



CITY OF CALISTOGA

STAFF REPORT

TO: Honorable Mayor and City Council
FROM: Irene Camacho-Werby, City Clerk
DATE: September 3, 2019
SUBJECT: Approval of Minutes

Approved by

A handwritten signature in blue ink that reads 'Michael Kirn'. The signature is written in a cursive style.

Michael Kirn, City Manager

DESCRIPTION:

Approve the minutes of the City Council regular meeting of August 20, 2019.

RECOMMENDATION:

Consider approving or revising minutes.

ATTACHMENTS:

1. August 20, 2019, Regular Meeting Minutes

MINUTES

CALISTOGA CITY COUNCIL REGULAR MEETING

Tuesday, August 20, 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, Acting Public Works Director Derek Rayner, Administrative Services Director Gloria Leon, Fire Chief Steve Campbell, Police Chief Mitch Celaya, and City Clerk Irene Camacho-Werby.

B) SALUTE TO THE FLAG

Mayor Canning led in the Salute to the Flag.

Mayor Canning announced the recent passing of former Mayor Jack Gingles and the flags on City-owned properties were flown at half-staff to pay special homage.

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

Mayor Canning opened Oral Communication.

Martha McCoy, Calistoga resident, expressed concerns regarding proposed combination emergency siren and cell towers in the City and the public process for discussing items.

B.J. Hopgood, Calistoga resident, read her expressed concerns regarding numerous personal portable generators being purchased by residents in preparation of the Public Safety Power Shutoffs.

Clerk's note: Ms. Hopgood provided written correspondence, which is on file in the City Clerk's Office.

Councilmember Kraus was pleased Ms. Hopgood brought up her shared concerns and understands that Rancho de Calistoga in particular may be without power during the Pacific Gas and Electric (PG&E) Public Safety Power Shutoffs (PSPS), and that PG&E staff would be speaking with the park management regarding potential vendors to assist during the PSPS events.

Ingrid Estrada, Calistoga resident, spoke on telecommunications and requested the Council agendaize the item to consider a new or renewed telecommunication ordinance in the City.

Clerk's Note: Ms. Estrada provided written correspondence, which is on file in the City Clerk's Office.

Lana Richardson, Calistoga resident, expressed concerns regarding numerous personal portable generators being purchased by residents in preparation of the Public Safety Power Shutoffs.

Clerk's Note: Ms. Richardson provided written correspondence, which is on file in the City Clerk's Office.

Ivan Miller, Calistoga resident, spoke on the emergency siren proposal discussed by the Council following the 2017 Tubbs Fire and expressed his disappointment for the project not being completed.

Mr. Miller asked the Council to make this a high priority and immediately revisit the original project and asked the members of the audience who were in support, to please stand.

It was noted that a large majority of audience members stood upon hearing Mr. Miller's request.

Clerk's Note: Mr. Miller provided written correspondence, which is on file in the City Clerk's Office.

Yvonne Henry, Calistoga resident, thanked the Council for serving the community and submitted written correspondence (on file in the City Clerk's Office).

Dennis McNay, Calistoga resident, requested clarification on the action of Consent Calendar Item No. 7 (*Resolution declaring intention to reimburse expenditures relating to acquisition of a portion of the Napa County Fairgrounds from the anticipated issuance of long-term tax-exempt obligations and ratifying approval of a Professional Service Letter Agreement with Urban Futures Inc. and authorize agreements with Brandis Tallman LLC and Jones Hall for Bond Issuance Services*).

Mayor Canning informed Mr. McNay the item was being pulled from the Consent Calendar for discussion.

Mr. McNay also commented on the proper use of personal generators.

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

D) ADOPTION OF MEETING AGENDA

Mayor Canning requested to pull Consent Calendar Item No. 7 (*Resolution declaring intention to reimburse expenditures relating to acquisition of a portion of the Napa County Fairgrounds from the anticipated issuance of long-term tax-exempt obligations and ratifying approval of a Professional Service Letter Agreement with Urban Futures*

Inc. and authorize agreements with Brandis Tallman LLC and Jones Hall for Bond Issuance Services) for discussion.

