


# City of Calistoga

## Staff Report

**TO:** Honorable Mayor and City Council  
**FROM:** Susan Sneddon, City Clerk  
**DATE:** December 16, 2008  
**SUBJECT:** City Council Minutes

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**APPROVAL FOR FORWARDING:**

  
James C. McCann, City Manager

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- 1 **DISCUSSION:** The minutes of the December 2, 2008 regular City Council meeting.  
2  
3 **RECOMMENDATION:** Approve Minutes.  
4  
5 **ATTACHMENTS:** Aforementioned Minutes.

**CITY COUNCIL**  
**TUESDAY, DECEMBER 2, 2008 - 6:30 P.M.**  
**CALISTOGA COMMUNITY CENTER**  
**CLOSED SESSION**

**CALL TO ORDER**

**Mayor Jack Gingles** called the Closed Session to order at 6:30 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 was City Manager James McCann.

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

**ADJOURNMENT**

**Mayor Gingles** adjourned the **Closed Session** at 7:00 p.m. to the Regular Meeting of the Calistoga City Council, Tuesday, December 2, 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, DECEMBER 2, 2008 - 7:00 P.M.**  
**CALISTOGA COMMUNITY CENTER**

1 **CALL TO ORDER**

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3 **Mayor Gingles called the Regular Session to order at 7:10 p.m.**

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

8  
9 Also present were, City Manager James McCann, Public Works Director/City Engineer  
10 Dan Takasugi, Senior Civil Engineer Jim Smith, Planning and Building Director  
11 Charlene Gallina, Administrative Services Director David Spilman, Assistant City  
12 Attorney Benjamin Winig and City Clerk Susan Sneddon.

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14 **ACTION OUT OF CLOSED SESSION**

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

18  
19 **ORAL COMMUNICATION**

20  
21 None Provided.

22  
23 **ADOPTION OF MEETING AGENDA**

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

27  
28 **PRESENTATION**

- 29 1. **Presentation by John Tuteur, Napa County Registrar of Voters, regarding the**  
30 **results of the General Municipal Election held in the City of Calistoga,**  
31 **November 4, 2008.**

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**John Tuteur, Napa County Registrar of Voters**, provided a brief overview of the November 4, 2008 General Municipal Election. It was noted that the City had a 90% voter turn out for this election.

**Mayor Gingles** thanked Jim Barnes, Norman Wall and Gary Kraus for their participation in running in this year's election.

## **ELECTION RESULTS**

### **2. Consideration of a Resolution declaring the results of the General Municipal Election held in the City of Calistoga, November 4, 2008.**

It was **MOVED** by **Vice Mayor Dunsford** and **SECONDED** by **Councilmember Kraus** to approve **Resolution No. 2008-105** declaring the results of the General Municipal Election held in the City of Calistoga, November 4, 2008. The Motion was carried by the following vote:

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

**NOES:** **None**

**ABSTAIN/ABSENT** **None**

## **OATH OF OFFICE**

### **3. The City Clerk will administer the Oath of Office to the newly elected Officials who will then assume their seats.**

**City Clerk Susan Sneddon** administered the Oath of Office to newly elected Councilmember Michael Dunsford, Councilmember Karen Slusser and Mayor Jack Gingles.

**Councilmember Slusser** and **Vice Mayor Dunsford** thanked the community for their support in this election and stated that they are pleased with the City's voter turnout.

## **CERTIFICATE OF APPRECIATION**

### **4. Presentation of Certificate of Appreciation to Kathleen Guill for her service to Planning and Building Department (5 years).**

**Planning and Building Director Gallina** complimented Ms. Guill on her contributions to the City and for being a good "team player".

**City Manager McCann** thanked Ms. Guill for good work and assistance to the City.

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76 **PRESENTATION**

77 **5. Presentation by Jack Betourne of the Napa County Stormwater Management**  
78 **Program (NCSMP).**

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80 **Pubic Works Director/City Engineer Takasugi** introduced this item and provided a  
81 brief overview of the City's stormwater program.

82  
83 **NCSMP Stormwater Program Specialist Betourne** provided an overview of the  
84 City's water supply including the City's primary water sources and usage. He stated  
85 that the City will continue to implement its current Stormwater Management Program  
86 until a new Phase II National Pollutant Discharge Elimination System permit is  
87 developed.

