


City of Calistoga

Staff Report

TO: Honorable Mayor and City Council
FROM: Susan Sneddon, City Clerk
DATE: July 19, 2011
SUBJECT: City Council Minutes

APPROVAL FOR FORWARDING:



Richard Spitler, City Manager

DISCUSSION: Minutes of the June 7, 2011 regular Council meeting, and the June 9, 2011 and June 15, 2011 Special City Council Budget Workshops.

RECOMMENDATION: Approve Minutes.

ATTACHMENTS: Aforementioned Minutes.

MINUTES
CITY COUNCIL
TUESDAY, JUNE 7, 2011 - 5:30 P.M.
CALISTOGA COMMUNITY CENTER
CLOSED SESSION

1 **CALL TO ORDER**

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

6 Also present were City Manager Richard Spitler, and Public Works Director/City
7 Engineer Dan Takasugi, and Assistant City Attorney Leah Castella.

8
9 **ORAL COMMUNICATIONS**

10 No public comment.

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

- 12
13 1. Conference with Legal Counsel, Existing Litigation pursuant to Government
14 Code Section 54956.9(a):
15 Grant Reynolds v. City of Calistoga, Napa County Superior Court Case No.
16 26-46826.
17

18 **ADJOURN CLOSED SESSION**

19 **RECONVENE TO OPEN SESSION IN THE COMMUNITY CENTER**

20 **ACTION OUT OF CLOSED SESSION**

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

23 **ADJOURNMENT**

24 **Mayor Gingles** adjourned the Closed Session at 7:00 p.m. to the regular meeting of
25 the Calistoga City Council, on Tuesday, June 7, 2011 Calistoga Community Center,
26 1307 Washington Street, 7:00 p.m.

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28 **Respectfully submitted:**

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31 _____
32 **Prepared by: Susan Sneddon, City Clerk**

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34 _____
Approved by: Jack Gingles, Mayor

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MINUTES
CITY COUNCIL – REGULAR MEETING
TUESDAY, JUNE 7, 2011 – 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 Gary Kraus, Councilmember Karen Slusser, and Mayor Jack Gingles. Vice Mayor Michael Dunsford and Councilmember Canning were absent.

Also present were Public Works Director/City Engineer Dan Takasugi, Senior Civil Engineer Derek Raynor, City Manager Richard Spittler, 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

Barbara Butler, 35 Magnolia Dr, stated that she is on the California Manufactured Homeowners League, and her concerns regarding the Chateau mediation agreement.

Robert Vanderford, 2412 Foothill Blvd, stated his concerns regarding the City's Rental Stabilization Ordinance (RSO), and referenced sections of the California Mobilehome Residency Law. He urged the Council to clearly define the RSO.

Marvin Braun, 2412 Foothill Blvd, stated that arbitration is automatically required, and mediation has no meaning under the RSO. He asked that the City enforce the RSO law.

Don Holinsworth, 919 Champagne Circle So, stated that the City has set up the necessary mediation. He stated that if he is unable to obtain legal assistance for arbitration.

Eddie Parker, 10 Camelia Dr, provided **Communication B** to Council and stated that the \$20,000 administrative deposit from the Chateau Mobilehome Park owner to the City for the settlement mediation should be returned the park owner.

Mayor Gingles requested that a discussion item be added to a future Council agenda in order to discuss the RSO and rent increases at the mobilehome parks.

80 **Councilmember Kraus** requested the City Attorney's opinion on the propriety of
81 the City's actions regarding this issue, versus the RSO language.

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83 **Councilmember Slusser** stated that the avoidance of arbitration has allowed the
84 Mobilehome Park owner to threaten residents.

85
86 **Assistant City Attorney Castella** stated that the City Council should not discuss
87 the RSO issue any further since it is not an agenized item.

88

89 **ADOPTION OF MEETING AGENDA**

90

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

93

94 **PROCLAMATION**

95

96 **1. Proclamation declaring the month of June as Land Trust of Napa County**
97 **Month.**

98

99 **Mayor Gingles** read the proclamation and presented it to Land Trust of Napa County
100 Board Chairman Rob Andreae.

101

102 **COUNCIL IDEAS FOR DISCUSSION**

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104 **Councilmember Slusser** stated that Upper Valley Waste Management has
105 compost available for purchase.

106

107 **Councilmember Kraus** congratulated City Clerk Sneddon in becoming the
108 Soroptimist International of Calistoga upcoming president.

109

110 **Mayor Gingles** mentioned that the City's Fire Department will fly their flag at half-
111 mast due to the two lost San Francisco fire fighters.

112

113 **CONSENT CALENDAR**

114

115 **Councilmember Slusser** requested that **Items No. 4, and 5** be removed from the
116 Consent Calendar.

117

118 **2. Minutes of the April 19, 2011, May 3, 2011, and the May 17, 2011 City Council**
119 **meetings.**

120

121 **3. Adoption of Resolution No. 2011-057 authorizing the City Manager to execute**
122 **the Letter of Engagement with Terry E. Krieg, CPA for audit services in**
connection with the June 30, 2011 Comprehensive Annual Financial Report.

123

124 **4. Consideration of a Resolution approving a Consultant Services Agreement in**
the amount of \$518,680 with Consolidated CM for Construction Management

- 125 and Inspection Services for the Mt. Washington Water Storage Tank Project,
126 and authorizing the City Manager to execute an agreement.
- 127 5. Consideration of a Resolution awarding a Construction Contract to Pacific
128 Hydrotech Corporation for the Mt. Washington Water Storage Tank Project,
129 and authorizing the City Manager to execute the contract.
- 130 6. Adoption of Resolution No. 2011-053 in support of "Extended Producer
131 Responsibility".
- 132 7. Adoption of Resolution No. 2011-054 authorizing a lease/use agreement with
133 Olof and Elizabeth Carmel for the temporary public plaza on a portion of the
134 property at 1329 Lincoln Avenue, and authorizing the City Manager to execute
135 the contract.
- 136 8. Adoption of Resolution No. 2011-055 authorizing the second amendment to
137 the mobile home agreement with Napa Ambulance Service, Inc. (Piners), and
138 authorizing the City Manager to execute the contract.

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140 It was MOVED by Councilmember Slusser and SECONDED by Mayor Gingles
141 to approve Items No. 1, 3, 6 and 7 on the Consent Calendar.
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143

- 144 4. Consideration of a Resolution approving a Consultant Services Agreement in
145 the amount of \$518,680 with Consolidated CM for Construction Management
146 and Inspection Services for the Mt. Washington Water Storage Tank Project,
147 and authorizing the City Manager to execute an agreement.
148

149 Councilmember Slusser requested clarification on the Consolidated CM scope of
150 work.
151

152 Senior Civil Engineer Rayner provided an explanation regarding a change in the
153 proposed scope of work.
154

155 Mayor Gingles stated that Beverly More provided Communication A stating her
156 concerns regarding the amount of overtime provided by Consolidated CM.
157

158 Senior Civil Engineer Rayner clarified that there will be no holiday or weekend
159 work performed by Consolidated CM unless prior approval by the City at would
160 result in overtime.
161

162 It was MOVED by Mayor Gingles and SECONDED by Councilmember Kraus to
163 adopt Resolution No. 2011-051 approving a Consultant Services Agreement in
164 the amount of \$518,680 with Consolidated CM for Construction Management
165 and Inspection Services for the Mt. Washington Water Storage Tank Project,
166 and authorizing the City Manager to execute an agreement. Motion was
167 carried unanimously by the following vote:

168 AYES: Mayor Gingles, Councilmember Kraus, and Councilmember
169 Slusser

170 NOES: None

171 ABSTAIN: None

172 **ABSENT: Councilmember Canning and Vice Mayor Dunsford**

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174 **5. Consideration of a Resolution awarding a Construction Contract to Pacific**
175 **Hydrotech Corporation for the Mt. Washington Water Storage Tank Project,**
176 **and authorizing the City Manager to execute the contract.**

177

178 **Mayor Gingles** noted that USDA will do a thorough review of the Pacific Hydrotech
179 contract.

180

181 **Councilmember Kraus** asked whether the award amount is close to the engineer's
182 estimate.

183

184 **Senior Civil Engineer Rayner** stated that the contract amount came in about
185 \$400,000, which is less than the engineer's estimate.

186

187 **It was MOVED by Councilmember Kraus and SECONDED by Councilmember**
188 **Slusser to Resolution No. 2011-052 awarding a Construction Contract to**
189 **Pacific Hydrotech Corporation for the Mt. Washington Water Storage Tank**
190 **Project, and authorizing the City Manager to execute the contract. Motion was**
191 **carried unanimously by the following vote:**

192 **AYES: Councilmembers Kraus, Slusser, and Mayor Gingles**

193 **ABSTAIN: None**

194 **ABSENT: Councilmember Canning and Vice Mayor Dunsford**

195

196 **GENERAL GOVERNMENT**

197

198 **9. Awarding a one-year contract with Calistoga Tribune in an amount not to**
199 **exceed \$10,000 for publication of legal advertisements for the period ending**
200 **June 30, 2012, and authorizing the City Manager to execute the contract.**

201

202 **It was MOVED by Councilmember Slusser and SECONDED by Councilmember**
203 **Kraus to Resolution No. 2011-056 awarding a one-year contract with Calistoga**
204 **Tribune in an amount not to exceed \$10,000 for publication of legal**
205 **advertisements for the period ending June 30, 2012, and authorizing the City**
206 **Manager to execute the contract. Motion was carried unanimously by the**
207 **following vote:**

208 **AYES: Councilmembers Slusser, Kraus, and Mayor Gingles**

209 **NOES: None**

210 **ABSTAIN: None**

211 **ABSENT: Canning, Vice Mayor Dunsford,**

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213 **CITY MANAGERS REPORT**

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215 **City Manager Spitler** stated that the City's next budget workshop is schedule for
216 Thursday, June 9, 2011 at 4 PM.

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CITY COUNCIL ADJOURNMENT

Mayor Gingles adjourned the meeting at 8:06 PM to the special meeting of the Calistoga City Council, on Tuesday, June 9, 2011, Calistoga Community Center, 1307 Washington Street, 6:00 p.m.

Respectfully submitted:

Prepared by: Susan Sneddon, City Clerk

Approved by: Jack Gingles, Mayor

MINUTES
CITY COUNCIL – SPECIAL MEETING
BUDGET STUDY SESSION
TUESDAY, JUNE 9, 2011 – 4:00 P.M.
CALISTOGA COMMUNITY CENTER

1 **CALL TO ORDER**

2
3 **Mayor Gingles called the Regular Session to order at 4:00 p.m.**

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

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9 Also present were Public Works Director/City Engineer Dan Takasugi,
10 Administrative Services Director Bill Mushallo, Fire Chief Steve Campbell,
11 Police Chief Jonathan Mills, Planning and Building Manager Ken MacNab,
12 Aquatic & Recreation Manager Olivia Lemen, City Manager Richard Spittler,
13 and City Clerk Susan Sneddon.

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15 **ORAL COMMUNICATION**

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17 None provided.

18
19 **ADOPTION OF MEETING AGENDA**

20
21 It was **MOVED** by Councilmember Kraus and **SECONDED** by
22 Councilmember Canning to approve the Council Meeting Agenda. The
23 Motion was carried unanimously.

24
25 **GENERAL GOVERNMENT**

26
27 **City Manager Spittler** introduced this item. He stated that this workshop is to
28 provide an opportunity to receive an overview of the City's financial situation
29 in preparation of the Fiscal Year 2011/2012 budget. He stated that the
30 financial situation in the City remains fragile, and without significant reduction
31 in expenditures the City will not have funds in the General Fund Reserves
32 next fiscal year.

33
34 **Administrative Services Director Mushallo** provided an overview of the
35 City's critical cash flow situation, and briefly reviewed changes/reductions to
36 the City's proposed Fiscal Year 2011/2012 Budget.

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39 **Fire Department:**

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41 **Fire Chief Campbell** provided a brief summary of the Fire Department's
42 accomplishment in Fiscal Year 2010/2011, and the objectives for Fiscal Year
43 2011/2012.

44
45 **Councilmember Kraus** requested that the Draft Fiscal Year 2011/2012
46 Budget include expenditures comparisons for the three previous years for
47 comparison.

48
49 **Councilmember Canning** asked if staff has examined any of the Fire
50 Departments activities (besides emergency response), and considered
51 outsourcing to save costs.

52
53 **Fire Chief Campbell** responded that staff has investigated cost sharing for
54 vehicle maintenance, safety checks, and some large purchases jointly with
55 other entities within the County.

56
57 **Mayor Gingles** offered the public to provide any comments/questions.

58
59 None was provided.

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61 **Police Department**

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63 **Police Chief Mills** provided a brief summary of the Police Department's
64 accomplishment in Fiscal Year 2010/2011, and the objectives for Fiscal Year
65 2011/2012.

66
67 **Mayor Gingles** offered the public to provide any comments/questions.

68
69 **Suzan Shaw, 711 Washington Street**, asked if the Police Department
70 utilizes services from the County Sheriff's substation (located between St.
71 Helena and Calistoga at the "old" outlet shopping complex).

72
73 **Planning and Building Department**

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75 **City Manager Spitler** reviewed the Planning and Building Department
76 organizational chart, and stated that there is a declining workload in the
77 Department due to less development. He stated that the Planning and
78 Building Director's position has been vacated, and he is proposing that the
79 Planning and Building Administrative Secretarial position be vacated; this
80 would result in the net reduction in expenses of \$182,000 in Fiscal Year
81 2011/2012.

82

83 **Planning and Building Manager MacNab** provided a brief summary of the
84 Planning and Building Department's accomplishment in Fiscal Year
85 2010/2011, and the objectives for Fiscal Year 2011/2012.

86
87 **Mayor Gingles** offered the public to provide any comments/questions.

88
89 **George Caloyannidis, 2202 Diamond Mountain Road**, stated the
90 importance of the City pursuing the proposed Napa Valley Vine Trail; he
91 suggested forming committees with individuals from the community to assist
92 the Planning Department in doing prep work for various projects to help save
93 costs.

94
95 **Planning and Building Secretary Guill** read her **Communication A** which
96 gave her reasoning why her position should not be eliminated.

97
98 **Finance Part Time Office Assistant Enger** stated her opposition in
99 eliminating the Planning and Building secretarial position.

100
101 **Community Resources/Recreation Division**

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103 **City Manager Spittler** reviewed the Community Resources/Recreation
104 Division's proposed reorganization, and suggested that the Division be
105 renamed simply the "Recreation Services Division". He proposed to reduce
106 the Division's expenditures by vacating the Recreation Superintendent and
107 Recreation Technician positions, and retain existing recreation programs.

108
109 **Aquatic & Recreation Manager Lemen** provided a brief summary of the
110 Community Resources/Recreation Division's accomplishment in Fiscal Year
111 2010/2011, and the objectives for Fiscal Year 2011/2012.

112
113 **Mayor Gingles** stated that he agrees with spending less on administration
114 and more on program development. He stated his concerns regarding the
115 reorganization of this Division.

116
117 **Mayor Gingles** offered the public to provide any comments/questions.

118
119 **Bud Pochini, 18880 Highway 128**, stated his concerns with vacating the
120 Recreation Superintendent and Recreation Technician positions.

121
122 **Victor Maldonado, 1601 Fillmore St**, stated his concerns with vacating the
123 two recreation positions, and suggested that the City look elsewhere to
124 balance the budget.

125
126 **Rebecca Vega, Calistoga Resident**, stated her concerns in eliminating the
127 two recreation positions.

128

129 **Finance Part Time Office Assistant Enger** stated her opposition in
130 eliminating the two recreation positions.

131
132 **Juan Hernandez, Calistoga Resident,** stated his opposition regarding
133 vacating the two recreation positions.

134
135 **Pat Hampton, Calistoga Tribune Publisher,** requested a list of staff
136 positions and benefit costs.

137
138 Note: **Communication B** was provided by Antoinette Mailliard prior to this
139 special Council meeting regarding the community swimming pool budget.

140
141 **CITY COUNCIL ADJOURNMENT**

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143 **Mayor Gingles** adjourned the meeting at 6:30 PM to the special meeting of
144 the Calistoga City Council, on Wednesday, June 15, 2011, Calistoga
145 Community Center, 1307 Washington Street, 6:00 p.m.

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148 **Respectfully submitted:**

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151 _____
152 **Prepared by: Susan Sneddon, City Clerk**

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155 **Approved by: Jack Gingles, Mayor**

MINUTES
CITY COUNCIL – SPECIAL MEETING
PUBLIC HEARING
WEDNESDAY, JUNE 15, 2011 – 6:00 P.M.
CALISTOGA COMMUNITY CENTER

1 **CALL TO ORDER**

2
3 **Mayor Gingles called the Regular Session to order at 6:00 p.m.**

4
5 In attendance were the following: Councilmember Chris Canning,
6 Councilmember Gary Kraus, Councilmember Karen Slusser, Vice Mayor
7 Michael Dunsford, and Mayor Jack Gingles.

8
9 Also present were Public Works Director/City Engineer Dan Takasugi,
10 Administrative Services Director Bill Mushallo, Fire Chief Steve Campbell,
11 Police Chief Jonathan Mills, Planning and Building Manager Ken MacNab,
12 Aquatic & Recreation Manager Olivia Lemen, City Manager Richard Spitler,
13 and City Clerk.

14
15 **ORAL COMMUNICATION**

16
17 **Kerry Eddy, President of the Calistoga Community Pool Project,** stated
18 her concerns regarding budget reductions in the Recreation Division.

19
20 **ADOPTION OF MEETING AGENDA**

21
22 It was **MOVED** by **Councilmember Kraus** and **SECONDED** by
23 **Councilmember Canning** to approve the Council Meeting Agenda. The
24 Motion was carried unanimously.

25
26 **GENERAL GOVERNMENT**

27
28 **City Manager Spitler** introduced this item. He stated that this budget
29 workshop is to provide an opportunity to receive an overview of the City's
30 financial situation in preparation of the Fiscal Year 2011/2012 budget. He
31 stated that the financial situation in the City remains fragile, and without
32 significant reduction in expenditures the City will not have funds in the
33 General Fund reserves in another year.

34
35 **Administrative Services Director Mushallo** provided an overview of the
36 City's critical cash flow situation, and briefly reviewed changes/reductions to
37 the City's proposed Fiscal Year 2011/2012 budget.
38

39 **City Manager Spitler** introduced staff to provide an overview of the City's
40 divisions/departments.

41

42 **Fire Department:**

43

44 **Fire Chief Campbell** provided a brief summary of the Fire Department's
45 accomplishment in Fiscal Year 2010/2011, and the objectives for Fiscal Year
46 2011/2012.

47

48 **Councilmember Kraus** requested that the draft budget include three
49 previous years for comparison.

50

51 **Councilmember Canning** asked if the staff has examined any of the Fire
52 Departments activities (besides emergency response) that could be
53 outsourced to save costs.

54

55 **Fire Chief Campbell** stated that they have investigated shared vehicle
56 maintenance, safety checks, and making large purchases jointly with other
57 entities.

58

59 **Mayor Gingles** offered the public to provide any comments/questions.

60

61 None was provided.

62

63 **Police Department**

64

65 **Police Chief Mills** provided a brief summary of the Police Department's
66 accomplishments in Fiscal Year 2010/2011, and the objectives for Fiscal
67 Year 2011/2012.

68

69 **Mayor Gingles** offered the public to provide any comments/questions.

70

71 **Suzan Shaw, 711 Washington Street**, asked for clarification on the Police
72 budget, and if the Police Department utilizes services from the Sheriff's
73 substation between St. Helena and Calistoga at the "old" outlet shopping
74 complex.

75

76 **Planning and Building Department**

77

78 **City Manager Spitler** reviewed the Planning and Building Department
79 organization chart, and stated that there is a declining workload because of
80 less development in the City. He stated that the Planning and Building
81 Director's position has been vacated and he is proposing that the Planning
82 and Building Administrative Secretarial position be vacated; the net reduction
83 in expenses for not filling the Director and Secretarial positions in Fiscal Year
84 2011/2012 is \$182,000.

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Planning and Building Manager MacNab provided a brief summary of the Police Department's accomplishments in Fiscal Year 2010/2011, and the objectives for Fiscal Year 2011/2012.

Mayor Gingles offered the public to provide any comments/questions.

George Caloyannidis, 2202 Diamond Mountain Road, stated the importance of the City pursuing the proposed Napa Valley Vine Trail for pedestrians and bicyclists. He proposed using talent from community volunteers to establish committees to assist the Planning Department in doing prep work for various projects.

Planning and Building Secretary Guill read her **Communication A** to City Council which gave reasoning why she thought her position should not be eliminated.

Finance Part Time Office Assistant Enger stated her opposition to eliminating the Planning and Building Secretarial position.

Community Resources/Recreation Division

City Manager Spittler reviewed the Community Resources/Recreation Division's proposed reorganization, and the renaming the division Recreation Division. He proposed to reduce expenditure by vacating the Recreation Superintendent and Recreation Technician positions, and at the same time retain existing recreation programs.

Aquatic & Recreation Manager Lemen provided a brief summary of the Community Resources/Recreation Division's accomplishments in Fiscal Year 2010/2011, and the objectives for Fiscal Year 2011/2012.

Mayor Gingles stated that he agrees with spending less on administration and more on program development. He stated his concerns regarding the re-organization of this Division.

Mayor Gingles offered the public to provide any comments/questions.

Bud Pochini, 18880 Highway 128, stated his concerns with vacating the Recreation Superintendent and Recreation Technician positions.

Victor Maldonado, 1601 Fillmore St, stated his concerns with vacating the two recreation positions, and suggested that the City look elsewhere to balance the budget.

130 **Rebecca Vega, Calistoga Resident**, stated her concerns in eliminating the
131 two recreation positions.

132
133 **Finance Part Time Office Assistant Enger** stated her opposition to
134 eliminating the two recreation positions.

135
136 **Juan Hernandez, Calistoga Resident**, stated his opposition regarding
137 vacating two recreation personnel.

138
139 **Pat Hampton, Calistoga Tribune Publisher**, requested a list of staff
140 positions and benefit costs.

141
142 Note: **Communication B** was provided by Antoinette Mailliard prior to this
143 special Council meeting regarding the City's proposed budget, specifically
144 the Community Swimming Pool.

145
146 **CITY COUNCIL ADJOURNMENT**

147
148 **Mayor Gingles** adjourned the meeting at 6:30 PM to the special meeting of
149 the Calistoga City Council, on Wednesday, June 15, 2011, Calistoga
150 Community Center, 1307 Washington Street, 6:00 p.m.

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152
153 **Respectfully submitted:**

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Prepared by: Susan Sneddon, City Clerk

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Approved by: Jack Gingles, Mayor
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