

City of Calistoga

Staff Report


TO: Honorable Mayor and City Council

FROM: Susan Sneddon, City Clerk

DATE: February 28, 2010

SUBJECT: City Council Minutes

APPROVAL FOR FORWARDING:


James C. McCann, City Manager

DISCUSSION: Minutes of the January 19, 2010, 2009 Regular City Council meeting.

RECOMMENDATION: Approve Minutes.

ATTACHMENTS: Aforementioned Minutes.

MINUTES
CITY COUNCIL
TUESDAY, JANUARY 19, 2010 - 6:45 P.M.
CALISTOGA COMMUNITY CENTER
CLOSED SESSION

CALL TO ORDER

Mayor Gingles called the Closed Session to order at 6:45 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. **Conference with Legal Counsel, Existing Litigation pursuant to Government Code Section 54956.9(a):**

**City of Calistoga v. Grant Reynolds, Napa County Superior Court
Case No. 26-46826.**

ADJOURNMENT

Mayor Gingles adjourned the **Closed Session** at 7:00 p.m. to the Regular Meeting of the Calistoga City Council, Tuesday, January 19, 2010, 7:00 p.m., Calistoga Community Center, 1307 Washington Street.

Respectfully submitted:

Prepared by: Susan Sneddon, City Clerk

Approved by: Jack Gingles, Mayor

MINUTES
CITY COUNCIL – REGULAR MEETING
TUESDAY, JANUARY 19, 2010 - 7:00 P.M.
CALISTOGA COMMUNITY CENTER

1 **CALL TO ORDER**

2
3 **Mayor Gingles called the Regular Session to order at 7:10 p.m.**

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

8
9 Also present were Planning and Building Director Charlene Gallina, Senior
10 Planner Ken MacNab, City Manager James McCann, and City Clerk Susan
11 Sneddon.

12
13 **ACTION OUT OF CLOSED SESSION**

14
15 **Mayor Gingles** announced that there was no action out of Closed Session
16 held this evening.

17
18 **ORAL COMMUNICATION**

19
20 None provided.

21
22 **ADOPTION OF MEETING AGENDA**

23
24 It was **MOVED** by **Councilmember Kraus** and **SECONDED** by **Vice Mayor**
25 **Dunsford** to approve the Council Meeting Agenda. The Motion was carried
26 unanimously.

27
28 **COUNCIL REQUESTS AND IDEAS FOR DISCUSSION**

29
30 **PRESENTATION**

- 31
32 1. **Presentation by David Whitmer, Agricultural Commissioner, regarding**
33 **exotic and invasive pests.**

34
35 **Agricultural Commissioner Whitmer** provided a report on various exotic
36 pests with the potential of effecting vineyards in the County; he provided

37 handouts and an update on the European Grapevine Moth which has become
38 a raising concern county wide.

39
40 **2. Presentation by Mr. Chris Canning, Calistoga Chamber of Commerce**
41 **Interim Chief Executive Officer, regarding leadership transition.**

42
43 **Calistoga Chamber of Commerce Interim Chief Executive Officer**
44 **Canning** stated that he recently accepted the position as the Chamber's
45 Interim Chief Executive Officer and is pleased to assist in the transition. He
46 noted that the Chamber continues to perform the services outlined in the
47 contract with the City regarding marketing and promotional effort. He
48 announced that there will be a Chamber General Membership meeting on
49 January 28th at 6:30 PM at Solage Resort at which time the membership will
50 discuss Chamber strategy, direction, etc.

51

52 **IDEAS FOR DISCUSSION**

53

54 **Councilmember Kraus** requested that the City get the word out about sand
55 and sandbags being available at Public Works and the Police Station. He
56 suggested a community-wide event to raise disaster relief funds for Haiti. He
57 requested that staff continue (and perhaps increase) efforts to monitor and
58 address mobilehome rent stabilization (RSO) issues, and to include updates
59 of activities and emerging issues of concern regarding mobilehome park
60 matters to the Council in the City Manager's weekly memorandums. He
61 requested that the Mayor allow public comments regarding the draft Urban
62 Design Plan item to exceed the three minute rule.

63

64 **City Manager McCann** confirmed that sandbags are available at Public
65 Works and the Police Station. He urged the public look regularly at the City's
66 website for updates on weather conditions and other emergency updates. He
67 also suggested that the public sign up for Nixle which is a communication
68 system providing the public with public safety information; for more
69 information contact the City Clerk.

70

71 **Mayor Gingles** stated that he and **Vice Mayor Dunsford** will be attending
72 the January 20th Napa County Transportation and Planning meeting at which
73 time the sustainability/green program and VINE Route 11 will be discussed.

74

75 **CONSENT CALENDAR**

76

77 **3. Accounts payable for the period ending Thursday, January 14, 2010**
78 **(\$503,400.08).**

79 **4. Minutes of the December 15, 2009 and January 5, 2010 regular City**
80 **Council meetings; and minutes of the January 13, 2009 Special Joint**
81 **Planning Commission and City Council meeting.**

- 82 5. Adoption of a Resolution No. 2010-002 authorizing the acceptance of a
83 donation in the amount of \$250 from Roman Spa Hot Springs Resort.

84
85 Councilmember Garcia requested that Item No. 4 be pulled because he
86 was absent at the January 13, 2010 Special Joint Planning and City Council
87 Meeting.

88
89 It was **MOVED** by Vice Mayor Dunsford and **SECONDED** by
90 Councilmember Kraus to approve Items No. 3 and 5 on the Consent
91 Calendar. The Motion was carried unanimously.

92
93 It was **MOVED** by Vice Mayor Dunsford and **SECONDED** by
94 Councilmember Kraus to approve Items No. 4 on the Consent Calendar.
95 The Motion was carried by the following vote:

96 **AYES:** Vice Mayor Dunsford, Councilmembers Kraus, Slusser, and
97 Mayor Gingles

98 **NOES:** None

99 **ABSENT:** None

100 **ABSTAIN:**Councilmember Garcia

101
102 Mayor Gingles requested that Item No. 8 be move prior to Public Hearing.

103 104 GENERAL GOVERNMENT

- 105
106 8. Consideration of a request by Yasmin Ali for Council to set a date
107 certain for hearing an appeal regarding the Planning Commission's
108 approval of a Design Review Application to install canopies over the
109 existing fuel pump islands at Shell gas located at 1108 Lincoln Avenue
110 (APN 011-254-003).

111
112 Mayor Gingles introduced this item and asked for Council consensus to set
113 February 16, 2010 as the Council meeting date to hear Yasmin Ali's appeal.

114
115 There was Council consensus to set February 16, 2010 as the date for
116 an appeal regarding the Planning Commission's approval of a Design
117 Review Application to install canopies over the existing fuel pump
118 islands at Shell gas located at 1108 Lincoln Avenue (APN 011-254-003).

119
120 Yasmin Ali (Appellant) thanked the Council.

121 122 PUBLIC HEARING

- 123
124 6. Consideration of an appeal of the Planning Commission's decision to
125 approve a Conditional Use Permit Amendment (U 2000-06(A)) to allow
126 indoor live entertainment at La Prima Pizza, 1923 Lake Street (APN 011-
127 535-010).

128

129 **Mayor Gingles** introduced this item.

130
131 **Councilmember Kraus** stated that he will not be partaking in the discussion
132 of this item as he lives within 500 feet of La Prima Pizza, and it would be a
133 conflict of interest. He stepped away from the dias.

134
135 **Mitch Hawkins (appellant), 1910 Carli Drive**, presented his objection to the
136 Planning Commission's action and basis of his appeal. He quoted a section of
137 Condition No. 2 of Use Permit U2000-6 — "any changes to the use are subject
138 to provisions of the zoning ordinance as it exists now or may be amended in
139 the future." He stated that live music and intensification of use qualifies as a
140 change. He stated that he believes the use and the amendment violate
141 provisions of the license granted by the State Department of Alcoholic
142 Beverage Control (ABC). He reviewed reports made by the City's Police, Fire
143 and Building Department regarding various incidents at La Prima. He
144 requested that any change to the current Use Permit be denied and that La
145 Prima's outdoor speakers be removed.

