



CITY OF CALISTOGA

STAFF REPORT

TO: Honorable Mayor and City Council
FROM: Irene Camacho-Werby, City Clerk
DATE: August 6, 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 Special Closed Session of July 9, 2019, and Regular Meeting of July 16, 2019.

RECOMMENDATION:

Consider approving or revising minutes.

ATTACHMENTS:

1. July 9, 2019, Special Closed Session Meeting Minutes
2. July 16, 2019, Regular Meeting Minutes

MINUTES

**CALISTOGA CITY COUNCIL
SPECIAL CLOSED SESSION MEETING**

Tuesday, July 9, 2019 - 4:00 P.M.
Calistoga Community Center
1307 Washington Street, Calistoga, CA 94515

A) CALL TO ORDER

Mayor Canning called the Closed Session to order at 4:05 p.m.

In attendance were the following: Councilmember Gary Kraus, Councilmember Irais Lopez-Ortega, Councilmember Donald Williams, Vice Mayor Michael Dunsford and Mayor Chris Canning.

Also present was City Manager Michael Kirn and participating via teleconference was City Attorney Laurie N. Gustafson.

B) ORAL COMMUNICATIONS:

Mayor Canning opened Oral Communications.

Having no one come forward, **Mayor Canning** closed Oral Communications.

C) ADJOURN TO CLOSED SESSION ON THE FOLLOWING MATTER:

1. **Conference with Real Property Negotiations, GC §54956.8**
Property: 1435 North Oak Street, APN 011-140-006,
APN 011-140-007, APN 011-140-055; APN 011-481-022
Agency Negotiator: Michael Kirn, City Manager
Negotiating Parties: Napa County CEO, Minh C. Tran
Under Negotiation: Price and/or Terms for Payment for Potential Purchase of Property

D) CONVENE TO OPEN SESSION TO REPORT FROM CLOSED SESSION

E) ADJOURNMENT

Mayor Canning adjourned the Closed Session at 5:06 p.m. to the next scheduled regular meeting of the Calistoga City Council, on 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:

MINUTES

CALISTOGA CITY COUNCIL REGULAR MEETING

Tuesday, July 16, 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 6:01 p.m.

In attendance were the following: Councilmember Gary Kraus, Councilmember Irais Lopez-Ortega, Councilmember Donald Williams, Vice Mayor Michael Dunsford and Mayor Chris Canning.

Also, in attendance: City Manager Michael Kirn, Administrative Services Director Gloria Leon, Parks and Recreation Director Rachel Melick, and City Clerk Irene Camacho-Werby.

B) SALUTE TO THE FLAG

Mayor Canning led in the Salute to the Flag.

C) REPORT FROM CLOSED SESSION

Mayor Canning reported that there was no reportable action from the Special Closed Session held July 9, 2019, at 4 p.m., Calistoga Community Center, 1307 Washington Street, Calistoga, CA 94515 on the following item:

Conference with Real Property Negotiations, GC \$54956.8

Property: 1435 North Oak Street, APN 011-140-006,
APN 011-140-007, APN 011-140-055; APN 011-481-
022

Agency Negotiator: Michael Kirn, City Manager

Negotiating Parties: Napa County CEO, Minh C. Tran

Under Negotiation: Price and/or Terms for Payment for Potential Purchase of Property

However, **Mayor Canning** did announce a tentative agreement was reached between Napa County and the City of Calistoga. The terms and conditions will be heard before the Council, tentatively set for their regular meeting on August 20, 2019.

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

Mayor Canning opened Oral Communication.

Doug Scranton, Calistoga resident, read a statement in opposition of the proposed installation of a combination emergency siren and cell tower on Mora Avenue and expressed several concerns including potential health risks, appearance, and a Conflict of Interest by **Mayor Canning**.

Clerk's Note: Written communication is on file in the City Clerk's office.

Mayor Canning announced the project is tentatively scheduled for discussion at the Council's regular meeting on August 6, 2019. Due to his employer's involvement in the project, **Mayor Canning** will be recusing himself from any discussions on the item.

Dennis Sutro, Calistoga resident, spoke in opposition of the proposed installation of a combination emergency siren and cell tower on Mora Avenue and expressed several concerns including potential health risks, appearance, a Conflict of Interest by **Mayor Canning**, and invasion of privacy.

Mr. Sutro also inquired when the sirens would go off and their potential to be a public nuisance.

Mayor Canning addressed the concerns raised regarding his Conflict of Interest on the proposed project and clarified he does not have direct involvement. Illumination Technologies staff for the project includes a project engineer and a project manager who are responsible for all communications with City staff.

Chris Glen, Calistoga resident, spoke in opposition of the proposed installation of a combination emergency siren and cell tower on Mora Avenue and expressed several concerns including potential health risks, appearance, a Conflict of Interest by **Mayor Canning**, and lowering the value of the surrounding homes.

Mr. Glen is in support of an emergency siren.

Olivia Glen, Calistoga resident, expressed the same concerns as her husband Chris Glen, and is in support of an emergency siren.

Sharon Suhr, Calistoga resident, spoke in opposition of the proposed installation of a combination emergency siren and cell tower on Mora Avenue and expressed interest in listening to proposals by other companies.

Ms. Suhr is in support of an emergency siren.

Ivan Miller, Calistoga resident, expressed concerns on the proposed combination siren and cell towers, as they will serve different purposes and the potential to lower the value of surrounding homes.

Mr. Miller also inquired on the cost of installation and ongoing costs.

Jackie Lang, Calistoga resident, supported the previous comments made on the proposed combination siren and cell towers, and expressed concerns about rushing to approve the project.

Rita Gutierrez, Calistoga resident, spoke in opposition of the proposed installation of a combination emergency siren and cell tower on Mora Avenue and expressed several concerns including potential health risks, appearance, a Conflict of Interest by **Mayor Canning**, and lowering the value of the surrounding homes.

Connie Johnson, Calistoga resident, supported the previous comments made on the proposed combination siren and cell towers, and asked the Council to report if the City will receive compensation for installation, if additional equipment be required, design plans, potential for installation of cameras and sound monitors.

Ms. Johnson requested additional time be taken to consider the proposed project and would like to hear from all project staff when the item is discussed.

Daniel (last name not provided), Calistoga resident, supported the previous comments made on the proposed combination siren and cell towers.

Daniel inquired if the towers can be placed outside of the City.

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

E) ADOPTION OF MEETING AGENDA

It was **MOVED** by **Vice Mayor Dunsford** and **SECONDED** by **Councilmember Kraus** to approve the Council meeting.

The motion carried by the following vote:

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

NOES: **None**

ABSTAIN: **None**

ABSENT: **None**

F) COUNCIL REQUESTS AND IDEAS FOR DISCUSSION

Councilmember Lopez-Ortega shared that she had received several letters regarding concerns about the proposed combination siren and cell towers and is aware that at any time Councilmembers could have a Conflicts of Interest. The Council is invested in the community through their own local businesses and/or local employers and the residents should be mindful of this.

Councilmember Lopez-Ortega expressed concerns regarding events being held at the Napa County Fairgrounds involving alcohol sales becoming less

family-friendly and would like the support of event organizers for additional public safety and trash clean-up after events.

Councilmember Lopez-Ortega did confirm she has also raised her concerns to **Police Chief Celaya**.

Councilmember Williams inquired which type of events were of concern.

Councilmember Lopez-Ortega stated it is events involving alcohol sales.

Councilmember Kraus requested to be informed when Building Code updates are being revised prior to their adoption.

Councilmember Kraus requested the Council consider a master staffing plan for the City, projecting out over the next 5-10 years.

Vice Mayor Dunsford requested an update regarding the streetlight poles on the Lincoln Avenue Bridge.

City Manager Kirn reported that staff is working to resolve and temporarily energize the streetlight poles.

Vice Mayor Dunsford requested an update from **Police Chief Celaya** regarding the issue of loud modified mufflers within the City limits.

Mayor Canning thanked City staff for a successful and safe parade and thanked Council for approving the Community Enrichment Grant allocation to help fund the event.

Mayor Canning announced he will be adjourning tonight's meeting in memory of Tom Pelter, Owner of Calistoga Wine Stop.

G) CITY MANAGER'S REPORT

None.

H) PROCLAMATIONS/PRESENTATIONS/AWARDS

None.

I) CONSENT CALENDAR

Councilmember Williams requested to pull **Item No. 3** (*Resolution authorizing the City Manager to execute a purchase order with Ross Recreation Equipment for the purchase and installation of a pool shade structure*)

and

Item No. 5 (*Resolution establishing a Human Resources/Finance Specialist position within the Administrative Services Department and City Manager Department and a salary schedule*).

It was **MOVED** by **Vice Mayor Dunsford** and **SECONDED** by **Councilmember Lopez-Ortega** to approve **Item Nos. 1,2,4 and 6** of the **Consent Calendar**.

The Motion carried by the following vote:

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

NOES: **None**

ABSTAIN: **None**

ABSENT: **None**

1. **Approved the Minutes** of the City Council regular meeting of June 18, 2019.
2. **Adopted Resolution No. 2019-061** confirming the Mayor's appointment of voting delegates for the League of California Cities Annual Business Meeting of the General Assembly scheduled for October 16-18, 2019.
3. Resolution authorizing the City Manager to execute a purchase order with Ross Recreation Equipment for the purchase and installation of a pool shade structure.

Clerk's Note: This item was pulled from the consent calendar by **Councilmember Williams**.

Councilmember Williams stated he has no objection to the shade structure going up at the community pool but could not support funding projects out of the discretionary General Fund until rebates to utility customers has been addressed.

Mayor Canning opened the public comment period.

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

City Manager Kirn reported that funds being used to purchase and install the pool shade structure is from bond proceeds from 2007 that were issued specifically to construct the pool and other capital projects and can only be used for capital improvement projects.

Councilmember Williams thanked **City Manager Kirn** for the clarification and is in support of the item if the funds are restricted as reported.

It was **MOVED** by **Vice Mayor Dunsford** and **SECONDED** by **Councilmember Kraus** to **Adopt Resolution No. 2019-062** authorizing the City Manager to execute a purchase order with Ross Recreation Equipment for the purchase and installation of a pool shade structure.

