

MINUTES

CITY COUNCIL-CLOSED SESSION TUESDAY, JANUARY 17th, 2012- 6:00 P.M. CALISTOGA COMMUNITY CENTER

A) CALL TO ORDER

Mayor Gingles called the Regular Session to order at 6:00 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 was City Manager Richard Spittler.

B) ORAL COMMUNICATIONS

No public comment.

C) ADJOURN TO CLOSED SESSION ON THE FOLLOWING MATTERS:

1. Conference with Legal Counsel, Existing Litigation pursuant to Government Code Section 54956.9(a)

Name of Case: Rancho de Calistoga, a California General Partnership v. City of Calistoga; Case No. 26-57311 and Case No. C11-05015

2. Conference with Legal Counsel – Existing Litigation pursuant to Government Code Section 54956.9 (a)

Name of Case: Page Construction Company v. City of Calistoga; Arbitration Case No. A-003-2011

D) CONVENE TO OPEN SESSION IN THE COMMUNITY CENTER

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

E) ADJOURNMENT

Mayor Gingles adjourned the Closed Session at 7:00 p.m. to the regular meeting of the Calistoga City Council, on Tuesday, January 17, 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

MINUTES

CITY COUNCIL – REGULAR MEETING TUESDAY, JANUARY 17, 2012 - 7:00 P.M. CALISTOGA COMMUNITY CENTER

A) CALL TO ORDER

Mayor Gingles called the Regular Session to order at 7:00 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, City Manager Richard Spitler, and Deputy City Clerk Amanda Davis.

B) SALUTE TO THE FLAG

C) ACTION OUT OF CLOSED SESSION

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

D) ORAL COMMUNICATION ON CONSENT ITEMS OR NON-AGENDA ITEM

Albert Farha, 74 Holly Drive, spoke in regards to the adjoining property that is located on the backside of his fence. He stated that this property belongs to the Indian Spring's resort. He voiced his complaints and concerns with the overgrown bamboo that exists and noted that this is an ongoing issue that needs to be addressed immediately and continuously.

Dieter Deiss, 3000 Palisades Road, spoke regarding the intersection at Silverado Trail and Lincoln Avenue. He spoke about the use of the Oat Hill Mine trail and the voluminous amount of cars that are parked in that area for use of the trail. He is concerned with how this congestion affects our gateway to Calistoga and feels that pedestrian safety should be improved at this intersection. He said that he heard the Caltrans funding for a roundabout has been terminated.

E) 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.

F) COUNCIL REQUESTS AND IDEAS FOR DISCUSSION

Vice Mayor Dunsford, asked that the City Manager include in his weekly memos the month-to-month information from the Police and Fire Department reports so that they are able to compare the reports.

Mayor Gingles gave his condolences to Dorothy Roadman, a past City employee who recently lost her husband John Roberts.

G) PRESENTATION

- 1) **Quarterly report presentation by the Calistoga Family Center.** Victoria Lee introduced and presented the item. She stated the the Calistoga Family Center (CFC) is given \$10,000 per year from the city for outreach purposes. She provided a quarterly report (October-December 2011) to the Council which outlined the program objectives and their accomplishments. She stated that one area of outreach that has increased tremendously is to the senior community. She stated that the CFC is interested in forming a City subcommittee on senior needs and would like to develop a needs assessment which will then lead to a strategic plan.

- 2) **Presentation by Olivia Lemen, Recreation Manager, on the mid-year status of the Recreation Service Division.**

Recreation Manager Lemen presented the item. She gave a review of the first six (6) months after the restructuring of the Recreation Services Division. She stated that with the reorganization of the department two full-time recreation positions were eliminated in June 2011 and two new part-time positions were created. One Recreation Coordinator oversees the adult and senior activities, and the other Recreation Coordinator oversees youth and teen programs. She stated that they are currently working on finalizing the Spring Recreation Guide and it should be released at the end of March. She discussed several new classes and activities that will be offered in the upcoming months.

H) CONSENT CALENDAR

- 3) **Minutes of the December 6, 2011 regular City Council meeting.**
- 4) **Consideration of an Ordinance, initiated by the City of Calistoga amending Chapter 3.32 (Public Works Bids) and Chapter 3.34 (Purchasing Requirements).**
- 5) **Consideration of a Resolution authorizing the acceptance of a donation in the amount of \$100 from Chateau Montelena Winery.**

- 6) **Consideration of a Resolution authorizing the acceptance of a donation of materials and equipment with a value of \$8,895.88 from the Rudolph and Maria Felgenhauer Trust.**
- 7) **Consideration of a Resolution authorizing the acceptance of donations to the Holiday Dinner in the amount of \$1,945.**
- 8) **Consideration of a Resolution approving the 2012 Parade List and authorizing the Public Works Department to apply for Encroachment Permits from Caltrans.**
- 9) **Consideration of a Resolution Ratifying Vallarta Market Landscape Maintenance Agreement.**

Councilmember Canning requested that Item No 8. be pulled for clarification.

