

MINUTES

CALISTOGA CITY COUNCIL REGULAR MEETING

**Tuesday, June 7, 2022 - 6:00 P.M.
Virtual Meeting**

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

Mayor Canning called the regular session to order at 6:02 p.m.

Present: Councilmembers Lisa Gift, Gary Kraus, and Donald Williams; Vice Mayor Irais Lopez-Ortega, and Mayor Chris Canning

Absent: None

2. REPORT FROM CLOSED SESSION

Mayor Canning reported a Closed Session was held regarding the Fairgrounds property and there was no reportable action.

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

Oral communication was received. For oral communication and public comment content, for any item on the agenda, view the video of the meeting available on the City's YouTube channel at <https://www.youtube.com/user/CityofCalistoga> or visit the City's

Website at:

<https://www.ci.calistoga.ca.us/Home/Components/Calendar/Event/4748/702?curm=6&cury=2022>

4. ADOPTION OF MEETING AGENDA

Motion by Councilmember Williams and seconded by Councilmember Kraus and passed by the following roll call vote to adopt the meeting agenda as presented.

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

NOES: None

ABSTAIN: None

ABSENT: None

5. CITY MANAGER'S REPORT

City Manager Laura Snideman provided updates on public projects and events happening in Calistoga.

6. PROCLAMATIONS/PRESENTATIONS/AWARDS

6.1 Mayor Canning presented a Proclamation proclaiming June as LGBTQ+ Pride Month.

7. CONSENT CALENDAR

Councilmember Kraus announced the he will be abstaining from voting on Items 7.2 (Resolution accepting the Engineer's Report for the 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.) due to a proximity issue and Item 7.3 (Resolution 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) due to a proximity issue.

Items 7.6 and 7.7 were pulled for separate discussion/action. Public comment was not received. Motion by Vice Mayor Lopez-Ortega, second by Councilmember Kraus with the abstention of Councilmember Kraus on Items 7.2 and 7.3 and passed by the following roll call vote, Council approved the remaining Consent Calendar items:

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

7.1 Adoption of Senate Bill 1 (SB1) Project List FY22/23.

Recommended Action: Consider Adopting the Resolution and Authorizing Staff to Submit the Same to the California Transportation Commission (CTC).

7.2 Consider adopting Resolution accepting the Engineer's Report for the 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.

Recommended Action: Consider Adopting Resolution.

Councilmember Kraus abstained from voting on this item due to a proximity issue.

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

7.3 Consideration of a Resolution 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.

Recommended Action: Consider Adopting Resolution.

Councilmember Kraus abstained from voting on this item due to a proximity issue.

AYES: Councilmembers Williams and Gift, Vice Mayor Lopez-Ortega and Mayor Canning

NOES: None

ABSTAIN: Councilmember Kraus

ABSENT: None

7.4 Consideration of a Resolution authorizing the City Manager to renew a Consultant Services Agreement (CSA) for a term of ten (10) years with the North Bay Animal Services (NBAS) for Animal Control and Shelter services in an amount not to exceed \$24,000 annually. The renewed Agreement to be effective July 1, 2022, through June 30, 2032.

Recommended Action: Adopt Resolution.

7.5 California State Assembly Bill (AB) 481 requires the governing body of a city to approve the police department's "Military Equipment" Policy on the guidelines and procedures relating to the approval, funding, possession, use, and reporting of military equipment defined in Government Code section 7070 even in communities such as Calistoga that have no Military Equipment. Approval of defined military equipment shall be by ordinance by the city council.

Recommended Action: Consider adopting Ordinance 756 approving the adoption of CPD's "Military Equipment" Lexipol Policy 707 and the addition of City of Calistoga Municipal Code section 2.14.070 requiring CPD's conformance with AB481.

~~7.6 Item Pulled from Consent by Councilmember Williams – Consider affirming Resolution 2021-071 findings related to the state of emergency due to COVID-19 authorizing the City Manager to continue implementing teleconference accessibility to conduct public meetings pursuant to Assembly Bill 361.~~

~~**Recommended Action:** Staff recommends the City Council affirm Resolution 2021-071 findings in accordance with the provisions and findings of AB 361 to continue virtual/teleconference meetings of the City Council and City Boards, Commissions, and Committees after September 30, 2021.~~

~~7.7 Item Pulled from Consent by Councilmember Williams – Consider adopting a Resolution establishing an Assistant City Manager position within the City Manager Department and a salary schedule~~

~~**Recommended Action:** Adopt the Resolution~~

7.8 Consider displaying the Rainbow Flag for the month of June.

Recommended Action: Approve the request to display the non-governmental flag on the City's ceremonial flagpole.

MAYOR CANNING DIRECTED PULLED CONSENT CALENDAR ITEM 7.2 TO BE CONSIDERED AT THIS POINT IN THE MEETING:

7.6 **Item Pulled from Consent by Councilmember Williams – Consider affirming Resolution 2021-071 findings related to the state of emergency due to COVID-19**

authorizing the City Manager to continue implementing teleconference accessibility to conduct public meetings pursuant to Assembly Bill 361.

Recommended Action: Staff recommends the City Council affirm Resolution 2021-071 findings in accordance with the provisions and findings of AB 361 to continue virtual/teleconference meetings of the City Council and City Boards, Commissions, and Committees after September 30, 2021.

