

**CLOSED SESSION AGENDA  
CITY COUNCIL MEETING  
TUESDAY, MARCH 1, 2011 - 6:30 P.M.  
CALISTOGA COMMUNITY CENTER**

**CALL TO ORDER**

**Mayor Gingles called the Closed Session to order at 6:30 p.m.** In attendance were the following: Councilmember Chris Canning, Councilmember Gary Kraus, Councilmember Karen Slusser, Vice Mayor Dunsford, and Mayor Jack Gingles.

Also present were City Manager Richard Spitler, and Administrative Services Director Bill Mushallo.

**ORAL COMMUNICATIONS**

No public comment.

**ADJOURN TO CLOSED SESSION ON THE FOLLOWING MATTERS:**

- 1) Conference with Labor Negotiators (Government Code Section 54957.6)  
Agency negotiation: City Manager Richard Spitler and Administrative Services Director Bill Mushallo.  
Employee Organizations: Calistoga Police Officers Association, Calistoga Public Employees Association, and the Calistoga Professional Firefighter Association.

**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, March 1, 2011 Calistoga Community Center, 1307 Washington Street, 7:00 p.m.

**Respectfully submitted:**

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**Prepared by: Susan Sneddon, City Clerk**

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**Approved by: Jack Gingles, Mayor**

**MINUTES**  
**CITY COUNCIL – REGULAR MEETING**  
**TUESDAY, MARCH 1, 2011 – 7:00 P.M.**  
**CALISTOGA COMMUNITY CENTER**

**CALL TO ORDER**

**Mayor Gingles called the Regular Session to order at 7:02 p.m.**

In attendance were the following: Councilmember Chris Canning, Councilmember Gary Kraus, Councilmember Karen Slusser, Vice Mayor Michael Dunsford, and Mayor Jack Gingles.

Also present were Public Works Director/City Engineer Dan Takasugi, Planning and Building Manager Ken MacNab, Administrative Services Director Bill Mushallo, Police Chief Jonathan Mills, Recreation Superintendent Frank DiFede, City Manager Richard Spitler, and City Clerk Susan Sneddon.

**ACTION OUT OF CLOSED SESSION**

**Mayor Gingles** announced that there was no action out of Closed Session held this evening.

**ORAL COMMUNICATION**

**Mayor Gingles** dedicated tonight's Council meeting to former Calistoga City Councilmember and Mayor James "Jim" William Marberry who died Jan. 28, 2011.

**Donald Holinsworth, 919 Champagne Circle South**, stated that he resides at Chateau Mobilehome Park, and he recently received a 90-day notice of proposed rent increase.

**Dennis McNay, 2653 Foothill Blvd**, stated concerns after reading a recent newspaper article about the City's water.

**ADOPTION OF MEETING AGENDA**

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

**PROCLAMATION**

**1. Proclamation recognizing March 2011 as American Red Cross Month.**

**Mayor Gingles** read the proclamation and presented it to Mary Jean McLaughlin, Vice-Chair of the Red Cross Board.

**Mary Jean McLaughlin, Vice-Chair of the Red Cross Board**, thanked the City and encouraged the public to get involved with the Napa Chapter of the Red Cross by volunteerism or providing donation.

2. **Proclamation recognizing April 9 – 17, 2011 as National Volunteer Week and acknowledging those that volunteer for the Rebuilding Calistoga Program.**

**Lindsey Taylor (Calistoga Junior/Senior High School student) and Christina Alba (Pacific Union College student)** were presented with the Proclamation.

**Cristina Alba** read the proclamation and encouraged the community to get involved with the Rebuilding Calistoga Project.

## **OATH OF OFFICE**

3. **Swearing in of James Hartley, new Reserve Police Officer.**

**Mayor Gingles** introduced **James Hartley**, the new Reserve Police Officer, and he was sworn in by City Clerk Sneddon.

## **COUNCIL IDEAS FOR DISCUSSION**

**Mayor Gingles** congratulated the Police Department in apprehending Rodolfo Uribe found guilty of first degree murder of Luis Octavio Carrillo.

He stated that the Association of Bay Area Government Regional Housing Need Allocation (RHNA) numbers for 2014-2022 will be announced in October 2011.

He stated that the City's water was not positive for coliform bacteria or E. coli as stated in a recent newspaper article; subsequent testing of the local drinking water has indicated a safe supply.

He stated that City Manager Spitler and he attended the North Bay Division General Membership Meeting on February 24<sup>th</sup>; consolidation of local government services was discussed.

## **CONSENT CALENDAR**

4. **Minutes of the January 18, 2011 regular City Council meeting.**

5. **Adoption of Ordinance No. 676 regarding a text amendments to the Calistoga Municipal Code, initiated by the City of Calistoga, adding Chapter 8.30 to Title 8 (Health and Safety) and adding Section 17.04.495 and Chapter 17.48 to Title 17 (Zoning) to prohibit the establishment and operation of Medical Marijuana Dispensaries.**

6. Adoption of **Resolution No. 2011-025** authorizing the Public Works Department to accept a donation in the amount of \$1,492.89 from Walter, Patricia and Jill Saunders for a Memorial Bench in memory of Ethan Nichols to be placed at Pioneer Park.
7. Adoption of **Resolution No. 2011-026** authorizing the use of City streets for the Tamale Festival to be held on May 1, 2011.
8. Determination to hold a City Council Goal Setting Study Session on March 22 and 24, 2011 at the Community Center.

It was **MOVED** by Mayor Gingles and **SECONDED** by Councilmember Slusser to approve **Items No. 4, 5, 6, 7, and 8** on the Consent Calendar.

## **PUBLIC HEARING**

9. Consideration of a Resolution approving a petition to vacate and realign an existing public pedestrian access easement located at 1722 Foothill Boulevard within the former South Oak Street right-of-way, between Myrtle Street and Foothill Boulevard, as marked and/or designated upon the "Morgan's Survey" recorded in the Napa County Records Office pursuant to Section 8300, et seq., of the California Streets and Highway Code.

**Senior Planner Lundquist** introduced this item. He stated that in 2006 the Council determined that a portion of the S. Oak Street right-of-way was no longer needed for roadway purposes, and a portion of the existing right-of-way would be useful as a public pedestrian access easement. He stated that the City recently received a request from Robert Reichert, the property owner at 1722 Foothill Boulevard, to realign the S. Oak Street path entirely within his property. He stated that to realign the S. Oak Street path the City must vacate public access rights.

**Mayor Gingles** opened the public hearing.

**Zaven Ayanian, 1805 Myrtle Street**, asked what type of fence would be placed up against the pedestrian access easement.

**Robert Reichert, 1722 Foothill Boulevard**, responded that the fencing would be green wire.

**Mayor Gingles** closed the public hearing.

It was **MOVED** by Councilmember Canning and **SECONDED** by Vice Mayor Dunsford to adopt **Resolution No. 2011-027** approving a petition to vacate and realign an existing public pedestrian access easement located at 1722 Foothill Boulevard within the former South Oak Street right-of-way, between Myrtle

Street and Foothill Boulevard, as marked and/or designated upon the "Morgan's Survey" recorded in the Napa County Records Office pursuant to Section 8300, et seq., of the California Streets and Highway Code. The Motion was unanimously carried as follows:

**AYES:** Councilmember Canning, Vice Mayor Dunsford, Councilmember Kraus, Councilmember Slusser and Mayor Gingles

**NOES:** None

**ABSTAIN/ABSENT:** None

## GENERAL GOVERNMENT

### 10. Consideration of a Resolution designating one 15-minute public parking stall at 1473 Lincoln Avenue.

**Public Works Director/City Engineer Takasugi** introduced this item. He stated that staff received a request to designate one parking stall from a 3-hour limit parking stall to a 15-minute limit parking stall; the 15-minute limit parking stall would not be designated for the pharmacy only, and could be used for any other visits of short duration.

It was **MOVED** by Councilmember Kraus and **SECONDED** by Vice Mayor Dunsford to adopt Resolution No. 2011-028 designating one 15-minute public parking stall at 1473 Lincoln Avenue. The Motion was unanimously carried as follows:

**AYES:** Councilmember Kraus, Vice Mayor Dunsford, Councilmember Canning, Councilmember Slusser and Mayor Gingles

**NOES:** None

**ABSTAIN/ABSENT:** None

### 11. Discussion regarding the City's financial participation in Calistoga's 125th Anniversary Commemoration Ceremony.

**City Manager Spitler** introduced this item. He stated that the Chamber has requested \$5,500 from the City to help cover expenses for the 125th Anniversary Commemoration Ceremony event. He stated that about \$2,550 is needed this Fiscal Year. He stated that \$800 could be taken from the City's Fiscal Year 2010/2011 Community Enrichment Grant funds for Napa Valley Cinco de Mayo, Inc. since their annual Cinco de Mayo Parade has been cancelled; the other \$1,700 would come out of the City's 2010/2011 Fiscal Year budget; the remainder would be considered in next year's budget.

It was **MOVED** by Mayor Gingles and **SECONDED** by Councilmember Kraus to adopt Resolution No. 2011-029 approving the City's financial participation in Calistoga's 125th Anniversary Commemoration Ceremony. The Motion was unanimously carried as follows:

**AYES:** Mayor Gingles, Councilmembers Kraus, Canning, Slusser and Vice Mayor Dunsford

**NOES:** None

**ABSTAIN/ABSENT:** None

**Councilmember Slusser** stated that she received a call from a concerned citizen asking why the City needs to close a City street for that the May 1, 2011 Tamale Festival when the event will be held at Pioneer Park.

**Recreation Superintendent DiFede** responded that Cedar Street will be closed between Elm Street and Spring Street. He stated that the closure is due to food vendors selling tamales on the street in order to protect the lawn at Pioneer Park. He stated that emergency vehicles will have access, and some traffic will be allowed for the residents that reside in the area of the street closure.

## **CITY MANAGERS REPORT**

**City Manager Spitler** reported on the following:

- The Rancho de Calistoga Arbitration Hearings will be held on March 10<sup>th</sup> starting at 9:00 AM in the Calistoga Community Center; the proceedings will be broadcast live on Channel 28;
- The Council Goal Setting meetings are schedule for March 22<sup>nd</sup> and 24<sup>th</sup> starting at 9 AM in the Community Center.

## **CITY COUNCIL ADJOURNMENT**

**Mayor Gingles** adjourned the meeting at 7:50 PM to the regular meeting of the Calistoga City Council, on Tuesday, March 15, 2011, Calistoga Community Center, 1307 Washington Street.

**Respectfully submitted:**

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**Prepared by: Susan Sneddon, City Clerk**

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**Approved by: Jack Gingles, Mayor**