

MINUTES
CITY COUNCIL
TUESDAY, NOVEMBER 16, 2010 - 6:00 P.M.
CALISTOGA COMMUNITY CENTER
CLOSED SESSION

CALL TO ORDER

Mayor Gingles called the Closed Session to order at 6:00 p.m. In attendance were the following: Councilmember Placido Garcia, Councilmember Gary Kraus, Councilmember Karen Slusser, Vice Mayor Dunsford, and Mayor Jack Gingles. Also present were Interim City Manager William Norton and City Attorney Michelle Kenyon.

ORAL COMMUNICATIONS

No public comment.

ADJOURN TO CLOSED SESSION ON THE FOLLOWING MATTERS:

1. Conference with real property negotiators (Government Code Section 54956.8.)
Property: located at 1715 Washington Street, Calistoga.
Agency Negotiator: William C. Norton, Interim City Manager, and Michelle Kenyon, City Attorney)
Negotiating Parties: Meridian Health Services
Under Negotiation: price and terms of agreement.
2. Conference with Legal Counsel, Existing Litigation pursuant to Government Code Section 54956.9(a):
Grant Reynolds v. City of Calistoga, Napa County Superior Court, Case No. 26-46826.
3. Conference with Legal Counsel, Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (b) Government Code Section 54956.9: One potential case.

ADJOURN CLOSED SESSION

RECONVENE TO OPEN SESSION IN THE COMMUNITY CENTER

ACTION OUT OF CLOSED SESSION

Mayor Gingles announced that there was no reportable action out of tonight's Closed Session.

ADJOURNMENT

Mayor Gingles adjourned the Closed Session at 7:00 p.m. to the regular meeting of the Calistoga City Council, on Tuesday, November 16, 2010 Calistoga Community Center, 1307 Washington Street, 7:00 p.m.

Respectfully submitted:

Prepared by: Susan Sneddon, City Clerk

Approved by: Jack Gingles, Mayor

**MINUTES
CITY COUNCIL – REGULAR MEETING
TUESDAY, NOVEMBER 16, 2010 - 7:00 P.M.
CALISTOGA COMMUNITY CENTER**

CALL TO ORDER

Mayor Gingles called the Regular Session to order at 7:00 p.m.

In attendance were the following: Councilmember Placido Garcia, Councilmember Gary Kraus, Councilmember Karen Slusser, Vice Mayor Dunsford, and Mayor Jack Gingles.

Also present were Interim City Manager Bill Norton, Administrative Services Director Bill Mushallo, Public Works Director/City Engineer Dan Takasugi, Fire Chief Steve Campbell, and City Clerk Susan Sneddon.

ACTION OUT OF CLOSED SESSION

Mayor Gingles announced that there was no reportable action out of Closed Session.

ORAL COMMUNICATION

Kerry Eddy, Calistoga Community Center and Pool Project President, stated that for the entire month of November the corkage fee at Farmstead Restaurant in St. Helena will be donated to Calistoga Pool Project to help fund pool lessons for children.

ADOPTION OF MEETING AGENDA

It was **MOVED** by **Councilmember Slusser** **SECONDED** by **Councilmember Kraus** to approve the City Council Meeting Agenda. The Motion was carried unanimously.

PRESENTATION

- 1. Presentation by Emergency Medical Services Coordinator Ty Cook on the ambulance franchise at our City Council meeting.**

Ty Cook, Emergency Medical Services Coordinator, stated that this is the second request for proposal for Countywide ambulance services; he provided background and responded to Council questions.

Councilmember Kraus provided a brief history of the last Countywide ambulance franchise negotiations that he was involved in when he was the City's Fire Chief. He referenced Seattle's response time as being a "gold standard." He suggested a "layered" response, which brings the most appropriate level of care to an incident. He noted that Calistoga has unique concerns related to the City's three-county response area (Napa, Lake, and Sonoma Counties), in that counties adopt a similar scope of practice. He also stated concerns regarding occasional seven minute delays in getting ambulances dispatched from the County to Calistoga due to errors made by County dispatch. He stated that the City needs to make every effort to ensure that the County receives the City's input in how dispatch is handled. He stated that the City' has an excellent response time (approximately 2 minutes).

