

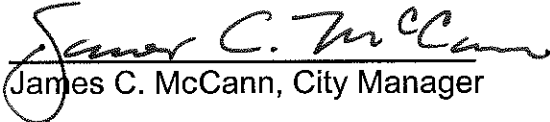
# City of Calistoga

## Staff Report

**TO:** Honorable Mayor and City Council  
**FROM:** Susan Sneddon, City Clerk  
**DATE:** August 18, 2009  
**SUBJECT:** City Council Minutes

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**APPROVAL FOR FORWARDING:**

  
James C. McCann, City Manager

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**DISCUSSION:** Minutes of the August 18, 2009 regular City Council meeting.

**RECOMMENDATION:** Approve Minutes.

**ATTACHMENTS:** Aforementioned Minutes.

**CITY COUNCIL  
TUESDAY, AUGUST 18, 2009 - 6:15 P.M.  
CALISTOGA COMMUNITY CENTER  
CLOSED SESSION**

**CALL TO ORDER**

**Mayor Jack Gingles** called the Closed Session to order at 6:15 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, August 18, 2009, 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, AUGUST 18, 2009 - 7:00 P.M.**  
**CALISTOGA COMMUNITY CENTER**

1 **CALL TO ORDER**

2  
3 **Mayor Gingles called the Regular Session to order at 7:15 p.m.**

4  
5 In attendance were the following: Councilmember Placido Garcia, Councilmember  
6 Gary Kraus, Councilmember Karen Slusser, Vice Mayor Michael Dunsford and  
7 Mayor Jack Gingles.

8  
9 Also present were, City Manager James McCann, Administrative Services  
10 Director/City Treasurer Bill Mushallo, Senior Civil Engineer Jim Smith, Planning  
11 and Building Director Charlene Gallina, Associate Planner Erik Lundquist, Police  
12 Chief Jonathan Mills, and City Clerk Susan Sneddon.

13  
14 **ACTION OUT OF CLOSED SESSION**

15  
16 **Mayor Gingles** announced that there was no reportable action out of Closed  
17 Session held this evening, and that Council would resume the Closed Session  
18 following the City Council's regular meeting.

19  
20 **Mayor Gingles** welcomed back City Clerk Sneddon and complimented  
21 Administrative Secretary Goldbeck for completing her first year of service to the  
22 City and for doing a great job supporting several City departments.

23  
24 **ORAL COMMUNICATION**

25  
26 **Michael Quast, 1300 Washington,** requested that **Item No. 3** for further  
27 discussion.

28  
29 **Don Holinsworth, 919 Champagne Circle South,** thanked the members of the  
30 community that supported a recent fund raising event for the upcoming Relay for  
31 Life. He also commented that boardmembers for the Chateau Calistoga  
32 Mobilehome Park mediation were asked to sign a document stating that they  
33 would not discuss with anyone what had transpired during the mediation.  
34

35 **Mayor Gingles** suggested that Mr. Holinsworth meet with Associate Planner  
36 Lundquist to discuss this issue relative to provisions of the City's Mobilehome  
37 Rent Stabilization Ordinance.

38  
39 **Rex Albright, Chamber of Commerce Executive Director**, stated that starting  
40 August 19<sup>th</sup> the Chamber will be relocated to 1133 Washington Street.

41  
42 **Susan Leick, Calistoga Community Pool Project Secretary**, noted that a few  
43 remaining personalized bricks for the Community Pool are available for  
44 purchase.

## 45 46 **ADOPTION OF MEETING AGENDA**

47  
48 It was **MOVED** by **Vice Mayor Dunsford** and **SECONDED** by **Councilmember**  
49 **Kraus** to approve the Council Meeting Agenda. The Motion was carried  
50 unanimously.

## 51 52 **COUNCIL REQUESTS AND IDEAS FOR DISCUSSION**

53  
54 **Mayor Gingles** apologized for any misunderstandings that he had expressed  
55 during July 7, 2009 Council meeting regarding the Calistoga Chamber of  
56 Commerce marketing and promotional services agreement, specifically the  
57 Chamber's funding issues.

## 58 59 **CONSENT CALENDAR**

60  
61 **Vice Mayor Dunsford** requested that Item No. 2 be pulled because he did not  
62 attend the August 4, 2009 Council meeting.

- 63  
64 1) **Accounts payable for the period ending Thursday, August 13, 2009.**  
65 **(\$264,462.11).**
- 66 2) **Minutes of the August 4, 2009 regular City Council meeting.**
- 67 3) **Consideration of a Resolution approving Amendment No. 3 to the**  
68 **Professional Services Agreement with AMEC Geomatrix Consultants in the**  
69 **amount of \$46,300 for services associated with Groundwater Remediation**  
70 **at the Public Works Corporation Yard for Fiscal Year 2009-2010.**
- 71 4) **Adoption of Ordinance No. 662 amending Title 17 (Zoning Ordinance) of**  
72 **the Calistoga Municipal Code rezoning the property located at 963/965**  
73 **Silverado Trail (APN 011-050-043) from "R3" Residential/Professional**  
74 **Office to "CC-DD", Community Commercial – Design District AND the**  
75 **adoption of Ordinance No. 663 amending Title 17 (Zoning Ordinance) of**  
76 **the Calistoga Municipal Code, specifically Section 17.22.060 to allow**

77 wineries and bicycle sales, rentals and tours as conditionally permitted  
78 uses within the "DD" District.

79 It was **MOVED** by Mayor Gingles and **SECONDED** by Vice Mayor Dunsford  
80 to approve Items No. 1 and 4 on the Consent Agenda. The Motion was  
81 unanimously carried by the following vote:

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

84 **NOES:** None

85 **ABSTAIN/ABSENT:** None

86

87 **2) Minutes of the August 4, 2009 regular City Council meeting.**

88

89 It was **MOVED** by Mayor Gingles and **SECONDED** by Councilmember  
90 Kraus to approve the Minutes of the August 4, 2009 regular City Council  
91 meeting. The Motion was carried by the following vote:

92 **AYES:** Mayor Gingles, Councilmembers Kraus, Garcia and Slusser

93 **NOES:** None

94 **ABSTAIN:** Vice Mayor Dunsford

95 **ABSENT:** None

96

97 **3) Consideration of a Resolution approving Amendment No. 3 to the**  
98 **Professional Services Agreement with AMEC Geomatrix Consultants in the**  
99 **amount of \$46,300 for services associated with Groundwater Remediation**  
100 **at the Public Works Corporation Yard for Fiscal Year 2009-2010.**

101

102 **Senior Civil Engineer Smith** briefly reviewed the City's efforts to date  
103 associated with groundwater remediation at the Public Works Corporation Yard.  
104 He reviewed the Fiscal Year 2009/2010 goals for monitoring and reporting as  
105 required by the Napa County Department of Environmental Management.

106

107 **Mayor Gingles** asked if this would be the last expenditure for this project  
108 (**Senior Civil Engineer Smith** stated that this would most likely be the last  
109 expenditure, however it depends on the results of the groundwater monitoring.

110

111 **Michael Quast, 1300 Washington,** asked if the City experienced other  
112 expenses related to the groundwater contamination. (**City Manager McCann**  
113 responded that he would be available to discuss this with Mr. Quast).

114

115 It was **MOVED** by Vice Mayor Dunsford and **SECONDED** by  
116 Councilmember Kraus to adopt Resolution No. 2009-068 approving  
117 Amendment No. 3 to the Professional Services Agreement with AMEC  
118 Geomatrix Consultants in the amount of \$46,300 for services associated  
119 with Groundwater Remediation at the Public Works Corporation Yard for  
120 Fiscal Year 2009-2010. The Motion was unanimously carried by the  
121 following vote:

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

124           **NOES: None**

125           **ABSTAIN/ABSENT: None**

126

127           **GENERAL GOVERNMENT**

128

129           **5) Consideration of a Resolution confirming the Mayor's appointments to: the**  
130                                   **ad-hoc Water and Wastewater Revenue Program Advisory Committee; the**  
131                                   **Building Standards Advisory & Appeals Board; and the Community**  
132                                   **Resources Commission.**

133

134           **Mayor Gingles** recommended the following to be appointed to the Building  
135           Standards Advisory & Appeals Board:

136

- 137                   o Kate Coates
- 138                   o Bill Nance
- 139                   o Michael Wysocki

140

141           **Councilmember Kraus** requested that City Manager McCann contact the City  
142           Attorney to find out if there would be any potential conflict having a husband and  
143           wife both on the Building Standards Advisory & Appeals Board. (**City Manager**  
144           **McCann** said he will seek an opinion from the City Attorney and share it with the  
145           Council).

146

147           **Mayor Gingles** recommended the following Councilmembers to be appointed to  
148           the Water and Wastewater Revenue Program Advisory Committee:

149

- 150                   o Councilmember Kraus
- 151                   o Councilmember Garcia

152

153           **Mayor Gingles** asked if there were any applicants for the Water and  
154           Wastewater Revenue Program Advisory Committee that would like to speak.

155

156           **Paul Knoblich, Wastewater Revenue Program Advisory Committee**  
157           **applicant**, stated that he believes that he is the only applicant that plans to add  
158           a grey water discharge system to his residential property, and that should give  
159           him an advantage to be appointed.