Councilmember Williams stated that he would like the Council to start meeting in person again. The Council discussed and the majority of the Council expressed their desire to stay virtual for now with the high rates of COVID-19 infections and to wait until we can run Hybrid meetings.

Public comment was not received. Motion by Councilmember Williams, second by Councilmember Kraus and passed by the following roll call vote, **Council affirmed Resolution 2021-071 findings in accordance with the provisions and findings of AB 361 to continue virtual/teleconference meetings of the City Council and City Boards, Commissions, and Committees after September 30, 2021.**

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

NOES: None

ABSTAIN: None

ABSENT: None

7.7 Item Pulled from Consent by Councilmember Williams – Consider adopting a Resolution establishing an Assistant City Manager position within the City Manager Department and a salary schedule

Recommended Action: Adopt the Resolution

Councilmember Williams asked City Manager Snideman questions regarding the addition of an Assistant City Manager position and confirmed the position would be at-will. Council and staff discussion ensued

Public comment was not received. Motion by Councilmember Kraus, second by Councilmember Gift and passed by the following roll call vote, **Council adopted Resolution No. 2022-041 establishing an Assistant City Manager position within the City Manager Department and a salary schedule.**

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

NOES: None

ABSTAIN: None

ABSENT: None

8. PUBLIC HEARING

8.1 Consideration of the appeal of a use permit and design review renewal application for a three-guest unit expansion project and associated on-site improvements at the Aurora Park Cottages located at 1807 Foothill Boulevard (APN 011-290-046).

Recommended Action: Consider adopting Resolution denying Appeal AP 2022-2 thereby upholding Planning Commission approval of application UP 2022-1 and DR 2022-1, finding the project categorically exempt from CEQA, and approving Use Permit Application UP 2022-1 and Design Review Application DR 2022-1.

Mayor Canning recused himself due to a proximity issue and left the meeting at 6:35 p.m.

Planning and Building Director Jeff Mitchem presented the item and provided a PowerPoint presentation. City Attorney Michelle Kenyon announced that the appellant will have a total of 10 minutes for rebuttal and presentation.

Tom Adams, the appellant's attorney, spoke on behalf of his client.

Michael Glover, the appellant, spoke on behalf of his appeal.

Dave Patel, the applicant, spoke in support of the expansion.

Council and staff discussion ensued.

Vice Mayor Lopez-Ortega opened the Public Hearing at 6:53 p.m., Vice Mayor Lopez-Ortega Closed the Public Hearing at 7:14 p.m. Public comment was received.

Motion by Vice Mayor Lopez-Ortega second by Councilmember Gift and passed by the following roll call vote, Council **adopted Resolution 2022-042 Approving Planning Commission Decision Approving Use Permit Application UP 2022-1 and Design Review Application DR 2022-1 Renewing UP 2018-12 and DR 2018-9 for Aurora Park Cottages Three Guest Unit Expansion at 1807 Foothill Boulevard (APN 011-290-046):**

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

Mayor Canning rejoined the meeting at 7:27 p.m.

9. GENERAL GOVERNMENT

9.1 Consideration of a Resolution that authorizes the City Manager to execute a Consultant Services Agreement with Bartle Wells Associates (BWA) to provide professional services associated with a Water and Wastewater Rate Study in an amount not to exceed \$57,500.

Recommended Action: Consider adopting Resolution.

Director of Public Works Derek Rayner presented the item and provided a PowerPoint presentation. Council and staff discussion ensued.

Public comment was received. City Council did not approve the item. **Council consensus was to return this item back to staff for more work and due diligence. Staff to bring the item back to either one of the next two Council meetings.**

9.2 Receive presentation of the proposed Fiscal Year 2022-23 Budget
Recommended Action: Discuss and Provide Direction to Staff.

City Manager Laura Snideman presented the item and provided a PowerPoint presentation and provided an overview of General Fund revenues and expenditures. Council and staff discussion ensued. **Council consensus was they need more time to review the budget before adopting it and requested a Special Meeting to be held on Monday, June 13, 2022, at 4 p.m.** Public comment was not received.

10. COUNCIL REQUESTS AND IDEAS FOR DISCUSSION

Council mentioned the following topics: Please mow your weeds, Meals on Wheels needs volunteers to deliver meals and thank you to those who participated in the Tip-A-Cop program.

To view the video of the meeting, please visit the City's YouTube channel at <https://www.youtube.com/watch?v=2hOSLqLhy14> or visit the City's Website at: <https://calistoga.civicweb.net/Portal/MeetingInformation.aspx?Org=Cal&Id=261>

G.) ADJOURNMENT

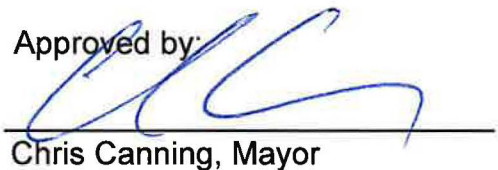
Mayor Canning adjourned the meeting in honor and memory of a longtime Calistoga resident Barbara Maxfield at 8:45 p.m.

Respectfully Submitted

Prepared by:


Marni Rittburg, City Clerk

Approved by:


Chris Canning, Mayor

Approved: 11.1.2022