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,
Vice Mayor Dunsford and Mayor Canning**

NOES: **None**

ABSTAIN: **None**

ABSENT: **None**

E) COUNCIL REQUESTS AND IDEAS FOR DISCUSSION

Councilmember Lopez-Ortega offered her condolences to the family of former Mayor Jack Gingles and remembered him as one of the first individuals she met when moving to Calistoga. Former Mayor Gingles was always very welcoming and very supportive of the Latino Community.

Councilmember Lopez-Ortega also reported on concerns regarding the elderly community who often feel isolated. She stated there are many programs available in the City, including those put on by the Rianda House. Additional information can be obtained at the Rianda House website: <https://www.riandahouse.org/> or **Councilmember Lopez-Ortega** can help individuals sign-up for the Rianda House mailing list.

Councilmember Kraus reported meeting with concerned citizens regarding the proposed combination emergency siren and cell towers in the City, and that most were in favor of an emergency siren system, not a cell tower.

Councilmember Kraus stated the Council previously provided direction for the City to begin the process of testing and installation of sirens, and requested staff take immediate action to complete this project. He also understands that staff may need to obtain an updated competitive price quote without the cost of the attached cell towers.

Vice Mayor Dunsford inquired if it was possible to rent sirens for this year's fire season, to allow for additional time to make the best decision for the City.

Mayor Canning acknowledged that the use of personal generators is a topic of concern due to the potential to become an unintended fire hazard and will hold a future community forum to discussion areas of the City that may be without power during the Public Safety Power Shutoffs.

Councilmember Kraus also advised on proper use of personal generators.

Mayor Canning reported on his attendance at the Upper Valley Agency Waste Management meeting held on August 19, 2019, including hearing a presentation from CalRecycle and new requirements being proposed for 2020.

Mayor Canning commented that the City is the first to participate in the Public Safety Power Shutoffs and has cautioned other communities of the effects of these events.

Mayor Canning supported a future Council discussion to expedite an emergency siren system and announced he will not be present at the City Council's regular meeting on Tuesday, September 3, 2019.

Councilmember Williams supported the comments made by **Councilmember Kraus** to expedite discussion on an emergency siren only system and understands that Illumination Technologies may have an updated proposal in September.

F) CITY MANAGER'S REPORT

City Manager Kirn reported that in the early afternoon a four-acre fire broke out on Sharp Road, Sonoma County. Both CalFire and Calistoga Fire Department were putting forth their best efforts to keep it contained and extinguished.

City Manager Kirn also reported that the four lights on the Lincoln Avenue Bridge are now energized and in use.

Councilmember Kraus inquired if the curb was painted red for the bus stop on the Lincoln Avenue Bridge.

City Manager Kirn reported staff has been in communication with the Napa Valley Transportation Authority and they will advise the City when public vehicles are impeding their ability to serve their customers.

Mayor Canning provided comments on the original plan CalTrans had regarding parking on the Lincoln Avenue Bridge.

Member of the Audience, name not provided, asked the Mayor if she could make a brief comment on the topic of the Lincoln Avenue Bridge.

Mayor Canning allowed a brief comment and advised the speaker that the Council could not respond nor take action on the item.

Member of the Audience provided comments on her experience riding the bus and has been witness to people with walkers or wheelchairs having to go onto the street when a bus cannot properly pull up to its stop.

G) PROCLAMATIONS/PRESENTATIONS/AWARDS

1. Recognition of Jason Tamagni as newly promoted Fire Captain.
Fire Captain Tamagni was not able to be present.

H) CONSENT CALENDAR

It was **MOVED** by **Vice Mayor Dunsford** and **SECONDED** by **Councilmember Kraus** to approve **Item Nos. 2,3,4,5,6, and 8** 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