146
147 **Senior Planner MacNab** provided an overview of this item and summarized
148 the findings and conditions of approval of the Planning Commission. He
149 stated that the uses approved by the Planning Commission included live
150 music only occur one night per week (no later than 9 p.m.), and live
151 entertainment limited to indoor acoustical music. He noted that the approval
152 granted by the Planning Commission is considerably less intense than
153 originally requested by the business owner, and the limitations were imposed
154 by the Planning Commission in response to neighborhood concerns. He
155 commented that the appellant has not raised any new information or concerns
156 not already discussed at the Planning Commission.

157
158 **Councilmember Slusser** suggested that City review the noise levels at La
159 Prima every three months to ensure adherence to the Planning Commission's
160 decision. She stated her concerns regarding La Prima's overflow parking.

161
162 **Senior Planner MacNab** stated the Planning Commission will be required La
163 Prima to establish additional overflow parking.

164
165 **Mayor Gingles** opened the public hearing.

166
167 **Norma Tofanelli, 1001 Dunaweal**, stated concerns regarding commercial
168 businesses encroaching into neighborhoods.

169
170 **Denise Drawsky, Sierra Wellness Group Inc.**, read a Communication
171 provided to Council supporting the Conditional Use Permit amendment.

172
173 **Dalton Pierrcy, 1036 Pueblo Avenue #15**, stated his support for La Prima's
174 Conditional Use Permit; he stated that he has been hired by Mr. and Mrs.
175 Nunez for the development of a music management plan for La Prima.

176

177 **Jeff Bhatti, St. Helena resident**, stated that he is a long time acquaintance
178 of Mr. and Mrs. Nunez and supports their business in the community.

179
180 **Peter Potrebic, 378 Kortum Canyon Road**, stated that he supports La
181 Prima's application for live music.

182
183 **Betty Nunez, 5795 Sharp Road (La Prima co-owner)**, stated that a lot of
184 time has been spent on this matter, and they have and will adhere to all the
185 recommendations provided by City staff and the Planning Commission. She
186 stated that her goal is to provide "mellow and inviting" music at La Prima.

187
188 **Ray Centanni, 3764 Silverado Trail**, stated that Mr. and Mrs. Nunez provide
189 a "youth-friendly" place, and he supports La Prima's Conditional Use Permit
190 amendment request.

191
192 **Ruth Rodriguez, 1416 No Oak St**, stated that she supports La Prima's
193 Conditional Use Permit amendment request.

194
195 **Catherine Rooney, 1145 Mitzi Drive**, stated Mr. and Mrs. Nunez have
196 contributed to the community and supports having music at La Prima.

197
198 **Francisco Carrillo, 1720 Falleri Drive**, stated that Mr. and Mrs. Nunez's
199 restaurant is welcome in the neighborhood, and supports having music at La
200 Prima.

201
202 **Judy Cook, 109 Wapoo Avenue (Bed and Breakfasts owner)**, stated that
203 she frequently refers her guests to La Prima, and supports the Planning
204 Commission's action.

205
206 **John Potrebic, 2106 Oat Hill Court**, stated that he supports the Planning
207 Commissions decision, and would like to see more outdoor music allowed at
208 La Prima.

209
210 **Zurla Troepl, 2412 Foothill Blvd**, provided her support for La Prima having
211 "background music."

212
213 **Caryl Maniscalco (attorney for Mitch Hawkins)** stated that there will be
214 increased traffic noise as well as noise from the music which will adversely
215 impact the neighborhood. She stated that La Prima is in violation of the City's
216 Municipal Code regarding parking, and in violation of ABC regulations. She
217 requested that Council uphold the appeal and deny the Conditional Use
218 Permit amendment.

219
220 **Ed Grimsley, 505 Washington St**, stated that the area identified for the
221 proposed overflow parking is suitable for parking.

222
223 **Mayor Gingles** closed the public hearing.