Ty Cook, Emergency Medical Services Coordinator, stated that there are six dispatch centers in the County; the County is working on improving the dispatch system.

Mayor Gingles stated that the City of St. Helena and Calistoga are the only cities in the County that have their own dispatch centers; the City covers a 52-square mile area and does an excellent job. He stated that Piners Ambulance has provided a lodging facility so that the City has a 24-hour ambulance service.

Fire Chief Campbell stated there has been some confusion with County dispatch, and response times need to be improved.

Councilmember Kraus asked that a "no strike" clause be incorporated into the contract.

Ty Cook, Emergency Medical Services Coordinator, stated that a "no strike" clause has not been included in the draft contract but it would be.

COUNCIL REQUESTS AND IDEAS FOR DISCUSSION

Mayor Gingles stated that on November 27th there will be a football game between teams from the Police Departments and the Fire Departments both the City of Calistoga and St. Helena.

Councilmember Slusser reminded the community that the Calistoga Fire Fighter's Association will hold its 72nd Annual Bingo and Raffle night on Saturday, November 20th in the Tubbs Building at the Napa County Fairgrounds.

CONSENT CALENDAR

2. Minutes of the October 5, 2010 and October 19, 2010 regular City Council meetings.

Councilmember Kraus requested a correction be made to the draft City Council minutes of the October 5, 2010 regular Council meeting regarding Councilmember Slusser's request to set a public hearing date to reconsider the Planning Commission's approval of a Conditional Use Permit Amendment for the Pink Mansion located at 1415 Foothill Boulevard (**Item No. 4**). He requested that the word "crafted" be removed from his statement regarding the creation of the Bed and Breakfast Ordinance (**Ordinance No. 667**) because the Ordinance was not drafted by the Council. He stated that regarding the request for appeal he understands Councilmember Slusser's concerns regarding issues and violations that have occurred; the Ordinance was approved by the Council to address violations in a manner that both the City and the Bed and Breakfast owners benefit.

It was **MOVED** by Councilmember Kraus and **SECONDED** by Mayor Gingles to approve the minutes of the **amended** October 5, 2010 and the October 19, 2010 regular City Council meetings. The Motion was carried unanimously by the following vote:

AYES: Councilmember Kraus, Mayor Gingles, Councilmembers Garcia, Slusser, and Vice Mayor Dunsford

NOES: None

ABSTAIN/ABSENT: None

GENERAL GOVERNMENT

3. Consideration of a Resolution authorizing a City Manager employment contract with Richard Spitler.

Mayor Gingles introduced this item and motion to approve the draft Resolution authorizing a City Manager employment contract with Richard Spitler.

It was **MOVED** by Mayor Gingles and **SECONDED** by Councilmember Garcia to adopt **Resolution No. 2010-106** authorizing a City Manager employment contract with Richard Spitler (**Authorizing Agreement No. 0429**). The motion was carried unanimously by the following vote:

AYES: Mayor Gingles, Councilmembers Garcia, Kraus, Slusser, and Vice Mayor Dunsford

NOES: None

ABSTAIN/ABSENT: None

4. Presentation by Calistoga Chamber of Commerce regarding their quarterly report.

Mayor Gingles asked if Chamber Executive Director Canning has received updated figures from the business community and spas about lodging occupancy rates.

Chamber Executive Director Canning stated that the transient occupancy tax figures and occupancy rates for July, August and September 2010 have increased. He stated that the City is maintaining the "Average Daily Rate", so the City is not seeing an increase in occupancy because they have been dramatic discount in room rates. He stated that out of the Chamber's \$302,000 funding subsidy, they provided \$515,000 in advertising value. He stated that according to the *TripAdvisor*, Calistoga is ranked number six in "Relaxing" destinations in the United States. He stated that the Chamber's Local Loyalty Discount Cards will be available this week; for \$50 a person can get 10% to 20% discounts at local merchants.

