

MINUTES
CITY COUNCIL – REGULAR MEETING
TUESDAY, DECEMBER 1, 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 7:00 p.m.**

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

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9 Also present were Senior Civil Engineer Jim Smith, Planning and Building
10 Director Charlene Gallina, City Manager James McCann, and City Clerk Susan
11 Sneddon.

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13 **ORAL COMMUNICATION**

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15 **Kurt Larrecou, 1707 Michael Way**, stated that the City of Carmel with a
16 population similar to Calistoga is having urgency water issues. He requested
17 that Calistoga initiate a self imposed water moratorium.

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19 **Rex Albright, Chamber of Commerce Executive Director** stated that the
20 annual Lighted Tractor Parade will be held on Saturday, December 5th at 7
21 PM.

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23 **ADOPTION OF MEETING AGENDA**

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

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COUNCIL REQUESTS AND IDEAS FOR DISCUSSION

Councilmember Kraus requested that a joint meeting be scheduled with the City Council and the Community Resources Commission to receive input to assist in the development of the Council's Strategic Planning Goals for the next fiscal year.

Mayor Gingles requested more information regarding the removal of the leaf bins provided by Upper Valley Waste Management Agency.

Councilmember Slusser responded that the current agreement with Upper Valley Waste Management Agency does not cover the costs of the leaf bins to the extent allowed in previous years (**City Manager McCann** stated that he will look into this matter and respond to Council).

Councilmember Kraus stated that future storms could result in leaves and debris stopping up the storm drains resulting in localized flooding.

Mayor Gingles requested that the options to support the continuation of the "Calistoga" brand by the Calistoga Beverage Company be investigated and pursued (**City Manager McCann** stated that he will look into this matter and respond to Council).

Councilmember Kraus stated that the loss of property tax revenue from Calistoga Beverage Company will cause a reduction in the City's revenue.

City Manager McCann stated that Calistoga Beverage Company also provided the City revenue as a significant water and wastewater customer.

Mayor Gingles stated that he will meet with Kurt Larrecou, at his request, regarding the issue Mr. Larrecou brought up regarding City's water supply. He requested that the City Manager investigate information provided in a letter he recently received Senator Barbara Boxer regarding environmental enhancement grants (**City Manager McCann** stated he will follow up with the request).

CONSENT CALENDAR

1. **Accounts payable for the period ending Wednesday, November 25, 2009 (\$229,855.76).**
2. **Minutes of the November 17, 2009 regular City Council meeting.**
3. **Adoption of Resolution No. 2009-106 establishing the 2010 City Council meeting schedule.**

76 4. Consideration of a Resolution approving Amendment No. 7 to the Joint
77 Powers Agreement regarding the Napa County Transportation and
78 Planning Agency.

79 5. Adoption of Resolution No. 2009-107 accepting donations from the
80 Felgenhauer Trust to the Calistoga Police Department.

81 Vice Mayor Dunsford and Councilmember Kraus requested that Item No.
82 2 be removed from the Consent Calendar.

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84 Councilmember Kraus requested that Item No. 4 be removed from the
85 Consent Calendar.

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87 It was MOVED by Mayor Gingles and SECONDED by Councilmember
88 Kraus to approve Items No. 1, 3, and 5 on the Consent Calendar.

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90 2. Minutes of the November 17, 2009 regular City Council meeting.

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92 It was MOVED by Mayor Gingles and SECONDED by Councilmember
93 Slusser to approve minutes of the November 17, 2009 regular City
94 Council meeting. The Motion was carried as follows:

95 AYES: Mayor Gingles, Councilmembers Slusser and Garcia

96 NOES: None

97 ABSENT: None

98 ABSTAIN: Councilmember Kraus, and Vice Mayor Dunsford

99

100 4. Consideration of a Resolution approving Amendment No. 7 to the Joint
101 Powers Agreement regarding the Napa County Transportation and
102 Planning Agency.

103

104 Councilmember Kraus stated that Napa County Transportation and
105 Planning Agency (NCTPA) has done a good job on transportation needs
106 throughout the County. He stated concerns after reading a recent article in
107 the Napa Valley Register regarding NCTPA's scope of services and "financial
108 misdoings".

109

110 Vice Mayor Dunsford responded that Mayor Gingles and he are the City's
111 representatives on the NCTPA Board. He stated that NCTPA Board has
112 members from multiple jurisdictions within the County and they provide a well
113 represented forum to discuss various issues of public concern. He stated that
114 the priority of NCTPA is clearly transportation even though they address other
115 issues. He stated that in the recent past there have been staffing and funding
116 issues that have been addressed.

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118 Mayor Gingles stated that Pam Kindig, Napa County Auditor/Controller,
119 conducted an audit of NCTPA and came up with some issues that have been
120 corrected.

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It was **MOVED** by Mayor Gingles and **SECONDED** by Vice Mayor Dunsford to adopt **Resolution No. 2009-108** approving Amendment No. 7 to the Joint Powers Agreement regarding the Napa County Transportation and Planning Agency (**Authorizing Agreement No. 391**).

The Motion was carried as follows:

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

NOES: Councilmember Kraus

ABSENT: None

ABSTAIN: None

PUBLIC HEARING

5. Consideration of a Resolution approving the draft Urban Design Plan (UDP).

Planning and Building Director Gallina provided a brief history of this item. She stated that there remain two issues of concern: (1) the extension of Washington Street to Dunaweal Lane, and (2) the connection between Washington Street and Silverado Trail. She states that the UDP focuses on six character areas for the quality of life and economic vitality of the City, and also addresses the circulatory infrastructure in order to provide greater clarity and direction. She stated the UDP has no legal standing or land-use authority; future actions to implement the suggestions in the UDP will be required by the Planning Commission and the City Council. She thanked the Planning Commission for their hard work on this item.

She stated that "Communication A" was received from the Bounsall Family regarding concerns and suggested changes to the UDP; staff supports the majority of the changes listed.

The Council thanked staff and the Planning Commission for all their hard work on this item.

Vince Tofanelli, 17555 Ida Clayton Road, stated that he opposes the extension of Washington Street to Dunaweal; he read a letter from Andrew D'Anneo (Calistoga resident) who also opposes the extension.

Kristin Casey, 1132 Denise Drive, presented a *Communication* to Council and provided remarks regarding portions of the draft Urban Design Plan.

Elizabeth Hammond, 304 Foothill Blvd., read a portion of a newspaper article from the November 27, 2009 issue of the Calistoga Tribune regarding the draft UPD. She stated that the UDP was initiated by City management to

166 allow development that would not be allowable under the regulations of the
167 General Plan. She stated that the continue discussions regarding an "escape
168 route" from Washington Street to Dunaweal Lane, and Silverado Trail are
169 "scare tactics"; she cited six "escape routes" from the City.
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171 **Norma Tofanelli, 1001 Dunaweal Lane**, thanked the community for their
172 input on the UDP, and stated that the Urban Design Plan (UDP) is not ready
173 for adoption. She cited various sections in the draft UDP that she has
174 concerns about. She provided a *Communication* to Council – "Call for
175 Projects List" prepared in 2008 by the Napa County Transportation and
176 Planning Agency Technical Advisory Committee. She stated that the list
177 shows County-wide transportation projects projected through the year 2035.
178 She asked about a line on the list referring to "Fair Way Extension between
179 Highway 29 and Dunaweal". She requested clarification on the "Call for
180 Projects List" and asked to see the circulation studies done for the City. She
181 invited the Council to visit and "walk the property lines" in the area of the
182 proposed Washington Street Extension.
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184 **Councilmember Kraus** stated that additional public input may be needed
185 prior to the adoption of the UDP. He stated that the Washington Street
186 Extension needs more study, and he commented on the reduction of traffic on
187 Washington Street when Crystal Geyer's bottling facility relocates. He stated
188 that he agrees with the needs for an emergency access road, and is willing to
189 drop language in the UDP regarding the Washington Street Extension
190 inasmuch as it is not likely to be built in the foreseeable future.
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192 **Vice Mayor Dunsford** stated that the purpose of the General Plan and the
193 UDP is to plan for the future; he supports leaving the Washington Street
194 Extension in the UDP because it is also referenced in the General Plan. In
195 addition he stated that there is potential development of the former Gliderport
196 property as tourism and the City's population increases
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198 **Councilmember Slusser** suggested looking into alternatives for the
199 Washington Street Extension due to the proximity of the City's Wastewater
200 Treatment Plant.
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202 **Councilmember Garcia** stated the Washington Street Extension would help
203 to resolve traffic congestion on Highway 29/Lincoln Avenue, however there
204 are issues related to increased traffic in the lower end of Washington Street
205 neighborhood, and there is a need to preserve agricultural land. He stated
206 that the City should investigate various proposals to help reduce traffic
207 congestion in this area.
208

209 **Mayor Gingles** suggested that this item be continued to allow additional time
210 for review and editing.
211

212 **Councilmember Slusser** agreed to continue this item, and stated that more
213 work on the UDP is needed to satisfy concerns of the property owners.