88

89 **CONSENT CALENDAR**

90 **6. Accounts payable for the period ending Thursday, November 26, 2008.**  
91 **(\$543,973.55).**

92 **7. Minutes of the November 18, 2008 regular City Council meeting.**

93

94 **8. Adoption of an Ordinance No. 654 to amend the Calistoga Municipal Code to**  
95 **establish provisions to authorize sidewalk dining establishments within the**  
96 **public right-of-way in the Commercial Land Use Districts in the City of**  
97 **Calistoga.**

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99 It was **MOVED** by **Councilmember Garcia** and **SECONDED** by **Vice Mayor**  
100 **Dunsford** to approve **Items No. 6, 7 & 8** on the Consent Agenda. The Motion was  
101 carried by the following vote:

102

103 **PUBLIC HEARING**

104 **9. Consideration of a Resolution to levy a Special Assessment and Lien on**  
105 **property owned by Carla Marie and Robert Iona Karpuk (1820 Grant Street -**  
106 **APN 011-043-039) to recover public nuisance abatement cost.**

107

108 **Administrative Services Director Spilman** presented the staff report and stated  
109 that staff hired a contractor to abate the nuisance on the Karpuk's property after  
110 repeated attempts to work with the property owners.

111

112 **Mayor Gingles** stated for the record that the property owners were not present for  
113 this public hearing item.

114

115 **Assistant City Attorney Winig** stated that all the abatement processes were  
116 followed according to the City's Municipal Code and the State Government Code,

117 and the property owners received ample time to contest the costs associated with  
118 these abatement processes.

119  
120 **Mayor Gingles** opened the public hearing.

121  
122 There was no public comment.

123  
124 **Mayor Gingles** closed the public hearing.

125  
126 **Councilmember Kraus** stated that the City has determined that all the costs  
127 ensued to abate this property are true costs and that this should serve as a reminder  
128 to others of the high costs if code enforcement issues not addressed.

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130 It was **MOVED** by **Mayor Gingles** and **SECONDED** by **Councilmember Kraus** to  
131 approve **Resolution No. 2008-106** to levy a Special Assessment and Lien on  
132 property owned by Carla Marie and Robert Iona Karpuk (1820 Grant Street - APN  
133 011-043-039) to recover public nuisance abatement cost. The Motion was carried  
134 by the following vote:

135 **AYES: Mayor Gingles, Councilmember Kraus, Garcia, Slusser and**  
136 **Vice Mayor Dunsford.**

137 **NOES: None**

138 **ABSTAIN/ABSENT None**

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140 **10. Consideration of a Resolution authorizing submittal of an application to the**  
141 **United States Department of Agriculture, Rural Development for \$5.0 million**  
142 **dollars of financial assistance to construct the Mt. Washington Water Storage**  
143 **Tank Project at 335 Silverado Trail (APN 011-050-033) within the "PD", Planned**  
144 **Development Zoning District.**

145  
146 **Senior Civil Engineer Jim Smith** provided a brief history of this item and stated  
147 that the United States Department of Agriculture (USDA) pre-application received a  
148 favorable review. He stated staff is ready to submit an application to the USDA  
149 Rural Development for \$5.0 million dollars for financial assistance to construct the  
150 Mt. Washington Water Storage Tank with the project beginning in spring 2009.

151  
152 **Mayor Gingles** opened the public hearing.

153  
154 There was no public comment.

155  
156 **Mayor Gingles** closed the public hearing.

157  
158 It was **MOVED** by **Vice Mayor Dunsford** and **SECONDED** by **Councilmember**  
159 **Slusser** to adopt **Resolution No. 2008-107** authorizing submittal of an application to  
160 the United States Department of Agriculture, Rural Development for \$5.0 million  
161 dollars of financial assistance to construct the Mt. Washington Water Storage Tank

162 Project at 335 Silverado Trail (APN 011-050-033) within the "PD", Planned  
163 Development Zoning District. The Motion was carried by the following vote:

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

166 **NOES: None**

167 **ABSENT/ABSTAIN: None**

168

## 169 **GENERAL GOVERNMENT**

170 **11. Consideration of Resolution confirming the Mayor's appointments to the**  
171 **Planning Commission, County Wide Bicycle Advisory Committee, and**  
172 **Community Resources Commission, and Measure A-Financial Oversight**  
173 **Committee.**

174

175 **Mayor Gingles** introduced this item and asked the applicants present if they would  
176 like to comment on their application.

177

178 **Jim Barnes, 1710 Michael Way (Measure A-Financial Oversight Committee**  
179 **applicant)**, stated that based on his experience and in light of the state's current  
180 financial situation he feels that he could make a contribution to this committee.

181

182 **Matthew Moye, 1718 Mora Avenue (Planning Commission applicant)**, stated  
183 that he graduated from law school with an emphasis in Land Use and Planning; he  
184 gained experience clerking for a firm that represented the Transportation  
185 Commission of two counties. He stated that he could bring a "younger" perspective  
186 to the Planning Commission if appointed.

187

188 **Paul Coates, 1710 Reynard (Planning Commission applicant/incumbent)**,  
189 stated that he has "passion" for the community and is willing to continue putting in  
190 the time to continue his seat on the Planning Commission.

191

192 **Councilmember Kraus** stated that he has been impressed with Eleno Núñez  
193 contributions to the community and recommends him for an appointment on the  
194 Community Resources Commission.

195

196 **Mayor Gingles** recommended the following appointments:

197

- 198 • Clayton Creager (incumbent) and Paul Coates (incumbent) to the Planning  
199 Commission.
- 200 • Dieter Deiss (incumbent) to the County-wide Bicycle Advisory Committee.
- 201 • Eleno Núñez to the Community Resources Commission.
- 202 • Jim Barnes to the Napa County Measure A Financial Oversight Committee.

203

204 **After discussion there was Council consensus to make the appointments**  
205 **recommended by Mayor Gingles.**

206

207 It was **MOVED** by **Mayor Gingles** and **SECONDED** by **Councilmember Kraus** to  
208 adopt **Resolution No. 2008-108** confirming the Mayor's appointments to the  
209 Planning Commission, County Wide Bicycle Advisory Committee, and Community  
210 Resources Commission, and Measure A-Financial Oversight Committee. The  
211 Motion was carried by the following vote:

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

214 **NOES: None**

215 **ABSENT/ABSTAIN: None**

216

217 **12. Consideration of a Resolution authorizing the City Manager to execute a**  
218 **funding agreement with Napa County for the Farm Worker Centers.**

219

220 **There was Council consensus to continued this item to the December 16, 2008**  
221 **City Council Meeting.**

222

223 **13. Consideration of a Resolution approving the purchase and installation of**  
224 **an Accessible Pedestrian Signal (APS) System at Washington St. and Lincoln**  
225 **Avenue/Highway 29.**

226

227 **Pubic Works Director/City Engineer Takasugi** reviewed the request for an APS  
228 on Lincoln Avenue and Washington Street; he provided a brief history of this item.  
229 He stated that Council declined the installation of an APS in May 2007 due to  
230 concerns from adjacent restaurants business owners regarding the noise caused by  
231 an APS. He stated that a petition signed by 100 citizens was submitted to Council in  
232 November 2007 followed by staff's request to Caltrans for approval of an APS signal  
233 at this intersection with the intent of finding low-volume APS solutions. He stated  
234 that staff recently received approval from Caltrans to maintain a low-volume APS  
235 provided that the City purchase it. He stated that notices for this item were sent to  
236 business in the 150 foot radius and no feedback was received.

237

238 **Robert Vanderford, 2412 Foothill Blvd (representative for Calistoga's Low-**  
239 **Vision Group)**, thanked Pubic Works Director/City Engineer Takasugi for following  
240 up with this item.

241

242 **Councilmember Kraus** congratulated Mr. Vanderford for pursuing this item and  
243 asked Pubic Works Director/City Engineer Takasugi if additional time could be  
244 added for those crossing the intersection.

245

246 **Pubic Works Director/City Engineer Takasugi** stated that Caltrans would be able  
247 to adjust the time allowed to cross the intersection and he would be in touch  
248 Caltrans to make the necessary adjustments.

249

250 It was **MOVED** by **Mayor Gingles** and **SECONDED** by **Councilmember Slusser** to  
251 adopt **Resolution No. 2008-109** approving the purchase and installation of



252 an Accessible Pedestrian Signal (APS) System at Washington St. and Lincoln  
253 Avenue/Highway 29. The Motion was carried by the following vote:

254 **AYES: Mayor Gingles, Councilmembers Slusser, Garcia, Kraus**  
255 **and Mayor Gingles**

256 **NOES: None**

257 **ABSENT/ABSTAIN: None**

258

259 **City Manager McCann** thanked Public Works Director/City Engineer Takasugi for  
260 pursuing and shepherding this project through.

261

262 **14. Consideration of a Resolution approving the job classification and pay range**  
263 **for the Aquatics/ Recreation Manager position.**

264

265 **City Manager McCann** introduced this item and stated that the Council discussed  
266 this proposed position at two previous meetings and formed a subcommittee  
267 (Councilmembers Slusser and Kraus) to work with him to fine-tune the draft  
268 classification and to bring the matter back for Council action. He stated that the  
269 subcommittee has made amendments to the job description and he also meet with  
270 the Community Pool Advisory Committee for their input.

271

272 **Councilmember Kraus** stated that this proposed position has more emphasis on  
273 aquatic programming which will be beneficial for the first year the pool is open. He  
274 stated this position will be a cost savings to the City.

275

276 **Vice Mayor Dunsford** stated his concern regarding placing more emphasis on  
277 aquatics than other recreation program.

278

279 **City Manager McCann** stated that the proposed position will oversee the entire  
280 recreation division and will have more emphasis on aquatics for the first year with  
281 the opening of the community pool.

282

283 **Mayor Gingles** stated the City needs to clearly identify the direction of the proposed  
284 position and how it relates to the existing recreation staff.

285

286 **City Manager McCann** stated that the existing recreation staff will continue  
287 performing their duties and will have a significant role in the aquatics programming;  
288 the proposed position will be focused on aquatics and overseeing and expanding the  
289 existing recreation programs.

290

291 **Vice Mayor Dunsford** stated that it is his understanding that City will seek someone  
292 for this proposed position that has substantial professional recreation and aquatic  
293 management skills and will provide ongoing training for the current staff.

294

295 **City Manager McCann** stated that the current recreation staff is supportive of  
296 recreation programming improvements and enhancing the recreation staff.

297

298 **Councilmember Kraus** stated his support in enhancing the City's recreation  
299 programs in order to keep the children in the community engaged.

300  
301 **Vice Mayor Dunsford** stated his concern regarding adding too many responsibilities  
302 to the proposed position. He stated that it is the City's priority to provide quality  
303 recreational experiences for the children in the community.

304  
305 It was **MOVED** by Vice **Mayor Dunsford** and **SECONDED** by **Councilmember**  
306 **Garcia** to adopt **Resolution No. 2008-110** approving the job classification and pay  
307 range for the Aquatics/ Recreation Manager position. The Motion was carried by the  
308 following vote:

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

310 **NOES: Mayor Gingles**

311 **ABSENT/ABSTAIN: None**

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### 313 **CITY MANAGER REPORTS**

314

- 315 • The City's Strategic Planning efforts will be initiated in January 2009.
- 316 • The Fiscal Year 2008/2009 Napa County Grand Jury review has begun; it relates  
317 to cities transient occupancy tax and wastewater treatment plant systems.
- 318 • The County-wide ambulance service contract will expired in 2011 and staff will  
319 begin its review in January 2009; this item will be coming to Council for input  
320 early next year.
- 321 • Announced the Oat Hill Mine Trail Work Day – December 6<sup>th</sup> from 8:30 a.m. to  
322 4:00 p.m.
- 323 • Update on the Busk Abatement status provided; a contract with Harold Smith &  
324 Sons for the abatement and restoration of the property; action being taken to set  
325 a special assessment to recover the City's costs.
- 326 • A dedication of Carlo Marchiori's alleyway murals (between the Bank of America  
327 building and the Citaku property) will be on December 4<sup>th</sup> at 11 a.m.
- 328 • The City's Christmas tree lighting event will be on December 5<sup>th</sup> at 6 p.m.; the  
329 annual Chamber of Commerce Tractor Parade will be on December 6<sup>th</sup> in the  
330 evening.

331

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

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334 **Councilmember Slusser** stated that the Community Christmas Bazaar will be at the  
335 Fairgrounds on December 6<sup>th</sup>; the Calistoga Art Center will hold the "First Thursday  
336 Art Walk" on December 4<sup>th</sup>.

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**Mayor Gingles commented on the following:**

- On February 15, 2009 the Amgen Tour de California bicycle race will come through the City (starting in Davis and ending in Santa Rosa).
- He requested a copy of the draft geothermal report for the pool when it is available.
- He thanked the public for the positive voter turnout at the November 4, 2008 municipal election.

**CITY COUNCIL ADJOURNMENT**

**Mayor Gingles** adjourned the meeting at 8:50 p.m. to the next scheduled regular meeting to the Calistoga City Council, on Tuesday, December 16, 2009, 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**