2. **Approved the Minutes** of the City Council regular meeting of August 6, 2019.
3. **Adopted Ordinance No. 742** amending the Calistoga Municipal Code Title 17, Zoning, to Modify Lot Coverage and Accessory Structure Regulations, and to reformat certain chapters to improve their usability (ZOA 2019-1).
4. **Adopted Resolution No. 2019-072** terminating the agreement between ICMA Retirement Corporation Plan # 109453 (401A) and the City of Calistoga.
5. **Adopted Resolution No. 2019-073** to enter into a professional services agreement with Marin IT for Information Technology Services in an amount not to exceed \$84,120 for Fiscal Year 2019-20.
6. **Adopted Resolution No. 2019-074** 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 an as needed basis.
7. Resolution declaring intention to reimburse expenditures relating to acquisition of a portion of the Napa County Fairgrounds from the anticipated issuance of long-term tax-exempt obligations and ratifying approval of a Professional Service Letter Agreement with Urban Futures Inc. and authorize agreements with Brandis Tallman LLC and Jones Hall for Bond Issuance Services.

Clerk's Note: This item was pulled from the Consent Calendar for discussion after General Government Item No. 9 (*Consideration of a resolution approving and authorizing the purchase and sale agreement, escrow instructions and declaration of covenants, restrictions and reciprocal easements with the County of Napa for the Purchase of a Portion of the Napa County Fair Grounds (APNS 11-140-055, 011-140-006, 011-140-007 and 011-481-022); approving a budget adjustment to the Fiscal Year 2019-2020 Operating Budget creating a new CIP Project "Fair Grounds"; Transferring \$200,000 from the City Administration Impact Fee Account (Fund 48) to the Fair Grounds CIP Project; and finding the project exempt from CEQA*).

8. **Adopted Resolution No. 2019-076** Approving Filing an Interpleader Action in the Napa County Superior Court Regarding \$244,112.89 In Disputed Spring Street Utility Replacement Project Contract Funds and Delivering the Funds to the Clerk of That Court and Authorizing the City Manager to Take All Required Actions in Connection with the Action.

I) PUBLIC HEARING

None.

J) GENERAL GOVERNMENT

9. Consideration of a resolution approving and authorizing the purchase and sale agreement, escrow instructions and declaration of covenants, restrictions and reciprocal easements with the County of Napa for the Purchase of a Portion of

the Napa County Fair Grounds (APNS 11-140-055, 011-140-006, 011-140-007 and 011-481-022); approving a budget adjustment to the Fiscal Year 2019-2020 Operating Budget creating a new CIP Project "Fair Grounds"; Transferring \$200,000 from the City Administration Impact Fee Account (Fund 48) to the Fair Grounds CIP Project; and finding the project exempt from CEQA.

Mayor Canning read the item.

City Manager Kirn reported on the item and stated the action before the Council was strictly to authorize the real estate transaction of the parcels listed. Discussions regarding future use of the Napa County Fairgrounds will be conducted at a future meeting.

City Manager Kirn complemented **Mayor Canning** for his strategic negotiations in moving this project forward.

Mayor Canning acknowledged this has been a long process and the Council continued to be bold in its negotiations to make this happen.

Mayor Canning also thanked County staff for their part during this process.

Councilmember Williams spoke on the possibility of finding hazardous waste on the property and asked if staff is confident that due diligence will uncover any significant findings, and if the City has assurance if significant findings are made there would be no obstacle in the way of moving forward.

City Manager Kirn responded to **Councilmember Williams** and confirmed that the City is self-insured through the Public Agency Risk Sharing Authority of California (PARSAC), which also provide options to buy environmental protection policies. Staff has requested through PARSAC a list of agencies they work with to conduct property assessments.

Councilmember Williams inquired if the property assessment and investigation entailed checking the grounds as well as containers for possible hazardous materials.

City Manager Kirn stated he was not aware of any waste containers on the property but can have random soil samples pulled for evaluation if there is a concern.

Mayor Canning did announce that should the County wish to dispose of more land including the golf course, the City is highly interested in its discussion.

Mayor Canning reminded the public that this is a real estate transaction discussion item only and discussion regarding future use will be conducted at a future meeting.

Mayor Canning opened public comment.

Dana Colt, Calistoga resident, spoke in support of the item and thanked the Council and former Councilmember Jim Barnes.

Mr. Colt also requested an update to the title of the R.V Park referenced in the second whereas of the resolution as "the St. Helena R.V. Park." to "the Calistoga R.V. Park."

A member of the audience, name not provided, asked for a round of applause for the many years of hard work on this project.