It was MOVED by Vice Mayor Dunsford and SECONDED by Councilmember Slusser to approve Items No.3, 4, 5, 6, 7 and 9 on the Consent Calendar. The Motion was carried unanimously.

Councilmember Canning requested clarification regarding fees for encroachment permits for the City, and the recouping of costs for events outside of the normal City events. He asked whether the City recoups costs for Police Department and Public Works Department services from the event organizers.

Public Works Director Takasugi stated that the City does not have to pay fees for encroachment permits. He stated that staff does track and attempts to recoup the costs for events in the City. He stated that in the past staff has not been recouping costs from the Napa County Fairgrounds for the annual 4th of July event; however, they will be attempting to do that in the future.

It was MOVED by Councilmember Canning and SECONDED by Vice Mayor Dunsford to approve Item No. 8 on the Consent Calendar. The Motion was carried unanimously.

I) PUBLIC HEARING

None.

J) GENERAL GOVERNMENT

- 10) **Update regarding the criminal justice administration fees adopted pursuant to Resolution No. 2011-006 at the January 18, 2011 Council meeting.**

Police Chief Mills presented the item. He stated that the criminal justice administration fee allows the City to recover costs associated with booking and processing an arrested and subsequently convicted person. The Police Department has been imposing this Criminal Justice Fee since February, 2011. Since February, 2011, there have been 72 bookings for which we have received the fee for arrested persons.

- 11) Consideration of a Resolution authorizing a budget appropriation and a request to execute a funding agreement with Calistoga Affordable Housing, Inc. (CAH) in the amount of \$10,000 to support CAH's 2012 "Rebuilding Calistoga Program".**

City Manager Spitler introduced the item. He gave a brief background on Calistoga Affordable Housing (CAH) noting that CAH has been running the successful Rebuilding Calistoga Program for the past two (2) years. He stated that CAH has requested \$20,000 in funding for 2012. He stated that the program typically runs for half the year, but that CAH now wishes to run the program year-round. He stated that because of the City's financial situation, he is recommending that only \$10,000 be released for FY 2011/2012. He also stated that the rest of the requested funds could be used in the next fiscal year and will be included for consideration in the upcoming FY 2012/2013 budget. He is recommending that City Council adopt the resolution.

Larry Kroman, 19 Rockrose Lane, President of Calistoga Affordable Housing, spoke regarding the item. He recognized the numerous people in the audience who came to show their appreciation to Council for the support they have received through this program. He gave a brief summary of the 2011 Rebuilding Calistoga and Calistoga Affordable Housing and also discussed what is planned for 2012. He stated that CAH has already received \$85,000 from other grant sources.

The Councilmembers commemorated Mr. Kroman and CAH for the work that has been accomplished in the City for various people involved in the Rebuilding Calistoga program.

It was **MOVED** by Vice Mayor Dunsford and **SECONDED** by Councilmember Slusser to adopt **Resolution No. 2012-006** authorizing a budget appropriation and a request to execute a funding agreement with Calistoga Affordable Housing Inc. (CHA) in the amount of \$10,000 to support CAH's 2012 "Rebuilding Calistoga Program". The Motion was carried unanimously by the following vote:

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

NOES: None

ABSTAIN/ABSENT: None

12) Consideration of a Resolution Approving Amendment No. 10 to the Funding Agreement with Napa County Flood Protection and Watershed Improvement Authority

Public Works Director Takasugi presented the item. He discussed the background of the Measure A Funding Agreement. He stated that this Amendment No. 10 to the funding agreement is an administrative amendment and noted that it will shift the funding expenditure allocation from three (3) fiscal years to four (4) fiscal years. He stated that the Measure A project was for Kimball Dam improvements, and the cost of the project was not changed, but it will allow the City to seek another \$448,000 in Measure A reimbursements for past expenditures. He stated that Napa County has already approved this amendment contingent on Calistoga City Council's approval.

It was **MOVED** by Councilmember Slusser and **SECONDED** by Vice Mayor Dunsford to adopt Resolution No. 2012-007 approving Amendment No. 10 to the Funding Agreement with Napa County Flood Protection and Watershed Improvement Authority. The Motion was carried unanimously by the following vote:

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

NOES: None

ABSTAIN/ABSENT: None

Mayor Gingles requested that City Manager Spitler direct staff to send a letter to Mr. Merchant regarding the overgrown bamboo located at Indian Springs Resort that is affecting their adjoining neighbor's property. He also stated that he will follow-up with Public Works Director Takasugi regarding the intersection at Silverado Trail and Lincoln Avenue and the issues at hand.

K) ADJOURNMENT

Mayor Gingles adjourned the meeting at 8:10 p.m. to the next scheduled special meeting of the Calistoga City Council, on Tuesday, January 24, 2011, Calistoga Community Center, 1307 Washington Street, 7:00 p.m.

Respectfully submitted:



Prepared by: ~~Amanda Davis~~, Deputy City Clerk


Approved by: Jack Gingles, Mayor