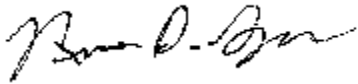


City of Calistoga

Staff Report

TO: Honorable Mayor and City Council
FROM: Amanda Davis, Deputy City Clerk
DATE: March 20, 2012
SUBJECT: City Council Minutes

APPROVAL FOR FORWARDING:



Richard Spitler, City Manager

DISCUSSION: Minutes of the March 6, 2012 regular City Council meeting.

RECOMMENDATION: Approve Minutes.

ATTACHMENTS: Aforementioned Minutes.

1 **MINUTES**

2 **CITY COUNCIL – REGULAR MEETING**
3 **TUESDAY, MARCH 6, 2012 - 7:00 P.M.**
4 **CALISTOGA COMMUNITY CENTER**

5
6 **A) CALL TO ORDER**

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

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

12
13 Also present was City Manager Richard Spitler, Planning & Building
14 Manager MacNab, Public Works Director/City Engineer Dan Takasugi, and
15 Deputy City Clerk Amanda Davis.

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17 **B) SALUTE TO THE FLAG**

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19 **C) ACTION OUT OF CLOSED SESSION**

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21 **Mayor Gingles** announced that there was no Closed Session held this
22 evening.

23
24 **D) ORAL COMMUNICATION ON CONSENT ITEMS OR NON-AGENDA ITEMS**

25 (7:03 p.m.)

26
27 **Larry Elliot, City resident**, stated his concerns and dissatisfaction with how
28 the Public Works Department is being run. He discussed his frustration with
29 the City streets and the shape they are in. He announced his candidacy for
30 a City Council seat and promised a fair and balanced water bill.

31
32 **Carlos Uribe, St. Helena, Committee Member of the Si Se Puede**
33 **Committee and the St. Helena Public Employee's Association**, spoke
34 regarding an upcoming event that will honor and celebrate the life of Cesar
35 Chavez. He stated that the event will be held on Saturday, March 31, 2012,
36 between 10:00 a.m.-4:00 p.m.

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38 **E) ADOPTION OF MEETING AGENDA**

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40 It was **MOVED** by Vice Mayor Dunsford and **SECONDED** by
41 Councilmember Kraus to approve the Council Meeting Agenda. The Motion
42 was carried unanimously.

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F) COUNCIL REQUESTS AND IDEAS FOR DISCUSSION (7:08 p.m.)

Councilmember Canning requested that Council consider adopting a vacant commercial property tax which would be applied to the existing vacant buildings located in downtown Calistoga. He stated that other cities around California have adopted a similar vacant property tax. He stated that the Calistoga Spring Jazz Festival is this coming weekend on March 10th and March 11th. He stated that the talent this year is superb, and they have already sold a significant amount of tickets.

G) PRESENTATION

1) Proclamation recognizing March 2012 as American Red Cross Month.

Mayor Gingles read the proclamation and presented it to Red Cross Board Members Annie McCallum and Jeff Farmer.

2) “I am Calistoga/Yo Soy Calistoga”, a presentation of the Calistoga Jr. and Sr. High “Youth Liaison” project led by Calistoga Family Center and the Student Assistance Program.

Juan Hernandez, the Student Assistance Program Coordinator discussed the Calistoga Jr. and Sr. High “Youth Liaison” project led by Calistoga Family Center and the Student Assistance Program. The project is titled “Yo Soy Calistoga” and is a short YouTube video. He presented this YouTube video to the Council, staff and audience.

H) CONSENT CALENDAR (7:25 p.m.)

3) Minutes of the February 21, 2012 regular City Council meeting.

4) Consideration of text amendments to the Calistoga Municipal Code, initiated by the City of Calistoga, amending Title 17 (Zoning) to: establish grape sourcing regulations for wineries and stand-alone winery tasting rooms, clarify winery-related uses, and update winery-related land use definitions.

5) Consideration of a Resolution rescinding Resolution No. 2009-017 and updating the City of Calistoga’s Conflict of Interest Code.

Mayor Gingles requested that Item No. 4 be pulled.

It was MOVED by Councilmember Kraus and SECONDED by Vice Mayor Dunsford to approve Items No.3 and 5 on the Consent Calendar. The Motion was carried unanimously.

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89 **Mayor Gingles** stated that he pulled Item No. 4 primarily because they are
90 two separate items, one establishing grape sourcing regulations for wineries
91 and the other establishing grape sourcing regulations for stand-alone winery
92 tasting rooms. Mayor Gingles stated that these should be adopted
93 separately and feels that the grape sourcing regulations as they apply to
94 stand-alone winery tasting rooms needs further discussion and should be
95 adopted at a later date. He further stated that he completely supports
96 establishing grape sourcing regulations for wineries, but not for tasting
97 rooms.

98
99 Council discussion ensued. The consensus of the Council is to proceed with
100 the adoption of the ordinance establishing grape sourcing regulations for
101 both wineries and stand-alone winery tasting rooms.

102
103 **Mayor Gingles** stated for the record that he received an email today, March
104 6, 2012, from a Law firm who represents Betsy Lawer, indicating that they
105 are in agreement with the ordinance as it is presented.

106
107 **Jeff Bounsall, 414 Foothill Blvd.,** spoke regarding the letter
108 (communication) he submitted regarding the zip code. He stated that the zip
109 code map that was provided by staff does not include all properties with a
110 94515 zip code. He would like the ordinance to be amended to include
111 "Calistoga address" with a 94515 zip code.

112
113 **It was MOVED by Vice Mayor Dunsford and SECONDED by**
114 **Councilmember Kraus to adopt Ordinance 679 amending Chapters**
115 **17.04 (Definitions), 17.14 (R-R Rural Residential District), 17.21 (Home**
116 **Occupations), 17.22 (Commercial Land Use Districts), 17.24 (PD**
117 **Planned Development District), and 17.26 (I Light Industrial District) of**
118 **Title 17 (Zoning) to establish Grape Sourcing Requirements for**
119 **Wineries and Stand Alone Winery Tasting Rooms. Motion was carried**
120 **by the following roll call vote:**

121
122 **AYES: Vice Mayor Dunsford, Councilmembers Kraus, Canning and**
123 **Slusser**

124 **NOES: Mayor Gingles**

125 **ABSTAIN: None**

126 **ABSENT: None**

127
128 **Lisa Salling, 15100 Hwy 128,** stated that she sent an email to the Council
129 on March 5, 2012. She reiterated her thoughts regarding the 75% rule as it
130 applies to stand-alone winery tasting rooms noting that this requirement is
131 still a stricter requirement than any winery in any zone in the City limits is
132 going to have to abide by. She also discussed the enforcement issues.

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I) PUBLIC HEARING (7:36 p.m.)

6) Continued Public Hearing on proposed Solage Local Benefit Districts Reimbursement Agreement Relating to Certain Water, Sewer and Storm Drain Improvements Installed During the Construction of the Solage Calistoga (Palisades) Resort.

Public Works Director Takasugi presented the item. He stated that this Public Hearing was continued to tonight from the February 7, 2012 City Council meeting because an agreements on how these issues would be solved could not be reached with Solage ownership. He stated that part of the reason it was continued was to get final agreement on the reimbursement agreement. He focused most of his discussion on items that Council had previously voiced concerns. He discussed Council's concerns regarding the reimbursement payments and when they should be issued; properties reducing or eliminating the reimbursement obligation for drainage; establishing fairer allocations for reimbursement costs for water improvements; inclusion of the Village Inn in the Sewer area of benefit; and the inclusion of the Silver Rose property in the water area of benefit. He discussed in detail staff's responses to these questions and concerns. He stated that after much discussion over the past few weeks, a general agreement was reached with Solage ownership.

Council discussion ensued.

Mayor Gingles opened the public hearing at 7:51 p.m.

Larry Kromann, 19 Rockrose Lane, expressed his concerns and asked for clarification on how the reimbursement agreement will impact the mobile home parks. He stated that fear is rising in many of the mobile home park owners due to confusion of what will trigger the reimbursement agreement. He also stated his concerns and dissatisfaction of the Solage draining infrastructure and stated that it is not working properly.

Director of Public Works Takasugi addressed Mr. Kromann's questions and concerns.

Council discussion ensued. Council requested that staff provide more information on how the Reimbursement Agreement relates to and affects mobile home parks.

Albert Farha, 74 Holly Drive, voiced his concerns with how the Reimbursement Agreement will affect the mobile home parks. He stated

179 that the agreement should provide a clearer definition of how it applies to
180 the mobile home parks.

181
182 **Kurt Larrecou, 1707 Michael Way**, distributed a communication to the
183 Council written by the Calistoga Citizens for Ethical Government. He
184 referenced Resolution 2004-109 related to Use Permit U 2004-16. He
185 argued that the residential properties should not be included in the
186 Reimbursement Agreement. He stated that legal representation should be
187 present to discuss the Reimbursement Agreement and all the questions and
188 concerns that have arisen. He stated that the Calistoga Citizens for Ethical
189 Government are ready to file legal action against the City.

190
191 **Clarence Luvisi, 285 Rosedale Road**, requested from staff a clearer
192 explanation and clarification on what would trigger the Reimbursement
193 Agreement in the mobile home parks. He discussed the Solage drainage
194 ditch.

195
196 **Mayor Gingles closed the public hearing at 8:15 p.m.**

197
198 Council discussion ensued.

199
200 **City Manager Spitler** stated that staff will review and make certain that
201 there is clarification in the Reimbursement Agreement regarding the mobile
202 home park and the triggers that apply.

203
204 **Mayor Gingles** asked whether Solage is ready to sign the Reimbursement
205 Agreement. **Public Works Director Takasugi** stated that Solage is ready to
206 sign the agreement.

207
208 Council consensus is to continue the Public Hearing until further information
209 and clarification is provided by staff to make sure that the mobile home
210 parks will not be required to pay the fee if they undertake activities normally
211 associated with such parks. Clarification also needs to be provided
212 regarding the drainage improvement associated with the Solage
213 development.

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215 **J) GENERAL GOVERNMENT (8:33 p.m.)**

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217 **7) Consideration of holding a City Council Study Session on March 27**
218 **and 29 at the Community Center to prepare the City Council goals and**
219 **objectives for FY 2012/2013**

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221 The Consensus of the Council is to set two City Council Study Session
222 dates for Tuesday, March 27, 2012 and Thursday, March 29, 2012 to
223 prepare the City Council goals and objectives for FY 2012/2013.

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K) ADJOURNMENT

Mayor Gingles adjourned the meeting at 8:39 p.m. to the next scheduled special meeting of the Calistoga City Council, on Tuesday, March 20, 2012, Calistoga Community Center, 1307 Washington Street, 7:00 p.m.

Respectfully submitted:

Prepared by: Amanda Davis, Deputy City Clerk

Approved by: Jack Gingles, Mayor