214

215 **Councilmember Kraus** stated that **Vice Mayor Dunsford** and he were on
216 the ad-hoc committee to provide direction to the UDP with respect to the
217 former Gliderport property. He stated that the committee agreed that any
218 future development of the Gliderport property is economically desirable for the
219 community, and that when the planning process begins it will alert the public
220 to express any concerns regarding the project.

221

222 **City Manager McCann** stated that the General Plan suggests that the former
223 Gliderport property focuses on aviation, however the ad hoc committee added
224 language in the UDP that depicts alternate uses for the property. He stated
225 that any future project requires its own specific land development, and
226 Council's approval of a development agreement. He stated that the UDP and
227 the General Plan are both planning tools for site specific planned
228 developments.

229

230 **Councilmember Kraus** stated his concern regarding potential
231 overdevelopment of visitor accommodations, and suggested that a "Planned
232 Development Permit" be added to guide the development of the Gliderport in
233 the UDP. He stated concerns regarding the allowable number of bed and
234 breakfast visitor accommodations.

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236 **Planning and Building Director Gallina** acknowledged the concerns and
237 suggestions.

238

239 **City Manager McCann** stated that the draft UDP suggests an overall
240 reduction in the amount of land available for hotel development. He stated
241 that in the future the Council may want to consider a specific study looking at
242 the City's capacity and sustainability with the intent to identify the desire for
243 new or expanded visitor accommodations.

244

245 **There was Council consensus to continue this item to the January 19,**
246 **2010 Council meeting.**

247

248 **GENERAL GOVERNMENT**

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250 **6. Consideration of a Resolution confirming the Mayor's appointments to**
251 **the Planning Commission, Bicycle Advisory Committee, and the Napa**
252 **County Mosquito Abatement Board.**

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254 **Mayor Gingles** introduced this item and recommended the following
255 appointments:

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- 257 • Nicholas Kite (incumbent), Jeff Manfredi (incumbent), and Matthew Moye
258 to the Planning Commission.
259 • Dieter Deiss (incumbent), Michael Costanzo (incumbent), and Peter
260 Potrebic (incumbent) to the Bicycle Advisory Committee.
261 • Ann Shelby Valentine to the Napa County Mosquito Abatement Board.
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263 It was **MOVED** by Mayor Gingles and **SECONDED** by Councilmember
264 Slusser to adopt **Resolution No. 2009-109** confirming the Mayor's
265 appointments to the Planning Commission, Bicycle Advisory
266 Committee, and Napa County Mosquito Abatement Board. The Motion
267 was carried unanimously by the following vote:

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

270 **NOES:** None

271 **ABSENT/ABSTAIN:** None
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273 **7. Consideration of a Resolution confirming the Mayor's appointments**
274 **of Councilmembers to local and regional bodies.**
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276 There was Council consensus to approve re-appointments on the
277 local and regional bodies in order to maintain continuity.
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279 It was **MOVED** by Mayor Gingles and **SECONDED** by Councilmember
280 Kraus to adopt **Resolution No. 2009-110** confirming the Mayor's
281 appointments to local and regional bodies. The Motion was carried
282 as follows:

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

285 **NOES:** None

286 **ABSTAIN/ABSENT:** None
287

288 **UPDATES REGARDING REGIONAL BOARD ACTIVITIES AND**
289 **SUBCOMMITTEE ASSIGNMENTS**
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291 **9. Receive update from Mayor Gingles regarding the Napa County**
292 **Transportation and Planning Agency, and the Association of Bay Area**
293 **Governments**
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295 **Mayor Gingles** stated that he will continue this item to a future Council
296 meeting.
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298 **CITY MANAGER REPORTS**
299

300 **City Manager McCann** stated that the County will hold a public meeting on
301 Wednesday, December 2, 2009, at 7:00 p.m. in the Calistoga Community

302 Center, to inform the public on the mitigation planning effort, and to solicit
303 additional input for the Revised Napa Operational Area Hazard Mitigation
304 Plan.

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306 **Mayor Gingles** requested that the Council start using speaker cards for
307 future Council meetings.

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309 **CITY COUNCIL ADJOURNMENT**

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311 **Mayor Gingles** adjourned the meeting at 9:10 PM to the Special Meeting of
312 the Calistoga City Council, on Tuesday, December 1, 2009, Calistoga
313 Community Center, 1307 Washington Street, 7:00 p.m. and then to the
314 regular meeting of the Calistoga City Council, on Tuesday, December 15,
315 2009, Calistoga Community Center, 1307 Washington Street, 7:00 p.m.

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319 **Respectfully submitted:**

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Prepared by: Susan Sneddon, City Clerk

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Approved by: Jack Gingles, Mayor