5. Presentation of current data and discussion regarding Fiscal Year 2010/2011 Budget Update.

Administrative Services Director Mushallo introduced this item and provided an update on the four months since the Fiscal Year 2010-2011 Budget was passed by Council in June 2010. He stated that property tax receipts are down 6% which is an improvement over the 7% projection; sales tax receipts are up, but the State's "true-up" caused a 3% decline; transient occupancy tax revenues are up 6% from projections. He stated that the Fiscal Year 2011-2011 revenues are up 1% over projections; expenditures are about 30% in the first third of the year; the City's PERS rates are expected later in November this year, and employee medical plan costs are up 12 to 15%.

Mayor Gingles acknowledged the good work done by City employees. He asked Administrative Services Director Mushallo if the PERS rates are going to increase to 9%.

Administrative Services Director Mushallo responded that PERS rates for could increase to 5-8%, miscellaneous employees could rates to increase 2-3%, and Public Safety PERS rates to could increase 4-5% of payroll.

6. Consideration of a Resolution authorizing a \$5,000 payment to reserve PG&E rebates for a photovoltaic project for the Calistoga Community Pool.

Interim City Manager Norton introduced this item requesting Council approval for staff to proceed with an application to Pacific Gas & Electric for a photovoltaic solar electric facility at the Community Pool, and to authorize an application fee in the amount of \$5,000. He stated that the application fee would be refundable upon successful completion of project milestones. He stated that the application if approved could provide the City with PG&E rebates of approximately \$17,000 per year for five years. He stated that this project could offset energy costs of the community pool by \$20,000 per year. He stated that the proposal received from Gopal Shanker, President of Recolte Energy, includes a donation in the amount of \$150,000 from Calistoga Community Center and Pool Project (CCPP); Napa Valley Community Foundation (NVCF) has indicated that an anonymous donor may lend the City \$200,000 at 1% interest for seven years. He stated that both the CCPP and the NVCF have conditioned the donation and loan on keeping the pool open two weeks earlier in the spring and four weeks later in the fall on a limited basis. He stated that Public Works Department would have some additional costs in operation of the proposed solar system project.

Kerry Eddy, CCPP President, stated that this project would be the “first sustainable facility” in the City.

Mr. Shanker, President of Recolte Energy, reviewed PG&E’s rebate process. He stated that he would prepare a request for proposal for this project, organize interviews with various vendors, and oversee the project for one year.

Councilmember Kraus stated that he agrees with this project in that it will save carbon emission, help the environment, and extend the days the community pool is open to the public.

Vice Mayor Dunsford asked for clarifications on the City’s costs for this project.

Mr. Shanker, President of Recolte Energy, reviewed the unsubsidized costs of the project. He stated that the City’s loan payments would be in lieu of electricity payments to PG&E resulting in a savings to the City.

It was MOVED by Mayor Gingles and SECONDED by Councilmember Kraus to adopt Resolution No. 2010-107 authorizing a \$5,000 payment to reserve PG&E rebates for a photovoltaic project for the Calistoga Community Pool
The motion was carried unanimously by the following vote:

AYES: Mayor Gingles, Councilmembers Kraus, Garcia, Slusser, and Vice Mayor Dunsford

NOES: None

ABSTAIN/ABSENT: None

CITY MANAGER REPORTS

Interim City Manager Norton reported on the following:

- Suggested that the January 4, 2010 regular Council meeting be cancelled due to the City offices being closed the last week in December.

There was Council consensus to cancel the January 4, 2010 regular Council meeting.

Mayor Gingles noted that during the election campaigning prior to the City's November 2, 2010 General Municipal Election a candidate was raising concern at the mobile home parks regarding the City's water not being safe to drink. He stated that this information is not correct and for those with concerns to contact the Public Works Department or the City Manager with any questions.

CITY COUNCIL ADJOURNMENT

Mayor Gingles adjourned the meeting at 8:25 PM to the next scheduled regular meeting of the Calistoga City Council, on Tuesday, December 7, 2010, Calistoga Community Center, 1307 Washington Street, 7:00 p.m.

Respectfully submitted:

Prepared by: Susan Sneddon, City Clerk

Approved by: Jack Gingles, Mayor