224

225 **Vice Mayor Dunsford** stated that the existing 20 parking spaces should be
226 sufficient, and he would rather not require the property owner to create additional
227 parking. He stated that more noise would be generated from the cars in an
228 overflow parking lot than from the music. He stated that he does not want to
229 see the property owners have to spend the money to create the additional
230 parking as it does not appear to be necessary. He stated that he is in favor of
231 denying the appeal and suggested deleting **Condition of Approval No. 8**
232 regarding overflow parking in the draft Resolution.

233
234 **Councilmember Slusser** stated that she is in favor of approving La Prima's
235 Conditional Use Permit. She stated that the City needs to ensure that its
236 regulations are applied consistently (pavement surfaces allowed in parking
237 areas).

238
239 **Vice Mayor Dunsford** suggested that available street parking and the
240 informal parking area used by Oat Hill Mine Trail hikers (corner of Lincoln
241 Avenue/Highway 29) is available and is frequently used by La Prima patrons.
242 He suggested holding off on any additional parking at this time, and monitor
243 the need created by this modest change.

244
245 **Councilmember Garcia** stated that Mr. and Mrs. Nunez have been willing to
246 work with the City, and he supports the approval of La Prima's Conditional
247 Use Permit amendment.

248
249 **City Manager McCann** suggested modifying **Condition of Approval No. 13**
250 in the draft Resolution which calls for a quarterly report, to include the issues
251 regarding the adequacy of parking and the compliance with the Conditions of
252 Approval to allow a ongoing evaluation to determine if additional parking is
253 necessary. He stated that if the Planning staff finds that the additional parking
254 is necessary then it would be an issue for further Planning Commission
255 consideration and action.

256
257 **Planning and Building Director Gallina** suggested that signage to inform La
258 Prima's patrons that parking in the adjacent neighborhood streets is
259 discourage should be installed.

260
261 **City Manager McCann** agreed with Planning and Building Director Gallina,
262 and stated that the signage requirement could be included in the event
263 management plan (**Condition of Approval No. 8**).

264
265 It was **MOVED** by **Mayor Gingles** and **SECONDED** by **Councilmember**
266 **Garcia** to adopt the amended **Resolution No. 2010-003** denying an appeal of
267 the Planning Commission's decision to approve a Conditional Use Permit
268 Amendment (U 2000-06(A)) to allow indoor live entertainment at La Prima
269 Pizza, 1923 Lake Street (APN 011-535-010). The amendment to the
270 Resolution includes removing **Condition of Approval No. 8** regarding
271 overflow parking, and modifying **Condition of Approval No. 13** to require an
272 administrative quarterly report during the first year (and on a semi-annual

273 basis thereafter) to assess parking and operations, and to monitor any
274 complaints to determine whether any violations of the Conditions of Approval
275 have occurred. Motion was carried unanimously by the following vote:

276 **AYES: Mayor Gingles, Councilmembers Garcia, Slusser,**
277 **and Mayor Gingles.**

278 **NOES: None**

279 **ABSTAIN: Councilmember Kraus**

280 **ABSENT: None**

281

282 **Councilmember Kraus** returned to the meeting.

283

284 **Mayor Gingles** announced that a five minute break will be taken.

285

286 **7. Consideration of Resolutions adopting the Urban Design Plan.**

287

288 **Planning and Building Director Gallina** provided a brief history of this item.
289 She stated that on December 1, 2009, the City Council held a public hearing
290 regarding the Revised Draft Urban Design Plan in order to discuss and
291 consider recommendations. She stated that Council continued this item to
292 January 19, 2010 Council meeting to provide additional time for Council to
293 complete discussions.

294

295 **Mayor Gingles** opened the public hearing.

296

297 **Carl Sherrill, 1132 Denise Drive,** stated his concerns that the City's General
298 Plan will need to be revised for specific projects listed in the draft Urban
299 Design Plan.

300

301 **Elizabeth Hammond, 304 Foothill Blvd,** stated the draft Urban Design Plan
302 should be abandoned, and she is concerned that development applications
303 are being considered without the proper verification of facts. She stated that
304 she has concerns regarding the consideration of roundabouts and the
305 Washington Street Extension.

306

307 **Vince Tofanelli, 175555 Ida Clayton Road,** stated that he is still opposed to
308 the Washington Street Extension within the draft Urban Design Plan.

309

310 **Ed Grimsley, 505 Washington St,** provided a **Communication** to Council
311 regarding the potential that bicycle or river pathways may impact private
312 property.

313

314 **Jennifer Barkley, 216 Foothill Blvd,** stated her concerns regarding the draft
315 Urban Design Plan. She stated that adequate public notice was not provided
316 for this item.

317

318 **Kristin Casey, 1132 Denise Dr,** stated that the draft Urban Design Plan is
319 not honoring the General Plan with regard to the City's Entry Corridors,
320 specifically in reference to the proposed Bounsall property development.

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Norma Tofanelli, 1001 Dunaweal Lane, provided two Communications to Council regarding this item. She requested to see the study regarding the "Fair Way Extension between Highway 29 to Dunaweal" referenced in the "Call for Projects List" prepared in 2008 by the Napa County Transportation and Planning Agency Technical Advisory Committee. She stated her concerns regarding changing the City's land-use designations as stated in the General Plan and with various deficiencies of the document.

David Moon-Wainwright, 1210 Pine Street, stated his concerns regarding the proposed Washington Street Extension; he has not heard any discussions about alternative routes.

Mayor Gingles closed the public hearing.

Mayor Gingles stated that he is not aware of any studies for the Washington Street Extension, but will check if the County has completed one.

Councilmember Slusser stated that she does not support the Washington Street Extension, and requested that it be removed from the draft Urban Design Plan. She stated her concerns regarding conflicts with the proposed development of the Bounsall family properties and the General Plan; specifically allowing an event center in the area. She stated her concerns regarding the proposed "river walk" as reflected in the draft Urban Design Plan and the General Plan. She stated this would create a loss of privacy and security for residents. She stated that she was in agreement with issues identified in the January 14, 2010 letter from the Pacific Legal Foundation (Attachment 3 to the staff report).

Vice Mayor Dunsford expressed concern about revisiting issues and direction that had been discussed at the prior hearing. He suggested that the Council discuss specific points in the Urban Design Plan as necessary to thoroughly address Council level concerns.

The Council discussed how best to address points raised by public tonight and previously and their own thoughts.

Mayor Gingles continued this item until later in the meeting.

GENERAL GOVERNMENT

- 9. Consideration of a request by the Calistoga Chamber of Commerce for financial participation in the rental of an advertising billboard.**

Calistoga Chamber of Commerce Interim Chief Executive Officer Canning introduced this item. He stated that the Chamber has come across a unique opportunity to rent a highly visible billboard located on Highway 29 to the southeast of the City of St. Helena to promote Calistoga. The Chamber

369 anticipates the ability to raise half of the \$28,800 annual rental cost from local
370 businesses, and seeks the remaining funds from the City.

371

372 **Mayor Gingles** stated that this is a great idea to promote the City, however
373 these are tough financial times and he is not in favor of funding this project.
374 He noted that the City is struggling to reduce expenditures not to increase
375 spending.

376

377 **Vice Mayor Dunsford** asked if City has funds budgeted for these kinds of
378 uses.

379

380 **City Manager McCann** stated that currently the City's adopted Fiscal Year
381 2009/2010 Economic Vitality Account contains \$25,000. He stated that at the
382 December 1, 2009 Council meeting ideas were presented to close the City's
383 budget gap, and one idea was to reduce this account from \$25,000 to \$3,000.
384 He stated that if Council supports this Chamber request then the reduction of
385 this account will be less (we'll leave \$6,000 for this fiscal year), and staff will
386 suggest an amendment to other expenditures elsewhere in the General Fund
387 Budget at the February 2, 2010 Council meeting.

388

389 **Vice Mayor Dunsford** stated that this is a great opportunity to help promote
390 the City; he acknowledged the challenging times and the substantial budget
391 adjustments which the City has already made; he stated that we must
392 continue to aggressively market and promote the City for our economic well
393 being.

394

395 **Councilmember Slusser** agreed that the City has real budgeting challenges
396 but does see the value in this proposal, and believes that it is a worthwhile
397 partnership.