Jim Barnes, Calistoga resident, thanked the Mayor for his kind comments and concurred it was a monumental task to get it where it is today.

Mr. Barnes also encouraged everyone to think about this purchase and how this will look twenty years in the future, to become as successful as other long-term projects have.

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

Councilmember Kraus pledged to make good effort towards future improvements and reminded everyone this will be require a lot of patience.

Mayor Canning agreed with the comments made by **Councilmember Kraus** that this project will require a lot of patience, continuing to work together and will take time to complete.

With the requested revision to the resolution, it was **MOVED** by **Councilmember Kraus** and **SECONDED** by **Vice Mayor Dunsford Adopting Resolution No. 2019-077** authorizing the purchase and sale agreement, escrow instructions and declaration of covenants, restrictions and reciprocal easements with the County of Napa for the Purchase of a Portion of the Napa County Fair Grounds (APNS 11-140-055, 011-140-006, 011-140-007 and 011-481-022); approving a budget adjustment to the Fiscal Year 2019-2020 Operating Budget creating a new CIP Project "Fair Grounds"; Transferring \$200,000 from the City Administration Impact Fee Account (Fund 48) to the Fair Grounds CIP Project; and finding the project exempt from CEQA.

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

7. Resolution declaring intention to reimburse expenditures relating to acquisition of a portion of the Napa County Fairgrounds from the anticipated issuance of long-term tax-exempt obligations and ratifying approval of a Professional Service Letter Agreement with Urban Futures Inc. and authorize agreements with Brandis Tallman LLC and Jones Hall for Bond Issuance Services.

City Clerk's Note: This item was pulled from the Consent Calendar.

City Manager Kirn introduced the item and invited Wing-See Fox, Managing Director with Urban Futures Inc. to report on the item.

Ms. Fox with Urban Futures Inc. introduced herself.

Rick Brandis with Brandis Tallman LLC. introduced himself.

David Fama with Jones Hall introduced himself along with his colleague James Rosen. Mr. Fama explained the purpose of the action for the resolution presented tonight, as it relates to tax-exempt purposes.

Ms. Fox reported on the item and provided her background and work with other cities.

Mr. Brandis provided his background and work with other cities, including working previously with City of Calistoga.

Mr. Fama provided his background and work with other cities, including working previously with City of Calistoga.

Mayor Canning opened the public comment period.

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

Councilmember Williams asked if steps could be outlined to describe the process as it relates to issuing the bond.

Ms. Fox explained the process for issuing the bond.

Councilmember Kraus inquired about the possible range of interest rates available for this project and ability to obtain additional funding.

Mr. Brandis provided a possible range of interest rates and the process for obtaining additional funds, if needed.

Ms. Fox also provided information on securing additional funding.

Councilmember Williams inquired how the securing of different properties works on various parcels.

Mr. Fama described how the securing of properties is applied and effort to obtain as much tax-exempt financing as possible.

Councilmember Williams inquired what happens if the City may not own properties with the highest appeal to secure funding.

Ms. Fox explained the lease structure for securing properties for funding.

Councilmember Williams inquired on what the process would be should the City default.

Ms. Fox explained the process for defaulting.

Mr. Brandis reported that all City Halls and Fire Stations in California are financed with this lease structure.

Mayor Canning commented on the use of Temporary Occupancy Tax earnings and allowed use of funds.

Ms. Fox provided an overview of the allowed uses of revenues from the General Fund.

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 Williams** to **Adopt Resolution No. 2019-075** declaring intention to reimburse expenditures relating to acquisition of a portion of the Napa County Fairgrounds from the anticipated issuance of long-term tax-exempt obligations and ratifying approval of a Professional Service Letter Agreement with Urban Futures Inc. and authorize agreements with Brandis Tallman LLC and Jones Hall for Bond Issuance Services.

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

Mayor Canning recommended the community write or email their appreciation to the Napa County Board of Supervisors for passing this item.

K) ADJOURNMENT

Mayor Canning adjourned the meeting at 7:30 p.m., in memory of former Mayor Jack Gingles to the next regular meeting of the Calistoga City Council is scheduled for Tuesday, September 3, 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: