

## MINUTES

### CITY COUNCIL-CLOSED SESSION TUESDAY, NOVEMBER 20, 2012- 6:00 P.M. CALISTOGA COMMUNITY CENTER

#### A) CALL TO ORDER

**Mayor Gingles called the Closed Session to order at 6:00 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 was City Manager Richard Spitler.

#### B) ORAL COMMUNICATIONS

No public comment.

#### C) ADJOURN TO CLOSED SESSION ON THE FOLLOWING MATTERS:

- 1) Public Employee Performance Evaluation, GCS 54957, City Manager.

#### D) CONVENE TO OPEN SESSION TO REPORT FROM CLOSED SESSION

**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, November 20, 2012 Calistoga Community Center, 1307 Washington Street, 7:00 p.m.

**Respectfully submitted:**

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

  
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**Approved by: Jack Gingles, Mayor**

## **MINUTES**

### **CITY COUNCIL – REGULAR MEETING TUESDAY, NOVEMBER 20, 2012– 7:00 P.M. CALISTOGA COMMUNITY CENTER**

#### **A) CALL TO ORDER**

**Mayor Gingles called the Regular Session to order at 7:05 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 Planning & Building Manager Ken MacNab, Senior Planner Erik Lundquist, Public Works Director Dan Takasugi, City Manager Richard Spitler, Fire Chief Steve Campbell, and Deputy City Clerk Amanda Davis.

#### **B) ACTION OUT OF CLOSED SESSION**

**Mayor Gingles** reported that a Closed Session was held to discuss the City Manager's annual evaluation and that there was no reportable action.

#### **C) SALUTE TO THE FLAG**

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

**Kerri Abreu, 1720 Reynard Lane**, spoke regarding Ken MacNab's position being vacant and hopes that the City will fill his position with someone very qualified. She also spoke regarding the Christmas Bazaar and stated her concerns with the fact that the Chamber of Commerce is not promoting this event this year. **Councilmember Canning** responded to her comments stating that no one has reached out to the Chamber in regards to this event.

#### **E) ADOPTION OF MEETING AGENDA**

It was **MOVED** by Councilmember **Canning** and **SECONDED** by Councilmember **Slusser** to approve the Council Meeting Agenda as amended to hear item G: Proclamations/Presentations/Awards prior to item F and to add in a presentation by the American Cancer Society. The Motion was carried unanimously.

**G) PROCLAMATIONS/ PRESENTATIONS/ AWARDS**

- 1) **Appreciation award to Calistoga Police Officer Gary Enyart (25 years of service)**

**Mayor Gingles** presented a twenty-five year appreciation award to Police Officer Gary Enyart. Gary Enyart accepted the award.

- 3) **Presentation by Peggy McCormick from the American Cancer Society.**  
(This item was added to the agenda and was to be heard prior to Item No. 2)

**Peggy McCormick**, spoke on behalf of the American Cancer Society and is the Event Chair for the Relay for Life in St. Helena this year. She stated that the event will take place in St. Helena the weekend of July 13-14, 2013. She stated that their goal is to partner with the City of Calistoga and switch off holding the event at both locations. Ms. McCormick discussed last year's Relay for Life event and discussed this year's goals for fundraising.

- 2) **Presentation of Annual Report by the Chamber of Commerce on its destination marketing program.**

**Chris Canning, Executive Director of the Chamber of Commerce**, gave a PowerPoint presentation on its Destination Marketing Program. He discussed and presented data from FY 11/12 and the 1<sup>st</sup> quarter of FY 12/13. He discussed staffing allocation, Visitor Center operations, domestic visitor interactions, international visitor interactions, Visitor Center Volunteers, Calistoga Visitor website, online booking engine, marketing and public relations, TOT reporting, event execution, and TBID funds.

**F) COUNCIL REQUESTS AND IDEAS FOR DISCUSSION (7:41 p.m.)**

**Councilmember Slusser** reminded those who are interested that the Christmas Bazaar is coming up on December 1, 2012. She invited everyone to come and support the non-profit organizations.

**Mayor Gingles** spoke regarding an item on the Consent Calendar, regarding the Regional Housing Needs Allocation (RENA) cycle that is set up by the State and through the local agencies. He explained what this means and what the process is. He discussed the November 6, 2012 General Municipal Election. He discussed the CaliforniaFirst PACE Program that was adopted at the last Council meeting. He recognized Jan Schmitz, who passed away last Tuesday.

**H) CONSENT CALENDAR (7:51 p.m.)**

- 3) **Minutes of the May 15, 2012 and June 5, 2012 regular City Council Meetings.**

- 4) Adoption of Resolution No. 2012-075 approving the 2013 City Council meeting schedule.
- 5) Adoption of Resolution No. 2012-076 approving the Pool concrete renovation contract with Wilson Construction in the amount of \$45,000.
- 6) Adoption of Resolution 2012-077 authorizing abatement of abandoned, wrecked, dismantled, or inoperative vehicles on private property at 507 Washington Street.
- 7) Review and endorsement of proposed final housing allocations for the 2014 – 2022 Regional Housing Needs Allocation cycle.

It was **MOVED** by Councilmember **Kraus** and **SECONDED** by Vice Mayor **Dunsford** to approve Item Nos. 3,4,5,6 and 7 on the Consent Calendar. The Motion was carried unanimously.

**I) PUBLIC HEARING (7:51 p.m.)**

- 8) (1) Accept the County Certification that the Referendum Petition Against Resolution 2012-062 Approving the General Plan Overlay and Planned Development Goals for the Enchanted Resorts Properties Has the Requisite Number of Signatures; and (2) Reconsider Resolution 2012-062 and Either (a) Adopt a Resolution to Repeal Resolution 2012-062, or (b) Adopt a Resolution Submitting the Resolution to the Voters at a Special Election, and Consider the Designation of Council Members to Prepare Arguments in Favor of the Resolution

**RECOMMENDED ACTION:**

(1) By motion, accept the County Certification that the Referendum Petition against Resolution 2012-062 has the Requisite Number of Valid Signatures;

(2) Adopt a Resolution Submitting the Resolution to the Voters at a Special Election to be held March 5, 2013 and Requesting the Board of Supervisors of Napa County to Consolidate said Election with the March 5, 2013 Consolidated Election; and

(3) Designate one or two Council Members (Canning and Kraus) to prepare ballot arguments in favor of the Measure.

City Manager Spitler presented the item. He stated that Karen Murphy, City Attorney, who was assigned to this project, is here for discussion. He stated that John Tuteur, Napa County Registrar, is also present to present the Referendum Petition.

City Manager Spitler stated that on August 21, 2012 the City Council approved

the Enchanted Resorts Project. Subsequently, on September 20, 2012 a Referendum Petition was submitted requesting that the General Plan Amendment portion of the approval be rescinded. He stated that it takes 213 signatures to qualify the Referendum Petition, and 347 signatures of those obtained were verified. He said that the Council has two options: 1) after the Public Hearing Council can choose to repeal the General Plan Amendment Resolution or 2) submit the Resolution to the voters either at the next regular Municipal Election in November 2014, or at a Special Election which is no sooner than 88 days after the order by the City Council to have a Special Election. He said that staff has reviewed the material and is recommending that the Council submit the Resolution to the voters at a Special Election to be held March 5, 2013. He discussed the preparation of ballot arguments.

**John Tutuer, Napa County Registrar of Voters**, discussed the sufficiency of the Referendum Petition. He requested that the Council adopt a motion accepting the County Certification so that Council can then take subsequent motion. He also discussed the costs of a Special Election should one be held.

**Mayor Gingles opened the Public Hearing at 8:04 PM.**

**Cara O'Neill, Diamond Mountain Road**, expressed her thoughts and support for the Indian Springs Expansion project. She discussed her concerns with how the conversations took place in regards to the Enchanted Resorts project and asked Council to rescind Resolution No. 2012-062.

**Dawnine Dyer, 1501 Diamond Mountain Road**, asked that the Council rescind Resolution No. 2012-062 and explained her reasoning.

**Norma Tofanelli, 1001 Dunaweel Lane**, spoke regarding the November 6, 2012 General Municipal Election results. She discussed the significance of the results and asked why this Public Hearing is not taking place at the next Council meeting where a new City Council will be seated.

**Dennis McNay, 2653 Foothill Blvd.**, discussed the three proposed resorts and suggested that solar items be installed at all of the resorts to assist in making Calistoga "green".

**Mayor Gingles closed the public hearing at 8:18 p.m.**

**It was MOVED by Vice Mayor Dunsford and SECONDED by Councilmember Kraus to accept the County Certification that the Referendum Petition against Resolution 2012-062 has the requisite number of valid signatures. The Motion was carried unanimously.**

**Karen Murphy, City Attorney**, stated that should the Council decide to submit the question to the voters, there is a revised resolution that has been provided. She

said the that in Section 11 on Page 3, it has been amended as follows: "The City Council of the City of Calistoga does hereby request the Napa County Registrar of Voters consolidate the Election and establish a polling place".

Council discussion ensued and the consensus is to hold a Special Election on March 5, 2013.

**It was MOVED by Mayor Gingles and SECONDED by Councilmember Kraus to designate Councilmember Canning and Councilmember Kraus to prepare ballot arguments in favor of the Measure; and to adopt the amended Resolution No. 2012-078 submitting the Resolution to the Voters at a Special Election to be held March 5, 2013 and requesting the Board of Supervisors of Napa County to Consolidate said Election with the March 5, 2013 Consolidated Election. Motion was carried by the following vote:**

<b>AYES:</b>	<b>Mayor Gingles, Councilmembers Kraus, Slusser, Canning and Vice Mayor Dunsford</b>
<b>NOES:</b>	<b>None.</b>
<b>ABSTAIN:</b>	<b>None.</b>
<b>ABSENT:</b>	<b>None.</b>

**J) GENERAL GOVERNMENT (8:25 p.m.)**

**9) Consideration of a Resolution confirming the Mayor's appointments to the Planning Commission.**

**Vice Mayor Dunsford** recused himself from this item.

**Mayor Gingles** presented the item. He stated that another vacancy has been created due to the resignation of Commissioner Nicolas Kite. He said that Commissioner Kite had to resign because he is moving outside of the City limits. He stated that there are now three Planning Commission vacancies.

**It was MOVED by Mayor Gingles to appoint Paul Coates and Carol Bush to fill two of the vacant Planning Commission seats. The Motion died due to lack of Second.**

**Councilmember Kraus** stated that with a new Councilmember coming on board at the next City Council meeting, it would be more appropriate to make the Planning Commission appointment at that meeting.

**Councilmember Slusser** concurred.

**Councilmember Canning** feels that extending the timeframe will also allow for more applications to be submitted by interested individuals.

There was Council consensus to move this item to a Council meeting in December, 2012.

**K) ADJOURNMENT**

**Mayor Gingles** adjourned the meeting at 8:32 p.m. to the next scheduled regular meeting of the Calistoga City Council, on Tuesday, December 4, 2012, Calistoga Community Center, 1307 Washington Street, 7:00 p.m.

**Respectfully submitted:**



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



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**Approved by: Jack Gingles, Mayor**

