

MINUTES

CALISTOGA CITY COUNCIL REGULAR MEETING

Tuesday, July 7, 2020 - 6:00 PM
Virtual Meeting

A. CALL TO ORDER – ROLL CALL – SALUTE TO THE FLAG

Mayor Canning called the regular meeting to order at 6:00 p.m.

Present: Councilmembers Gary Kraus, Irais Lopez-Ortega, and Donald Williams; Vice Mayor Michael Dunsford (arrived at 6:05 p.m.) and Mayor Chris Canning

Absent: None

B. ADOPTION OF MEETING AGENDA

It was **MOVED** by Councilmember Kraus and **SECONDED** by Councilmember Williams to adopt the meeting agenda.

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

C. CITY MANAGER'S REPORT

City Manager Michael Kirn provided updates on the COVID-19 response and announced the opening of the nomination period for the November 3, 2020 General Municipal Election.

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

City Clerk Kendall Rose read into the record a comment submitted by Donna Higgins.

E. PROCLAMATIONS/PRESENTATIONS/AWARDS

F. CONSENT CALENDAR

G. PUBLIC HEARING

1. Consideration of an appeal received from Patricia Merchant of the Planning Commission's denial of Administrative Design Review application ADR 2020-2 for an application to repaint the historically significant building, the Calistoga Depot, located at 1458 Lincoln Avenue (APN 011-211-012)

Recommended Action: Adopt resolution granting the appeal and overturning the Planning Commission's denial of ADR 2020-2

Director of Planning and Building Zach Tusinger presented the staff report.

In response to a question from Vice Mayor Dunsford, Director Tusinger stated the applicant provided evidence that the building was originally a shade of white before being painted in the Southern Pacific colors. Stacey De Shazo, Architectural Historian from Evans & De Shazo, Inc. Archaeology & Historic Preservation, provided further explanation of evidence the building was at one time a light shade of cream or grey.

Mayor Canning opened the public comment period.

City Clerk Kendall Rose read into the record a public comment submitted by Molly McGowan and Robert Marvan, supporting the application to repaint the Calistoga Depot.

City Clerk Rose read into the record a public comment submitted by Sophie Gullung, supporting the application to repaint the Calistoga Depot.

Patricia Merchant, applicant, thanked the Council for considering the appeal and acknowledged the staff report accurately covered all aspects of the application.

Mayor Canning closed the public comment period.

Councilmember Kraus asked for staff to clarify the recommendation to overturn the Planning Commission's denial, inquiring as to whether new information had come to light since the Planning Commission's review of the application.

Director Tusinger stated no new information had been presented, and clarified that staff recommended the Planning Commission approve the application.

Councilmember Lopez-Ortega spoke in favor of the application, noting the community benefit of restoring the historic building, but asked if there was a way to incorporate the historic colonial yellow color.

Director Tusinger noted the applicant mentioned during the Planning Commission meeting the possibility of using the colonial yellow color on the front door.

Ms. Merchant acknowledged her previous statement and said she is open to the idea of using the colonial yellow color on the front or side doors of the building if it works with the overall design.

Vice Mayor Dunsford and Councilmember Williams both spoke in favor of the proposal to repaint the Depot, acknowledging the community benefit of the restoration of the building, and commenting on the sensitivity of government overreach.

Mayor Canning spoke in favor of the proposal to repaint the Depot, stating the historical registry does not require the applicant maintain the current color and acknowledging the evidence presented that the building at one time was a light color.

It was MOVED by Councilmember Williams and SECONDED by Vice Mayor Dunsford to approve the Resolution 2020-058 granting appeal AP 2020-1 overturning the Planning Commission denial and approving administrative design review referral (ADR 2020-2) for the Calistoga Depot at 1458 Lincoln Avenue.