The Motion carried by the following vote:

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

NOES: **None**

ABSTAIN: **None**

ABSENT: **None**

4. **Adopted Resolution No. 2019-063** authorizing the execution of a Facilities Use Agreement with the UpValley Family Centers (UVFC) for use of the Calistoga Community Center for Fiscal Year 2019-20.
5. Resolution establishing a Human Resources/Finance Specialist position within the Administrative Services Department and City Manager Department and a salary schedule.

Clerk's Note: This item was pulled from the consent calendar by **Councilmember Williams**.

Councilmember Williams pulled the item to inquire if the offered wage Step 29 could be offered at a lower step to test the market for viable candidates.

City Manager Kirn reported that the new position calls for higher skills and advanced responsibilities than the former position to provide the Administrative Services Director a higher level of support, functioning primarily in the Human Resources and Finance division.

Councilmember Williams inquired if the City could reclassify the position as a wage Step 20.

Administrative Services Director Leon explained that the current position did not have any accounting duties. The new position would have accounting duties and the wage is comparable to an Accountant I. In addition, the position is also required to perform human resources functions.

Council and staff discussion ensued.

Mayor Canning opened the public comment period.

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

It was **MOVED** by **Vice Mayor Dunsford** and **SECONDED** by **Councilmember Kraus** to **Adopt Resolution No. 2019-064** establishing a Human Resources/Finance Specialist position within the Administrative Services Department and City Manager Department and a salary schedule.

The Motion carried by the following vote:

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

NOES: **Councilmember Williams**

ABSTAIN: **None**

ABSENT: **None**

6. **Adopted Resolution No. 2019-065** accepting as complete the Fire Station Parking Lot Trash Enclosure Improvement Project constructed by Paul Coates Construction, approving a budget adjustment in the amount of \$66,850 and authorizing the City Manager to File the Notice of Completion.

J) PUBLIC HEARING

7. Resolution authorizing the levying and collection of assessments for the Palisades Subdivision Landscape Maintenance District for Fiscal Year 2019-20.

Mayor Canning read the public hearing item to be heard.

Councilmember Kraus recused himself from discussion as a result of the item's proximity to his residence.

Councilmember Lopez-Ortega recused herself from discussion as a result of the item's proximity to her residence.

City Manager Kirn reported on the item.

Mayor Canning opened the public hearing comment period.

Ryan Gourd, Calistoga resident, raised concerns regarding the landscape maintenance agreement, poor drainage, potential fire hazards, impacts to privacy and identified sections of the agreement that are no longer in existence.

Mr. Gourd would be in support of the increase if the items of concern were addressed and maintained.

City Manager Kirn stated that he will speak with City Maintenance staff to improve the maintenance in the area and look into who was responsible for removing shrubbery and other parts of the landscape.

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

Mayor Canning stated he is not comfortable moving forward with approving the item until the issues of concern could be addressed.

City Manager Kirn conveyed that the City is under deadline by the Napa County Tax Collector for submittal this month.

Mayor Canning asked Mr. Gourd if he would support the Council action to approve the item with the understanding staff will return with corrections for improved maintenance of the area.

Mr. Gourd was in support.

With the agreed understanding it was **MOVED** by **Vice Mayor Dunsford** and **SECONDED** by **Councilmember Williams** to **Adopt Resolution No. 2019-066** authorizing the levying and collection of assessments for the Palisades Subdivision Landscape Maintenance District for Fiscal Year 2019-20.

The Motion carried by the following vote:

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

8. Resolution authorizing the levying and collection of assessments for the Silverado Place Subdivision Landscape Maintenance District for Fiscal Year 2019-20.

Councilmember Kraus recused himself from discussion as a result of the item's proximity to his residence.

Councilmember Lopez-Ortega recused herself from discussion as a result of the item's proximity to her residence.

City Manager Kirn reported on the public hearing item to be heard.

Mayor Canning opened the public hearing comment period.

A member of the audience requested the address of the item being discussed.

City Manager Kirn read the address from the staff report.

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

Mayor Canning inquired if the City will have a similar issue to the Palisades Subdivision Landscape Maintenance District regarding maintenance.

City Manager Kirn reported that City staff is fully responsible for the maintenance of the Silverado Place Subdivision Landscape Maintenance District and does not anticipate any issues.

It was **MOVED** by **Vice Mayor Dunsford** and **SECONDED** by **Councilmember Williams** to **Adopt Resolution No. 2019-067** authorizing the levying and collection of assessments for the Silverado Place Subdivision Landscape Maintenance District for Fiscal Year 2019-20.

The Motion carried by the following vote:

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

K) GENERAL GOVERNMENT

None.

L) ADJOURNMENT

Mayor Canning adjourned the meeting at 7:16 p.m., in memory of Tom Pelter, to the Calistoga Public Facilities Corporation Meeting following the July 16, 2019, regular meeting of the City Council, Calistoga Community Center, located at 1307 Washington Street.

The next regular meeting of the Calistoga City Council is scheduled for Tuesday, August 6, 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: