

MINUTES
CITY COUNCIL – REGULAR MEETING
TUESDAY, JULY 20, 2010 - 7:00 P.M.
CALISTOGA COMMUNITY CENTER

CALL TO ORDER

Mayor Gingles called the Regular Session to order at 7:03 p.m.

In attendance were the following: Councilmember Placido Garcia, Councilmember Gary Kraus, Councilmember Karen Slusser, and Mayor Jack Gingles. Vice Mayor Michael Dunsford was absent.

Also present were Planning and Building Director Charlene Gallina, Public Works Director/City Engineer Dan Takasugi, Senior Planner Ken MacNab, Administrative Services Director Bill Mushallo, Interim City Manager William Norton, and City Clerk Susan Sneddon.

ACTION OUT OF CLOSED SESSION

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

Proclamation honoring “Callie” Scout Harries who was named after the City.

Mayor Gingles introduced Callie Scout Harries and her family who are visiting Calistoga from Manchester, England.

Mayor Gingles moved **Items No. 12, 13 and 14** up on the agenda. These items will be discussed following **Item No. 7.**

ORAL COMMUNICATION

None provided.

ADOPTION OF MEETING AGENDA

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

CONSENT CALENDAR

1. **Minutes of the June 8, 2010 Special Council Meeting.**
2. **Consideration of an Ordinance adopting Napa County Social Host Accountability Ordinance including imposition of civil fines and abatement costs.**
3. **Adoption of Resolution No. 2010-057 providing direction to Mayor Gingles, the City's voting delegate to the 2010 League of California Cities Annual Business Conference, regarding the proposed League Policy Resolutions.**
4. **Adoption of Resolution No. 2010-058 declaring certain property surplus, and authorizing the Interim City Manager to dispose of said property.**

It was **MOVED** by **Mayor Gingles** and **SECONDED** by **Councilmember Kraus** to approve **Items No. 1, 2, 3, and 4** on the Consent Calendar. The Motion was carried unanimously.

PUBLIC HEARING

5. **Presentation of the preliminary draft update to the Housing Element for review, comment and transmittal to the State Department of Housing & Community Development (HCD) for their review.**

Senior Planner MacNab introduced this item, and stated that pursuant to the requirements of State Housing Element Law the City is required to update its Housing Element. In March 2009 the City Council appointed a Housing Element Update Advisory Committee (Committee) to oversee staff in carrying out the Housing Element Update program. The Advisory Committee oversaw the execution of a household demographic survey, reviewed existing and potential housing sites, and discussed programs for meeting the City's housing needs. He stated that the Preliminary Draft (Draft) was presented at a community meeting on July 7, 2010; the Planning Commission then reviewed the recommendations of the Committee, and recommended approval of the preliminary Draft with the inclusion of recommendations from the Committee and the Planning Commission on July 14, 2010. He stated that the next step is for Council to provide comments and approve the draft to be forwarded to the State for preliminary review.

Mayor Gingles opened the public hearing.

Jim Barnes, 1710 Michael Way, asked for clarification regarding the proposed program action allowing for emergency and transitional shelters in the City.

Senior Planner MacNab stated that the State law requires emergency shelters to be permitted in at least one zoning district; therefore it is included in the Draft.

Councilmember Slusser suggested rewording the description for emergency shelters in the Draft and asked if an emergency shelter would be found in Rural Residential District.

Planning and Building Director Gallina responded that the text in the Draft fully defines emergency shelters and they are required pursuant to State mandate. She stated that an emergency shelter would be permitted in the R-2 and R-3 Zoning Districts by right and in all other Districts with an administrative use permit.

