donation from Calistoga Community Pool & Pool Project and asked Kerry Eddy to speak on the donation of the memorial benches.

Ms. Eddy, President of the Calistoga Community Pool Center & Pool Project, thanked **Councilmember Kraus** and spoke on the memory of Sylvia Scott, Carolyn Pelkan, and Bob Shaw.

Ms. Eddy also spoke on sustainability goals for the community pool and looks forward to future projects. And, once again reminded everyone about the 10-year anniversary celebration on August 4, 2019 from 12-6 p.m.

**Mayor Canning** opened the public comment period.

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

It was **MOVED** by **Councilmember Kraus** and **SECONDED** by **Councilmember Lopez-Ortega** to **Adopt Resolution No. 2019-052** accepting donations from Calistoga Community Center Pool & Pool Project for two memorial benches and the Bill Shaw Family for one memorial bench and approving a budget adjustment in the amount of \$7,463.66.

The Motion carried by the following vote:

**AYES:** Councilmembers Kraus, Lopez-Ortega and Williams,  
and Mayor Canning

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Vice Mayor Dunsford

9. **Adopted Resolution No. 2019-053** approving the design plan and approving grant application for Silverado Trail Gateway.
10. **Adopted Resolution No. 2019-054** authorizing a Professional Services Agreement (PSA) with Bureau Veritas North America, Inc. (BVNA) in an amount of not to exceed \$100,000 for building & fire inspection services related to the Silver Rose Resort Project and authorizing the City Manager to execute the contract.
11. **Adopted Resolution No. 2019-055** authorizing the City Manager to enter into a three-year professional services agreement with North Bay Animal Services for Animal Control & Shelter Services in an amount not to exceed \$48,000 per fiscal year.
12. Resolution authorizing the City Manager to enter into a Police Shared Services Agreement with the City of St. Helena for Police Officer and Police Dispatcher services on a as needed basis.

(Clerk's Note: No action was taken on this item.)

**Mayor Canning** pulled this item at the recommendation of staff to continue the item at the Council's first meeting in August, in order to allow additional time to clarify the proposed agreement's legal language.

Following Council consensus, the item was continued to the City Council meeting of August 6, 2019.

13. **Adopted Resolution No. 2019-057** authorizing a grant application for Logvy Park Playground Equipment Project.

#### I) PUBLIC HEARING

None.

#### J) GENERAL GOVERNMENT

14. Resolution appointing Michael Kirn as City Manager and approving the employment agreement between City of Calistoga and Michael Kirn.

**Mayor Canning** reported on the item and provided an oral summary of the compensation recommendations stated in the staff report, as required by Government Code 54953(C)(3).

Council and staff discussion ensued.

Council acknowledged Mr. Kirn and supported the appointment.

**Mayor Canning** opened the public comment period.

Charlotte Williams, Calistoga resident, inquired if City Manager Kirn's six-month performance evaluation will be held in closed or public session.

**Mayor Canning** responded to Ms. Williams that the performance evaluation would be held by closed session, as per the California Employment Law. As per The Brown Act, public comment will be open for anyone wishing to make comments prior to the discussion of a closed session item.

Jim Barnes, Calistoga resident and former Councilmember, spoke in support of the item and congratulated Mr. Kirn.

Following no further comments, **Mayor Canning** closed the public comment period.

It was **MOVED** by **Mayor Canning** and **SECONDED** by **Councilmember Kraus** to approve **Resolution No. 2019-058** appointing Michael Kirn as



City Manager and approving the employment agreement between City of Calistoga and Michael Kirn.

The Motion carried by the following vote:

**AYES: Councilmembers Kraus, Lopez-Ortega and Williams, and Mayor Canning**

**NOES: None**

**ABSTAIN: None**

**ABSENT: Vice Mayor Dunsford**

15. Resolution approving Operating and Capital Improvement Budget for Fiscal Year 2019-20.

**Administrative Services Director Leon** reported on the item.

**City Manager Kirn** informed the Council that staff will need to replace non-working audio and visual equipment and will return to Council for a budget adjustment once a cost has been determined.

**Administrative Services Director Leon** continued to report on the item.

Council and staff discussion ensued.

**Councilmember Williams** asked **Mayor Canning** if he was able to verify the cost for extended shuttle services with the Napa County Transportation Authority.

**Mayor Canning** reported he was able to clarify the initial quote given was at a weekly rate and has requested a revised estimate for extended shuttle service hours at a monthly rate.

**Councilmember Williams** stated he would consider allocating \$2,000 from his allocated budget to assist with the transportation costs, if feasible upon receiving a revised figure.

**Mayor Canning** opened the public comment period.

Rick Testa, Calistoga resident, inquired what the \$1.6 million in General Fund reserves were going towards and plan for financing the acquisition of property on the Napa County Fairgrounds.

**Administrative Services Director Leon** reported that \$2.7 million is set aside for Capital Improvement projects with expenditures going up 5% and revenues down about 1.5 %.

**Councilmember Kraus** inquired if the \$1 million payment to CalPERS, approved by the Council on June 4, 2019, was disbursed from the General Fund reserves.

**Administrative Services Director Leon** verified the General Fund reserves were used for the payment to CalPERS.

Council and staff discussions continued to ensue.

**Mayor Canning** addressed Mr. Testa's inquiry and reported the City is currently continuing negotiations with Napa County for acquisition of Fairgrounds property and anticipates having options for financing the negotiated price for the property acquisition. Funds have not been allocated from the FY2019-20 Budget.

**Mayor Canning** also announced that once the Fairgrounds sub-committee has an agreed upon package to present, the Council will review for formal approval.

Following no further comments, **Mayor Canning** closed the public comment period.

It was **MOVED** by **Councilmember Kraus** and **SECONDED** by **Councilmember Lopez-Ortega** to approve **Resolution No. 2019-059** approving the Operating and Capital Improvement Budget for Fiscal Year 2019-20.

The Motion carried by the following vote:

**AYES:** Councilmembers Kraus and Lopez-Ortega, and  
Mayor Canning

**NOES:** Councilmember Williams

**ABSTAIN:** None

**ABSENT:** Vice Mayor Dunsford

**Councilmember Williams** voted in opposition due to his concerns about expenditures from the General Fund being used towards certain Capital Improvement projects and not immediately recompensating water billing account customers through a water rebate proposal.

- 16.** Resolution authorizing Fiscal Year 2019-20 Community Enrichment Grant Awards.

**City Clerk Camacho-Werby** reported on the item.

Council and staff discussion ensued.

**Mayor Canning** opened the public comment period.

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

**Councilmember Williams** asked for clarification on in-kind services.

**Mayor Canning** defined in-kind services as staffing of City safety officers or City staff during local events.

It was **MOVED** by **Mayor Canning** and **SECONDED** by **Councilmember Kraus** to approve **Resolution No. 2019-060** authorizing Fiscal Year 2019-20 Community Enrichment Grant Awards.

The Motion carried by the following vote:

**AYES:** Councilmembers Kraus, Lopez-Ortega and Williams,  
and Mayor Canning

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Vice Mayor Dunsford

#### **K) ADJOURNMENT**

**Mayor Canning** adjourned the meeting at 7:32 p.m. and announced no regular meeting of the Council is scheduled for July 2, 2019. Therefore, the next regular meeting of the Calistoga City Council is scheduled for Tuesday, July 16, 2019, Calistoga Community Center, located at 1307 Washington Street, at 6:00 p.m.

#### **Respectfully Submitted**

Prepared by:

Approved by:

\_\_\_\_\_  
Irene Camacho-Werby, City Clerk

\_\_\_\_\_  
Chris Canning, Mayor

Approved: