

**CITY COUNCIL**  
**TUESDAY, MAY 20, 2008 - 6:30 P.M.**  
**CALISTOGA COMMUNITY CENTER**  
**CLOSED SESSION**

**CALL TO ORDER**

**Mayor Jack Gingles** called the Closed Session to order at 6:00 p.m. In attendance were the following: Councilmember Placido Garcia, Councilmember Gary Kraus, and Councilmember Karen Slusser, Vice Mayor Michael Dunsford and Mayor Gingles. Also present were City Manager James McCann.

1. **Public Employee Performance Evaluation, GCS 54957, City Manager.**  
**(b) Government Code Section 54956.9:**

**ADJOURNMENT**

**Mayor Gingles** adjourned the **Closed Session** at 7:00 p.m. to the Regular Meeting of the Calistoga City Council, Tuesday, May 20, 2008, 7:00 p.m., 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

**MINUTES  
CITY COUNCIL – REGULAR MEETING  
TUESDAY, MAY 20, 2008 - 7:00 P.M.  
CALISTOGA COMMUNITY CENTER**

**CALL TO ORDER**

**Mayor Gingles called the Regular Session to order at 7:05 p.m.**

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

Also present were, City Manager James McCann, Senior Civil Engineer Jim Smith, Administrative Services Director David Spilman, Senior Planner Ken MacNab, Planning and Building Director Charlene Gallina 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**

**Chris Henderson, 1809 West Myrtle Street**, provided a communication to the City Council. He stated he represents an organization of citizens interested in a “green and sustainable” Calistoga and they urge the City Council to deal demonstrably with the adopted Fiscal Year 2007/2008 goal regarding adopting green environmental policies/initiatives.

**Mayor Gingles** stated that he appreciates and shares the organization’s desires. He asked Dr. Henderson to provide a list of the organization members to City Manager McCann.

**Don Holinsworth, 919 Champagne Circle South**, asked if the City has taken a position on Proposition N and how it would affect the City if approved (**Mayor Gingles** responded that the City has not taken a position on Proposition N).

**Frank Lucier, Executive Director for the Silverado-Napa Chapter of the Red Cross**, introduced himself and stated that he has meet with City staff to

discuss disaster preparedness and he will be reporting to the Council annually. He stated that the Silverado-Napa Chapter of the Red Cross is taking donation through the Marj Dixon Disaster Fund to help support County-wide disaster relief.

**Clarence Luvisi, 285 Rosedale Road**, stated his concerns regarding the City's recent Sphere of Influence discussions.

### **ADOPTION OF MEETING AGENDA**

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

### **OATH OF OFFICE**

**1. Swearing in of the following new paid call firefighters:**

- Troy Alvarado
- Robert Ebling
- Zamitley Guada

**Mayor Gingles** introduced the following new paid-call firefighters: Troy Alvarado, Robert Ebling and Zamitley Guada. Following his introductions they were sworn in by City Clerk Susan Sneddon.

### **PROCLAMATION**

**2. Proclamation for retiring museum docent Virginia Hoffman.**

**Mayor Gingles** stated that he presented a proclamation to retiring museum docent Virginia Hoffman at a luncheon earlier today; he complimented Ms. Hoffman on her outstanding volunteer service to the Sharpsteen Museum.

### **CONSENT CALENDAR**

- 3. Accounts payable for the period ending Thursday, April 10, 2008. (Total amount of \$213,206.40).**
- 4. Minutes of the regular City Council Meeting on May 6, 2008.**
- 5. Adoption of Resolution No. 2008-043 authorizing the City Manager to execute the Letter of Engagement with Terry E. Krieg, CPA for audit services in connection with the June 30, 2008 Comprehensive Annual Financial Report.**
- 6. Adoption of Resolution No. 2008-044 directing the City Engineer to prepare and file a report for the Silverado Place Subdivision Landscape Maintenance District in accordance with Article 4 of Chapter 1 of the California Streets and Highways Code.**

7. Adoption of **Resolution No. 2008-045** directing the City Engineer to prepare and file a report for the Palisades Subdivision Landscape Maintenance District in accordance with Article 4 of Chapter 1 of the California Streets and Highways Code.
8. Adoption of **Resolution No. 2008-046** calling and giving notice of the holding of a General Municipal Election to be held November 4, 2008, and requesting the Board of Supervisors to permit the County Clerk and County Elections Department to render certain services.
9. Adoption of **Resolution No. 2008-047** authorizing the one-time sale of a portion of Calistoga's 2007 State Water Project Carryover Water Allocation to the City of Napa and City of American Canyon via the Napa County Flood Control and Water Conservation District.

**Mayor Gingles** requested that **Item No. 10** be pulled from the Consent Calendar for discussion.

**Councilmember Kraus** stated that he will abstain on **Item No. 7** because he lives within 500 feet of the Palisades Subdivision and it would be a conflict of interest.

It was **MOVED** by Vice Mayor Dunsford and **SECONDED** by Mayor Gingles to approve **Items No. 3, 4, 5, 6, 7, 8, & 9** on the Consent Agenda. The Motion was carried unanimously, with the exception of an abstention made by Councilmember Kraus due to a conflict of interest.

10. Adoption of a Resolution authorizing an update to the Change Order Procedures and approval Thresholds in the Construction Procedures Manual.

**Mayor Gingles** requested that the Mayor or the Vice Mayor be informed of all major change orders (more than \$20,000).

**City Manager McCann** stated that the Construction Procedure Manual was updated 10 years ago and staff is recommending that it be updated to increase the administrative ability to address change orders. He stated that City Council will be advised of substantive change orders. He noted that any change order requiring approval for an authorized project must be within the adopted budget. He stated this procedure will be helpful as there will be several significant projects over the next 12-18 months.

It was **MOVED** by Vice Mayor Dunsford and **SECONDED** by Mayor Gingles to adopt Resolution No. 2008-048 authorizing an update to the Change Order Procedures and approval Thresholds in the Construction Procedures Manual with additional language directing the City Manager to contact the Mayor or Vice Mayor if there are change orders for more than \$20,000. The Motion was carried unanimously as follows:  
**AYES:** Vice Mayor Dunsford, Mayor Gingles, Councilmembers Kraus,

**Slusser and Garcia**

**NOES: None**

**ABSTAIN/ABSENT: None**

### **PUBLIC HEARING**

- 11. Consideration a Zoning Ordinance Text Amendment, initiated by the City of Calistoga, amending Chapter 17.38 General Provisions and Exceptions of the Calistoga Municipal Code to allow limited increases in lot coverage within the R-1 (single-family residential) zoning district.**

**Senior Planner MacNab** provided a brief history of the proposed Zoning Ordinance.

**Mayor Gingles** opened the public hearing.

No public comment.

**Mayor Gingles** closed the public hearing.

**Councilmember Kraus** asked what the substance of a recent letter from Mr. Paul Knoblich to the City was regarding.

**Senior Planner MacNab** stated that Mr. Knoblich had identified various approaches in the drafting of the proposed Ordinance which the Planning Commission evaluated; he stated that Mr. Knoblich supports the Council's adoption of the proposed Ordinance as provided.

**It was MOVED by Mayor Gingles and SECONDED by Councilmember Slusser to a Zoning Ordinance Text Amendment, initiated by the City of Calistoga, amending Chapter 17.38 General Provisions and Exceptions of the Calistoga Municipal Code to allow limited increases in lot coverage within the R-1 (single-family residential) zoning district. The Motion was carried unanimously by the following roll call vote:**

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

**NOES: None**

**ABSTAIN/ABSENT: None**

### **GENERAL GOVERNMENT**

- 12. Presentation of the Audited Comprehensive Annual Financial Report (CAFR) as of June 30, 2007.**

**Terry Krieg, CPA**, presented the City's independent audit for Fiscal Year ending June 30, 2007.

**The Council praised Mr. Krieg for a complete report, and a very clear presentation; Council received the report.**

**13. Consideration of a request from the Local Agency Formation Commission of Napa County (LAFCO) for input and guidance on the adequacy of the City of Calistoga's current Sphere of Influence and any suggestions for modification to serve planned public facility and service needs. To be continued to the June 3, 2008 City Council Meeting.**

**Mayor Gingles** stated that he is a member of LAFCO and it is his understanding that all California cities are required by State law to have a Sphere of Influence set up within their respective jurisdictions. He apologized for the limited of public outreach regarding this topic and recommended that any action on this item be delayed to allow additional time for public review and informal discussion. He announced that there will be a "town hall" public meeting on Thursday, May 22, 2008 to discuss the proposed Sphere of Influence.

**City Manager McCann** apologized to the community for unnecessarily creating excitement regarding this matter and that staff plans to improve communication to the public. He stated that this is not an initiation of annexation, but a response to LAFCO's requirement to look at the Sphere of Influence pursuant to State law. He stated that questions have been raised regarding long-term plans as part of the City's General Plan. He stated that the City needs to take a step back and initiate discussions with the community before any consideration of modification of boundaries should occur. He stated that the public is invited to an informational meeting at 7:00 PM, May 22, 2008 (Community Center) to discuss the topic. He advised that given the input received from the public, Planning Commission and City Council to date and after further staff discussions the City will communicate to LAFCO that no modification to the existing boundaries of the City is desired by Calistoga.

**Rob Fisher, 4771 Silverado Trail**, asked if the Planning Commission or staff plan to offer more input regarding the Sphere of Influence at the May 22<sup>nd</sup> public meeting.

**City Manager McCann** responded that the intent of the May 22<sup>nd</sup> meeting is to provide open discussion and for staff to explain the process to comply with LAFCO's request.

**Wendy Fisher, 1501 Cedar Street**, asked if information will be provided to the public at the May 22<sup>nd</sup> meeting, and if other considerations will be discussed regarding this matter.

**Mayor Gingles** stated that the May 22<sup>nd</sup> meeting will be informal and the public will have the opportunity to ask questions and make comments.

**Vice Mayor Dunsford** apologized to those with concerns regarding this issue and stated that an informal meeting with the public should have occurred prior to scheduling public hearings.

**There was Council consensus for this item to be continued to the June 3, 2008 City Council meeting to allow additional time for public comment.**

**14. Consideration of a Resolution authorizing the Community Enrichment Grants for Fiscal Year 2008-2009.**

**Mayor Gingles** thanked Councilmembers Kraus and Slusser for their efforts in reviewing the Community Enrichment Grant applications.

**Trudy Bouligny, Calistoga Community Learning Center**, also expressed her thanks and apprised Council on how the funding provides programming that would not ordinarily be available for after school programming.

**Donna Higgins, Calistoga Art Center President**, thanked the Council for this year's grant for the Art Center.

**Clarence Luvisi, 285 Rosedale Road**, stated that it has been proven that young people develop better with exposure to art and music programs.

**It was MOVED by Mayor Gingles and SECONDED by Councilmember Slusser to adopt Resolution No. 2008-049 authorizing the Community Enrichment Grants for Fiscal Year 2008-2009. The Motion was carried unanimously by the following vote:**

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

**NOES: None**

**ABSTAIN/ABSENT: None**

**CITY MANAGER REPORTS**

- Update provided regarding the Busk Nuisance Abatement; debris have been removed and Coastland Engineering is working on the design for restoration of the property.
- Update provided regarding the Karpuk Nuisance Abatement; a notice has been posted on the Karpuk property and the utilities have been disconnected to eliminate potential sources of ignition and the property has been vacated.
- The Napa County Transportation and Planning Agency is hosting the June 13<sup>th</sup> Napa County Growth Summit at Napa High School from 8:30 a.m. to 3:45 p.m.

- Napa County Transportation and Planning Agency is working on a Transportation Sales Tax Measure (1/2 cent sales tax increase) for the November 4, 2008 Election.
- The Governor issued the May Revised Budget; no significant “take-aways” from local government; delay in gas tax money; potential effect of Proposition 42 (transportation funds); reduction of 10% of the COPS Grant.
- Announced that the City’s Recreation Activity Guide is available on the City’s website.
- Report on the Oat Hill Mine Trail Ribbon Cutting Ceremony held on Sunday, May 18<sup>th</sup>; joint effort by the Napa County Regional Park and Open Space District in partnership with Napa County and Volunteers for Outdoor California in restoring the trail.
- Update on the Urban Design Plan; will have the screen check by May 28<sup>th</sup> and expect the Urban Design Plan to be available for the public by June 13<sup>th</sup>; Planning Commission and the City Council to review the plan in upcoming public meetings.

### **COUNCIL REQUESTS AND IDEAS FOR DISCUSSION**

**Mayor Gingles** stated that on May 26<sup>th</sup> there is a Memorial Day Service planned beginning at 10 a.m. at Pioneer Cemetery; he thanked the Sierra Club for the kiosk set up at the beginning of the Oat Hill Mine Trail; the Palisades Workforce Housing ground breaking was on May 19<sup>th</sup>.

### **CITY COUNCIL ADJOURNMENT**

**Mayor Gingles adjourned the meeting at 8:40 p.m. to the next scheduled regular meeting of the Calistoga City Council, on Tuesday, May 20, 2008, 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**