

**MINUTES**  
**CITY COUNCIL – REGULAR MEETING**  
**TUESDAY, AUGUST 4, 2009 - 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 7:03 p.m.**

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

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9 Also present were Pubic Works Director/City Engineer Dan Takasugi, Planning  
10 and Building Director Charlene Gallina, Associate Planner Erik Lundquist and  
11 Administrative Secretary Lorie Goldbeck.

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13 **Mayor Gingles** noted that **Vice Mayor Dunsford** has been excused from  
14 the meeting.

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

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19 **Mayor Gingles** announced a Press Release dated August 3, 2009, was  
20 released confirming the first H1N1 related death in Napa County.

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22 **Fire Chief Campbell** reported that it has been confirmed through local  
23 sources that this case involved a young Calistoga resident. He noted that  
24 the name will not be release at this time out of respect for the family. He  
25 introduced **Napa County Public Health Officer Dr. Karen Smith** to give an  
26 update.

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28 **Napa County Public Health Officer Dr. Karen Smith** reported that a press  
29 release was issued so that Napa County residents recognize that this virus  
30 continues to circulate in our communities and can have very severe  
31 outcomes. She noted that the virus has leveled off over the last few days but  
32 that they are in the process of gearing up to respond. She also noted that  
33 seasonal flu vaccines are expected to begin early this year. She also  
34 reported that there are no known school closures at this time and  
35 commented on the importance of keeping sick children home.  
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37 **ORAL COMMUNICATION**

38  
39 There was no oral communication.

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41 **ADOPTION OF MEETING AGENDA**

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43 It was **MOVED** by **Councilmember Slusser** and **SECONDED** by  
44 **Councilmember Garcia** to approve the Council Meeting Agenda. The  
45 Motion was carried unanimously.

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47 **COUNCIL REQUESTS AND IDEAS FOR DISCUSSION**

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49 **Councilmember Garcia** announced a special meeting for the Hispanic  
50 community regarding gang activity on August 11, 2009 at 6:00 p.m. at the  
51 Community Center.

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53 **Councilmember Slusser** acknowledged the cutback in Public Works  
54 services but requested that if staff sees overflowing trash cans that they stop  
55 and clean it up.

56  
57 **Mayor Gingles** summarized a letter from a local restaurant worker stating  
58 that some recyclable items still end up in the regular trash.

59  
60 **Councilmember Slusser** reported that there has been discussion about  
61 recycling tools for restaurants and that the Waste Management Board is  
62 working on ways to address this issue.

63  
64 **Councilmember Garcia** stated that he has noticed that recycling is not  
65 enforced or practiced during public events and requested that people  
66 remember to recycle.

67  
68 **CONSENT CALENDAR**

- 69  
70 **1) Accounts payable for the period ending Thursday, July 30, 2009.**  
71 **(\$16,747.55)**  
72  
73 **2) Minutes of the July 21, 2009 regular City Council meeting.**  
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75 **3) Adopt Ordinance No. 661 amending Title 15, Chapter 15.50 titled**  
76 **Board of Appeals, of the Calistoga Municipal Code to clarify,**  
77 **streamline and improve program implementation.**

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79 It was **MOVED** by **Councilmember Garcia** and **SECONDED** by  
80 **Councilmember Kraus** to approve **Items No. 1, 2 and 3** on the  
81 Consent Calendar.

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83           **The Motion carried by the following vote:**  
84           **AYES:           Councilmembers Garcia, Kraus, Slusser, and Mayor**  
85                           **Gingles**  
86           **NOES:           None**  
87           **ABSENT:       Vice Mayor Dunsford**  
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89   **PUBLIC HEARING**

- 90  
91   **4) Consideration of Resolutions to amend the General Plan Land Use**  
92   **Map and Land Use Element and Ordinances to amend the Zoning**  
93   **Ordinance Map and Zoning Ordinance, specifically the Community**  
94   **Commercial District. The subject property is located at 963/965**  
95   **Silverado Trail (APN 011-050-043) within the High Density Residential**  
96   **Land Use Designation and “R3” Residential/Professional Office**  
97   **Zoning District.**  
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99           **Associate Planner Lundquist** gave a description of the item noting the  
100   General Plan Land Use text amendment to include religious institutions,  
101   wineries and tourist entertainment businesses, including bicycle rentals  
102   and tours within the Entry Corridor 2 Downvalley Silverado Trail Overlay  
103   District and a re-designation of the subject parcel from High Density  
104   Residential to Community Commercial. He also noted that this site is not  
105   viewed as a suitable location for affordable housing.  
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107           **Mayor Gingles** opened the public hearing. There was no public  
108   comment. **Mayor Gingles** closed the public hearing.  
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110           **Councilmember Slusser** expressed her concerns with the inclusion of  
111   bicycle rentals and tours in entryway corridors and gateways. She noted  
112   that she did not feel this language should be included in the General Plan  
113   and requested clarification.  
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115           **Associate Planner Lundquist** called attention to the Resolution noting  
116   that this amendment only applies to Entry Corridor 2 and that all proposed  
117   projects are subject to the processing of a use permit with Planning  
118   Commission approval. Staff also pointed out that this amendment was  
119   supported by the Planning Commission at their July 8, 2009 meeting.  
120

121           **Property Owner Joe Cabral, 1330 Diamond Mountain Road, Calistoga**  
122   stated that he approached the Planning Commission with a request to  
123   build a small winery with bicycle rentals and tours and that he is happy  
124   with the Planning Commission’s recommendation to Council.  
125

126           **It was MOVED by Mayor Gingles and SECONDED by Councilmember**  
127   **Kraus to adopt Resolution No. 2009-063 amending the General Plan**  
128   **Land Use Map redesignating the subject property from High Density**  
129   **Residential to Community Commercial.**  
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131           **The Motion carried by the following vote:**  
132           **AYES: Mayor Gingles, Councilmembers Kraus, Garcia, Slusser.**  
133           **NOES: None**  
134           **ABSENT: Vice Mayor Dunsford**

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136           **It was MOVED by Mayor Gingles and SECONDED by Councilmember**  
137           **Garcia to adopt Resolution No. 2009-064 approving a General Plan**  
138           **Land Use Element Text Amendment to the Entry Corridor 2**  
139           **Downvalley Silverado Trail.**

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141           **The Motion carried by the following vote:**  
142           **AYES: Mayor Gingles, Councilmembers Garcia, Kraus, and**  
143                           **Slusser.**  
144           **NOES: None**  
145           **ABSENT: Vice Mayor Dunsford**

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147           **It was MOVED by Mayor Gingles and SECONDED by Councilmember**  
148           **Slusser to introduce an Ordinance amending the Zoning Ordinance**  
149           **Map and Zoning Ordinance, specifically the Community Commercial**  
150           **District. The subject property is located at 963/965 Silverado Trail**  
151           **(APN 011-050-043) within the High Density Residential Land Use**  
152           **Designation and “R3” Residential/Professional Office Zoning District.**

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154           **The Motion carried by the following roll call vote:**  
155           **AYES: Mayor Gingles, Councilmembers Slusser, Kraus, and**  
156                           **Garcia.**  
157           **NOES: None**  
158           **ABSENT: Vice Mayor Dunsford**

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160           **It was MOVED by Mayor Gingles and SECONDED by Councilmember**  
161           **Kraus to introduce an Ordinance amending Title 17 (Zoning**  
162           **Ordinance) of the Calistoga Municipal Code, specifically section**  
163           **17.22.060 to allow wineries and bicycle sales, rentals and tours as**  
164           **conditionally permitted uses within the “CC” District.**

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166           **The Motion carried by the following roll call vote:**  
167           **AYES: Mayor Gingles, Councilmembers Kraus, Slusser, and**  
168                           **Garcia.**  
169           **NOES: None**  
170           **ABSENT: Vice Mayor Dunsford**

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172           **5) Consideration of Resolutions to adopt a Mitigated Negative**  
173           **Declaration, to grant an exception to the wastewater connection**  
174           **requirements to allow individual septic systems, and to approve a**  
175           **Tentative Parcel Map to divide a 9.70-acre parcel into four lots. The**  
176           **subject property is located on Grant Street (APN 011-390-035) within**  
177           **the “RR”, Rural Residential Zoning District.**

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179           **Mayor Gingles** introduced the item and opened the public hearing.

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**Dirk Fulton, 263 Petrified Forest Road, Calistoga**, stated that he is a family friend of the Arroyo's and they fully support the recommendations before Council. He noted valuable improvements for the City and requested Council's support of the Resolutions.

Being no further public comment **Mayor Gingles** closed the public hearing.

**Associate Planner Lundquist** gave a brief description of the item and noted that mitigation measures and conditions of approval are included that, among other things, require frontage improvements along Grant Street and because of this work it is likely that the deferred improvement agreements affecting properties in the vicinity will be called when the property owner commences preparation of the necessary improvement plans. The private on site improvements would be constructed upon the development of the first lot.

**Councilmember Slusser** expressed concerns about calling deferred agreements and the considerable expense to the affected property owners. She requested clarification and certainty on verbiage that might trigger calling the deferred agreements.

**Associate Planner Lundquist** stated that the action before Council does not call for improvements at this time and also noted that the City is required to notify and coordinate with the affected property.

Seeing an affected property owner in the audience, **Mayor Gingles** reopened the public hearing.

**Public Works Director Takasugi** commented that a cause for consideration is that there are a number of projects calling for frontage improvements on Grant Street that, given the proper coordination, can be accomplished concurrently and with economy of scale cost savings. He also noted that the frontage improvements would conform to the Grant Street standards.

**Frances Tedeschi, 2777 Grant Street, Calistoga**, commented that she was of the understanding that when the City fixed the roadway, the deferrals would be called in and all improvements on Grant Street would happen simultaneously. She also commented that she understands that if the City makes the improvements PG&E is responsible for moving the telephone poles versus the property owners bearing that responsibility through the deferred improvement conditions.

**Councilmember Slusser** reiterated her concerns noting that Council and staff need to be sensitive to the costs involved and make it reasonable for property owners to accomplish the improvements. She asked staff to guarantee that the action before the Council to approve the Tentative

229 Parcel Map would not trigger the improvements on the adjoining  
230 properties.

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232 **Associate Planner Lundquist** acknowledged that the conditions of Mr.  
233 Arroyo's Tentative Parcel Map do not trigger the improvements on  
234 adjoining properties, although, he expressed, the deferred improvements  
235 affecting the adjoining parcel would likely be called seeking certain  
236 improvements.

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238 **Mayor Gingles** closed the public hearing.

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240 **It was MOVED by Mayor Gingles and SECONDED by**  
241 **Councilmember Kraus to adopt Resolution No. 2009-065 adopting a**  
242 **Mitigated Negative Declaration and Mitigation, Monitoring and**  
243 **Reporting Plan based on an Initial Study Prepared for the Arroyo**  
244 **Tentative Parcel Map Project located on Grant Street APN 011-390-**  
245 **035) within the "RR", Rural Residential Zoning District and**  
246 **Resolution No. 2009-066 approving an exception to the sanitary**  
247 **sewer connection requirement for a proposed four lot subdivision**  
248 **located on Grant Street within the "RR", Rural Residential Zoning**  
249 **District (APN 011-390-035).**

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251 **The Motion was carried as follows by the following vote:**

252 **AYES: Mayor Gingles, Councilmembers Kraus, Garcia, and**  
253 **Slusser**

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## **CITY MANAGER REPORTS**

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**Public Works Director Takasugi** reported on the following:

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- The Low Vision Group will be meeting on Thursday, August 21<sup>st</sup> (1:30 PM, Rancho de Calistoga Club Room).
- The Climate Action Plan joint Planning Commission/Community Resources Commission public meeting will be held on August 5, 2009 at 5:30 p.m. at the Community Center.
- The first meeting of the ad-hoc Urban Design Plan/Merchant Property Subcommittee was held on August 3<sup>rd</sup> with a follow up meeting scheduled for August 18<sup>th</sup> or 19<sup>th</sup>. Staff will keep Council apprised of the outcome. An agenda for the meeting will be available by August 14<sup>th</sup>.
- A Hispanic Community Meeting on gang activity will be held at the Community Center, August 11<sup>th</sup> at 6:30 p.m.
- A strike team from our Fire Department is assisting with the Shasta fires.

274 **CITY COUNCIL ADJOURNMENT**

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276 **Mayor Gingles** adjourned the meeting at 8:16 p.m. to the next scheduled  
277 regular meeting of the Calistoga City Council, on Tuesday, August 18,  
278 2009, Calistoga Community Center, 1307 Washington Street, 7:00 p.m.

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280 **Respectfully submitted:**

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283 **Prepared by: Lorie Goldbeck, Administrative Secretary**

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287 **Approved by: Jack Gingles, Mayor**

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