398

399 **Mayor Gingles** reiterated his opposition to participate in funding the request;
400 he noted that the City's financial future is difficult and that we've asked our
401 employees to provide wage and benefit concessions to close our budget
402 shortfall – it's not right to increase spending now; he noted that the City
403 invests heavily already in marketing and promotional efforts.

404

405 **Councilmember Kraus** noted his agreement with the Mayor's comments. He
406 suggested that the funds be secured by redirecting funds committed in the
407 City's contract with the Chamber of Commerce.

408

409 **Discussion ensued regarding options for use of redirected funds in**
410 **Fiscal Year 2010/2011 from the marketing and promotional contract with**
411 **the Chamber of Commerce.**

412

413 **Councilmember Garcia** stated that the proposed billboard rental would be a
414 good promotional tool for the City, however the financial status of the City is
415 unsure.

416

417 **Mary Sue Frediani, 1255 Lincoln Avenue**, suggested renting the sign for six
418 months.

419
420 **There was consensus to authorize the payment of \$6,000 to the**
421 **Calistoga Chamber of Commerce for financial participation in the rental**
422 **of an advertising billboard.**

423
424 **City Manager McCann** clarified the direction that the City's contribution
425 toward this promotional effort will be \$6,000 for the remainder of the
426 2009/2010 Fiscal Year (Mr. Canning confirmed). He stated that in Fiscal Year
427 2010/2011 no additional funding will be provided to the Chamber; the \$8,400
428 remaining balance will be redirected with City review and approval to the
429 Chamber's marketing and promotional contract in Fiscal Year 2010/2011.

430
431 **7. Consideration of Resolutions adopting the Urban Design Plan.**
432 **(Mayor Gingles resumed discussion of this Agenda item).**

433
434 **Councilmember Slusser** reiterated her concerns regarding the City's
435 requirements being unduly burdensome on residents particularly upon single-
436 family properties with respect to "takings" and the establishment of bicycle or
437 river trail systems.

438
439 **City Manager McCann** stated that the Planning Commission conducted
440 several public meetings regarding this item, and addressed the many points
441 of interest and concern expressed by the public; the Council has discussed
442 and agreed on the majority of the Urban Design Plan issues, and he provided
443 direction regarding the Washington Street Extension at the December 1, 2009
444 meeting. He reminded the Council that the Urban Design Plan is not a
445 regulatory document, and it does not amend, supersede or replace the
446 General Plan or Municipal Code. He stated that General Plan and Municipal
447 Code amendments will be scheduled in the future in order to address the
448 various ideas and suggestions contained in the Urban Design Plan. He stated
449 that both the General Plan and the draft Urban Design Plan contain policy
450 direction to explore and develop a river walk and bicycle trails. He referenced
451 the January 14, 2010 letter from the Pacific Legal Foundation (Attachment 3
452 to the staff report for this item) and stated that it references well established
453 land-use and policies that the City has historically and intends to abide by.

454
455 **Councilmember Slusser** stated her concern regarding the privacy of
456 residences. She requested that it be written in the Urban Design Plan that
457 there will be no taking of land for bike paths.

458
459 **City Manager McCann** suggested including language in the draft Urban
460 Design Plan (at numerous locations) to make clear Councilmember Slusser's
461 point specific to residential properties (specifically regarding the river walk).
462 He suggested including language in each Resolution about the Council's
463 commitment regarding improvements required of private property rights, and
464 that any requirement imposed on private property owners be balanced with

465 proper rough proportionality relative to the impact caused by the private
466 development activity.

467

468 It was **MOVED** by **Mayor Gingles** and **SECONDED** by **Vice Mayor Dunsford** to
469 adopt **Resolution No. 2010-004** regarding the Urban Design Plan excluding
470 Character Area 3 (Downtown) as amended*. The Motion was carried by the following
471 vote:

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

474 **NOES: None**

475 **ABSTAIN:None**

476 **ABSENT: None**

477

478 **Councilmember Kraus** restated his concern regarding the sustainability
479 issue related to the carrying capacity of hotel development. He commented
480 that our area does not have the population base to provide a sufficient
481 number of employees to be employed in a greatly expanded commercial
482 economy, and increased commuting will result in an increase in green house
483 gases. He suggested that a sustainability study be done regarding
484 commercial and lodging businesses.

485

486 **City Manager McCann** stated that the present General Plan policies allow for
487 hotel development in many areas of the community, and that the Urban
488 Design Plan recognizes the need for very careful consideration of any new
489 hotel proposal; he suggests future studies/evaluations regarding available
490 hotel capacity.

491

492 **Mayor Gingles** recused himself from partaking in discussions and voting
493 regarding the Resolution having to do with the Stevenson/Grant area for the
494 Urban Design Plan as has a ownership interest in property in this Character
495 Area.

496

497 It was **MOVED** by **Vice Mayor Dunsford** and **SECONDED** by
498 **Councilmember Slusser** to adopt **Resolution No. 2010-005** regarding the
499 Stevenson/Grant area for the Urban Design Plan as amended.* The Motion
500 was carried by the following vote:

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

503 **NOES: None**

504 **ABSTAIN: Mayor Gingles**

505 **ABSENT: None**

506

507 **Vice Mayor Dunsford** recused himself from partaking in the vote regarding
508 the adoption of the Resolution regarding the Historic District for the Urban
509 Design Plan as he owns a business within 500 feet of the "Historic District".

510

511

512

513 It was **MOVED** by **Mayor Gingles** and **SECONDED** by **Councilmember**
514 **Garcia** to adopt **Resolution No. 2010-006** regarding the historic district for
515 the Urban Design Plan as amended*. The Motion was carried by the following
516 vote:

517 **AYES:** Mayor Gingles, Councilmembers Garcia, Kraus, and Slusser
518 **NOES:** None
519 **ABSTAIN:** Vice Mayor Dunsford
520 **ABSENT:** None

521
522 *The three Resolution regarding the adoption of this item regarding (1)
523 the Urban Design Plan excluding Character Area 3 (Downtown); (2)
524 Stevenson/Grant area; and (3) the Historic District for the Urban Design
525 Plan are amended to include an additional finding and statement of
526 purpose emphasizing the Council's concern regarding protecting
527 private property rights, and that improvements required of private land
528 owners should have the least private impact and demonstrable public
529 benefit; and that Council desires that any requirement imposed on
530 private property owners be balanced with proper rough proportionality
531 relative to the impact caused by the private development activity.

532
533 **Vice Mayor Dunsford** thanked staff, the Planning Commission, and the
534 public for the challenging four year process for this item.

535
536 **10. Consideration of a request by Councilmember Kraus to reduce the**
537 **stipend provided to the City Council and the Planning Commission by**
538 **ten percent.**

539
540 **Councilmember Kraus** introduced this item

541
542 **Mayor Gingles** stated that he is not in favor of this item; he listed the
543 meetings that he attends on the City behalf which takes considerable time
544 and travel.

545
546 **Vice Mayor Dunsford** stated that he is not in favor of this item. He stated that
547 he never submits expense reports for mileage reimbursement when attending
548 various City related meetings.

549
550 **There was Council consensus to not reduce the stipend provided to the**
551 **City Council or the Planning Commission.**

552
553 **PUBLIC COMMENT**

554
555 **Jeff Bounsall, 414 Foothill Blvd,** thanked the City Council, Planning
556 Commission for the many hours spent on the draft Urban Design Plan and is
557 glad it has been adopted. He stated that he looks forward to future and has
558 concerns about loosing business in town.

559

560 **Mayor Gingles** recognized the situation regarding Haiti's recent disaster, and
561 gave condolences for those that have lost loved ones.

562

563 **CITY MANAGER REPORTS**

564

565 None provided.

566

567 **CITY COUNCIL ADJOURNMENT**

568

569 **Mayor Gingles** adjourned the meeting at 11:05 PM to the next scheduled
570 regular meeting of the Calistoga City Council, on Tuesday, February 2, 2010,
571 Calistoga Community Center, 1307 Washington Street, 7:00 p.m.

572

573

574 **Respectfully submitted:**

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576

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

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581

582 _____
582 **Approved by: Jack Gingles, Mayor**