160

161           **Mayor Gingles** recommended the following to be appointed to the Wastewater  
162           Revenue Program Advisory Committee:

163

- 164                   o Diane Barrett
- 165                   o Nicholas Kite
- 166                   o Paul Knoblich

- 167           o Larry Kromann
- 168           o Donald Williams

169

170           **Mayor Gingles** recommended Indira Lopez be re-appointed to the Community  
171 Resources Commission:

172

173           **It was MOVED by Mayor Gingles and SECONDED by Vice Mayor Dunsford**  
174 **to approve Resolution No. 2009-069 confirming the Mayor's appointments**  
175 **to: the ad-hoc Water and Wastewater Revenue Program Advisory**  
176 **Committee; the Building Standards Advisory & Appeals Board; and the**  
177 **Community Resources Commission. The Motion was carried unanimously**  
178 **by the following vote:**

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

181           **NOES: None**

182           **ABSTAIN/ABSENT: None**

183

184           **6) Presentation regarding the first year activities at the Community Pool and**  
185 **discussion and direction regarding the season closing date.**

186

187           **Aquatics and Recreation Manager Lemen** provided an overview of the  
188 Community Pool activities for the first season and the anticipated pool closure  
189 date of September 13<sup>th</sup>.

190

191           **Mayor Gingles** stated that some individuals from the community have  
192 suggested that the Community Pool be open a few additional weeks.

193

194           **Councilmember Kraus** stated that he is in favor of keeping the Community  
195 Pool open an additional two weeks as long as it would not greatly impact the  
196 City's budget.

197

198           **There was Council consensus to keep the Community Pool open until**  
199 **September 27<sup>th</sup>.**

200

201           **7) Consideration of a Resolution establishing a local greenhouse gas**  
202 **emission reduction target 2020 and supporting countywide and local**  
203 **actions to achieve these targets.**

204

205           **Kristin Casey, 1132 Denise Drive,** read **Communication A** that was provided  
206 by her; Council received the Communication prior to tonight's meeting.

207

208           **Ann Scott, 421 Scott Way,** asked about the process to provide public input in  
209 establishing a local greenhouse gas emission reduction target (**Mayor Gingles**  
210 **stated that Ms. Scott should contact Associate Planner Lundquist**).

211

212 **City Manager McCann** stated that the Community Resources Commission will  
213 be discussing the proposed Climate Action Plan at the August 20<sup>th</sup> meeting and  
214 the public may provide additional input at that time.

215  
216 **Karen Chang, Community Resources Commissioner**, stated that the  
217 preliminary Climate Action Plan is in the initial phase, and requested that Council  
218 take a leadership role in supporting its development.

219  
220 **Mayor Gingles** stated that the Council strongly endorses the development of a  
221 Climate Action Plan and that community input is strongly encouraged.

222  
223 **Kristin Casey, 1132 Denise Drive**, stated that she is in favor of developing a  
224 Climate Action Plan but that it is important to keep in mind the City's General  
225 Plan primary goal in preserving the City's small town character.

226  
227 **Michael Quast, 1300 Washington**, stated that support is needed in the  
228 development of the Climate Action Plan and noted some correction to the plan.

229  
230 **Councilmember Kraus** encouraged that steps be taken as soon as possible in  
231 the development of a Climate Action Plan and thanked the Community  
232 Resources Commission for their diligence in initiating this effort. He stated that  
233 the world is facing climate destabilization and things are going to change  
234 irreversibly. He asked if the citizens' suggestions at Community Resources  
235 Commission (CRC) meetings have been incorporated into the targets presented.

236  
237 **Associate Planner Lundquist** stated that the draft Climate Action Plan has  
238 been a joint effort with Napa County Transportation and Planning Agency and all  
239 jurisdictions in the County and that it reflects input from the CRC, the Planning  
240 Commission, staff and limited public comment.

241  
242 **Karen Chang, Community Resources Commissioner**, stated that the  
243 Community Resources Commission incorporated input from the community and  
244 the targets presented are merely a guide at this point. She stated that more  
245 CRC and public input is necessary on the final implementing actions and  
246 policies.

247  
248 **Councilmember Kraus** stated that research is still needed to promptly refine  
249 the goals/actions. He recommended that the Community Resources  
250 Commission work toward continually improving the plan and recommended that  
251 the Council provide support to Community Resources Commission to move  
252 forward.

253  
254 **City Manager McCann** stated that the Community Resources Commission will  
255 discuss the work program for next year at their August 19<sup>th</sup> meeting. He stated  
256 that the next steps are to identify what can be done now and in the future.

257



258 It was **MOVED** by Councilmember Kraus and **SECONDED** by Mayor  
259 **Gingles** to approve Resolution No. 2009-070 to establish a local  
260 greenhouse gas emission reduction target 2020 and support countywide  
261 and local actions to achieve these targets. The Motion was carried  
262 unanimously by the following vote:  
263 **AYES:** Councilmember Kraus, Mayor Gingles, Councilmember Garcia,  
264 Councilmember Slusser, and Vice Mayor Dunsford  
265 **NOES:** None  
266 **ABSTAIN/ABSENT:** None

267  
268 **8) Consideration of draft responses to the 2008/2009 Grand Jury Report**  
269 **responses on (a) Napa Valley Transient Occupancy Tax; and (b) Napa**  
270 **Valley Gangs and authorize submission.**

271  
272 **City Manager McCann** introduced this item.

273  
274 **Police Chief Mills** referenced the draft response letter to the Napa County  
275 Grand Jury regarding gangs in Napa Valley. He stated that City has no specific  
276 area targeted as a headquarters or even hang-out for a specific gang therefore  
277 the Grand Jury's recommendation would not apply. He added that the City  
278 cannot let up on efforts control and eliminate gang activities and to protect the  
279 quality of life in Calistoga.

280  
281 **Administrative Services Director Mushallo** summarized the proposed  
282 response letter to the Napa County Grand Jury regarding the City's reporting,  
283 auditing, and collecting the transient occupancy tax (TOT). He stated that the  
284 Grand Jury report indicated that the City has been negligent on the TOT  
285 collection procedures and that the City's recent TOT audit showed the City was  
286 owed over \$64,000. He stated that these findings are inaccurate and included  
287 the justification in the City's proposed response letter.

288  
289 **There was Council consensus to send the responses to the Grand Jury**  
290 **Report on (a) Napa Valley Transient Occupancy Tax; and (b) Napa Valley**  
291 **Gangs and authorize submission.**

## 292 293 **CITY MANAGER REPORTS**

294  
295 **City Manager McCann** reported on the following:

- 296
- 297 • Low Vision Group meeting is scheduled for Thursday, August 21<sup>st</sup> (1:30 PM, Rancho de Calistoga Club Room).
  - 298 • The California Rural Water Association is partnering with the City to  
299 conduct smoke test of sanitary sewers on Wednesday, August 26<sup>th</sup> in the  
300 area of Myrtle and Cedar Streets between Hazel & Silver Streets.

- 301           • Update regarding the Council appointed Urban Design Plan Ad-hoc  
302           Committee meeting; recommendations from the Committee will go to the  
303           August 26<sup>th</sup> Planning Commission meeting.
- 304           • He urged those interested in applying for the City's First Time Homebuyer  
305           Down Payment Assistance Program to contact the Planning Department.
- 306           • Update on the Diamond Hills off-site improvements.

307  
308   **Councilmember Garcia** provided a report regarding the August 11<sup>th</sup> meeting with  
309   members of the Hispanic community; there was good community involvement in  
310   addressing various concerns and issues.

311  
312   **Police Chief Mills** stated that the subject of the August 11<sup>th</sup> Hispanic community  
313   meeting was related to gang involvement; a subsequent meeting has been  
314   scheduled for September 21<sup>st</sup>.

315

## 316   **CITY COUNCIL ADJOURNMENT**

317

318           **Mayor Gingles** adjourned the meeting at 8:50 PM to the next scheduled regular  
319           meeting to the Calistoga City Council, on Tuesday, September 1, 2009, Calistoga  
320           Community Center, 1307 Washington Street, 7:00 p.m.

321

322           **Respectfully submitted:**

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325           **Prepared by: Susan Sneddon, City Clerk**

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

330

331

## 332   **ADJOURN/RECONVENE IN CLOSED SESSION**

333

334           **Mayor Gingles** adjourned the *Regular Session* at 8:55 p.m. to the *Closed*  
335           *Session* of the regular meeting of the Calistoga City Council, Tuesday, August  
336           18, 2009, Calistoga Community Center, 1307 Washington Street.

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## **CALL TO ORDER**

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

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357

## **ADJOURN/RECONVENE IN OPEN SESSION**

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362

**Mayor Gingles** adjourned the Closed Session at 9:45 p.m. and reconvened to the Regular Session held earlier this evening. He stated that there was no reportable action out of the Closed Session.

363

## **CITY COUNCIL ADJOURNMENT**

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365

366

367

368

**Mayor Gingles** adjourned the meeting at 10:16 p.m. to the next scheduled regular meeting to the Calistoga City Council, on Tuesday, September 1, 2009, Calistoga Community Center, 1307 Washington Street, 7:00 p.m.

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**Respectfully submitted:**

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**Prepared by: Susan Sneddon, City Clerk**

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**Approved by: Jack Gingles, Mayor**