

Communication "A" December 15, 2009, Calistoga City Council Regular Meeting
Item # 11: Request by Mitch Hawkins for Council to set a date certain for hearing an appeal regarding the Planning Commission's approval of a Conditional Use Permit Amendment (U 2000-06(A) to allow indoor live entertainment at La Prima Pizza 1923 Lake Street.

Mitch Hawkins
P.O. Box 324
Calistoga, CA 94515
(707) 942-5998
December 14, 2009

City of Calistoga
Mayor Jack Jingles
Calistoga City Council Members

Dear Mr. Mayor and City of Calistoga Council Members,

I would like to respectfully request a continuance of the appeal scheduled for December 15, 2009 of the Intensification of Use changes to the Use Permit at La Prima Pizza. My attorney and I are both unable to attend this evenings meeting. When we contacted the City to make this request, City Clerk, Sue Snedden suggested the date of January 19, 2010. We have kept this date open in the hopes that this request will be honored.

In addition, on November 18th I requested the minutes and recorded meetings on DVD from related Planning Commission meetings to be reviewed by my attorney and consultants. There has been a delay in getting these to me in a timely manner. On December 15th I received a letter from City Administrative Secretary, Lorie Goldbeck, that more time was required by staff to assemble all records including the actual approval meeting by the planning commission. Please see attached. On Friday, December 11th at 4:50pm I received a phone call from Sue Snedden saying that some portion of these were available, but they would still need additional time for the rest of what I requested.

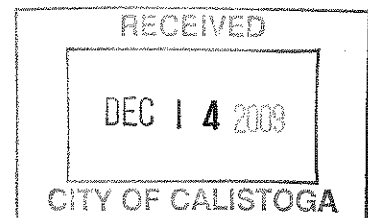
We would appreciate the opportunity to review everything. Without full documents being received by my attorney, consultants and myself, we cannot provide a detailed written response for the appeal based on record of facts. I am certain then, that we will be able to come to a happy resolution.

Thank you in advance for reading this letter to the City Council and public in attendance.

Regards,

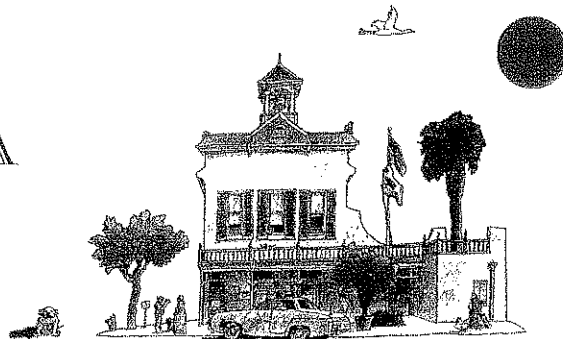

Mitch Hawkins

*hand delivered to City of Calistoga December 14, 2009



CITY OF CALISTOGA

1232 Washington Street • Calistoga, CA 94515
707.942.2800



December 10, 2009

Mitch Hawkins
P.O. Box 324
Calistoga, CA 94515

Re: Public Records Request

Dear Mr. Hawkins:

On November 18, 2009, I received your request for public records requesting copies of minutes and DVD copies of the Planning Commission meetings of August 12, 2009, October 14, 2009 and November 16, 2009. The Public Records Act typically affords an agency ten (10) days from receipt of a request to determine whether the requested records are disclosable public records. Where an agency needs additional time to respond to the request, the ten (10) day period may be extended for an additional fourteen (14) days pursuant to Gov. Code § 6253(c).

Due to the nature of your request and the time required for reproduction, I will notify you by December 15, 2009 about receipt of the requested DVDs. This request has been sent out for reproduction with a total cost of \$163.60 (\$149.75 + \$13.85 tax + \$9.00 shipping/handling). There will also be a charge of \$.10 per page for the copies of the minutes (approximately 35 pages). I will contact you with the final total once complete. You can then bring a check payable to the City of Calistoga when you pick up the DVDs and minutes.

Please feel free to call me with any questions.

Sincerely,


Lorie Goldbeck
Administrative Secretary

cc: Public Records Request File