The motion carried by the following vote:

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

H. GENERAL GOVERNMENT

2. Consideration of a resolution awarding Calistoga Community Enrichment Grants for Fiscal Year 2020-21

Recommended Action: Adopt resolution

City Clerk Kendall Rose presented the staff report.

Councilmembers Kraus and Lopez-Ortega acknowledged the challenges presented by COVID-19, the value of the programs and applications received, and the difficulty of the subcommittee decisions.

Councilmember Williams questioned the value of the proposed fee waiver for the Brannan Center, the 501(c)(3) status of the organization, and the perception the Council is approving the project before it has been properly noticed and considered at a public meeting. He suggested consideration of a fee waiver be deferred until after Planning Commission consideration of the application.

Mayor Canning asked and confirmed with City Manager Kirn that the recommended fee waiver amount of \$16,000 included plan check and inspection fees.

Councilmember Kraus stated the application requested \$10,000 and suggested reducing the recommended award amount to the requested amount of \$10,000. He further acknowledged that the fees would be deferred if the project got to the building permit issuance stage; if the project were not approved, there would be no fees to defer.

City Manager Kirn stated the applicant had applied for the 501(c)(3) status, that it was delayed due to the COVID-19 pandemic.

Councilmember Lopez-Ortega and Vice Mayor Dunsford spoke in favor of the fee waiver, noting the community benefit of the proposed project.

Mayor Canning opened the public comment period. Receiving no public comment, **Mayor Canning closed the public comment period.**

It was MOVED by Mayor Canning and SECONDED by Councilmember to approve the Resolution 2020-059 awarding Community Enrichment Grants for Fiscal Year 2020-21 as recommended by the evaluation subcommittee, with a caveat that the Brannan Center waiver of permit fees not exceed \$10,000 and to be contingent on development and building permit approvals and attainment of 501(c)(3) status.

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

3. Consideration of an ordinance adding Chapter 20 (Electronic Filing) to Title 2 (Council, Administration and Personnel) of the Calistoga Municipal Code requiring electronic filing of Fair Political Practice Campaign (FPPC) Campaign Statements and Statements of Economic Interest
Recommended Action: Introduce ordinance

City Clerk Kendall Rose presented the staff report.

Mayor Canning opened the public comment period. Receiving no public comment, **Mayor Canning closed the public comment period.**

It was MOVED by Councilmember Kraus and SECONDED by Councilmember Lopez-Ortega to waive the first reading and introduce Ordinance No. 746 adding Chapter 20 "Electronic Filing" to Title 2 "Council, Administration and Personnel" of the Calistoga Municipal Code requiring electronic filing of Campaign Statements and Statements of Economic Interest.

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. Discussion of the County's lease offer for the Napa Fairgrounds in Calistoga
Recommended Action: Provide direction to staff

City Manager Mike Kirn presented the staff report.

Councilmember Williams and Mayor Canning reassured the public that the subcommittee was considering all public comments received when discussing options with the County and stated the meetings between the City and County representatives were productive and all parties were acting in good faith.

Mayor Canning opened the public comment period. Receiving no public comment, **Mayor Canning closed the public comment period.**

Council unanimously directed staff to support the subcommittee's continued discussion with the County.

I. COUNCIL REQUESTS AND IDEAS FOR FUTURE DISCUSSION

Councilmember Lopez-Ortega requested staff handle the increase in refuse accumulating near the donation drop box at the gas station. Director of Public Works Derek Rayner stated staff was aware of the situation and was working with the property owner.

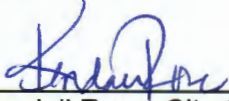
Councilmember Williams asked staff to report out at the next meeting any actions taken or plans made to prepare for emergency or disaster situations such as wildfire or PSPS events.

J. ADJOURNMENT

Mayor Canning adjourned the meeting, at 7:23 p.m.


Respectfully Submitted

Prepared by:



Kendall Rose, City Clerk

Approved by:



Chris Canning, Mayor

Approved: 8/18/2020