Erica Sklar, Calistoga Affordable Housing (CAH) Executive Director, stated that CAH is pleased with the City's Draft. She suggested strengthening the language in a few key areas of the Draft. One suggestion was to change the implementation schedule of creating design guidelines from a two-year timeframe to a one-year time frame. Second, she suggested clarifying the term "rural small-town community character" in the Draft because the meaning could be interpreted in different ways. Third, she indicated that the Growth Management System Program is a hindrance to affordable housing projects which should be exempted from the process with the housing units being counted toward the City's 1.35% annual growth rate. Fourth, she suggested that the City continue to pursue all types of funding sources including California Development Block Grants (CDBG). She expressed concern regarding the City missing an opportunity to seek County affordable housing funds in exchange for sharing RHNA (Regional Housing Needs Assessment) credits with the County, and suggested that the City commence negotiations with the County for current funding. Lastly, she suggested developing guidelines for use and disclosure of the City's Affordable Housing Trust and CDBG funds in which a status update on use of such funds should be included with the General Plan's annual report to the Council so that the community is better able to track the funds.

Mayor Gingles closed the public hearing.

Councilmember Slusser expressed concern about allowing multi-family development "by right" and asked that it be removed as a program action given that the City has demonstrated sufficient number of housing sites for meeting the City's required RHNA numbers.

There was Council consensus to remove the multi-family development without discretionary review as a program action.

Councilmember Kraus stated we need to have strong restrictions on locating homeless shelters in order to protect the neighborhoods. He also asked for information on the Density Bonus Program action.

Senior Planner MacNab stated that the State updated the Density Bonus Law in 2004 allowing for concessions on development standards on affordable housing units. The intent of the program action is to establish regulations that would guide implementation of the State's law.

Mayor Gingles stated that he did not support pursuing negotiations with the County for Affordable Housing Funds and RHNA credit sharing.

Council discussion ensued and there was consensus on not to commence negotiations with the County for housing funds.

There was Council consensus to transmit the Housing Element Preliminary Draft Update to the State Department of Housing & Community Development for review.

6. Consideration of a Resolution confirming the Mayor's appointments to the City's Bicycle Advisory Committee.

Mayor Gingles recommended the following to be appointed to the City's Bicycle Advisory Committee:

- o Glenn Pope (incumbent)
- o Brad Suhr (incumbent)

It was MOVED by Mayor Gingles and SECONDED by Councilmember Slusser to adopt the Resolution No. 2010-059 confirming the Mayor's appointments to the City's Bicycle Advisory Committee. Motion was carried by the following vote:

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

NOES: None

ABSENT: Vice Mayor Dunsford

ABSTAIN: None

7. Consideration of a Resolution authorizing 2010/2011 Community Enrichment Grant Awards.

It was MOVED by Councilmember Slusser and SECONDED by Mayor Gingles to adopt the Resolution No. 2010-060 authorizing 2010/2011 Community Enrichment Grant Awards. Motion was carried by the following vote:

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

NOES: None

ABSENT: Vice Mayor Dunsford

ABSTAIN:None

13. Consideration of a Resolution approved the Fiscal Year 2010/2011 Special Revenue Funds Budgets.

Administrative Services Director Mushallo introduced this item. He stated that it is anticipated that the Special Revenue Funds balance will be reduced to about \$1.0 million by June 30, 2010, and balances are expected to decrease from \$1.0 million to approximately \$.8 million in Fiscal Year 2010/2011 due to additional commitments to pay debt service from the Public Safety and Quality of Life funds; revenues in the Fiscal Year 2011/12 will be sufficient to bring the fund balances back into positive region.

It was **MOVED** by Mayor Gingles and **SECONDED** by Councilmember Slusser to adopt the **Resolution No. 2010-062** adopting the Special Revenue Fund Budget for Fiscal Year 2010/2011. Motion was carried by the following vote:

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

NOES: None

ABSENT: Vice Mayor Dunsford

ABSTAIN: None

14. Consideration of a Resolution adopting the Fiscal Year 2010/2011 Appropriation Limits.

Administrative Services Director Mushallo introduced this item. He stated that State law requires the City to set an appropriation limit which is based on authorization by the Council to spend funds from proceeds of taxes.

It was **MOVED** by Mayor Gingles and **SECONDED** by Councilmember Kraus to adopt the **Resolution No. 2010-063** adopting the Fiscal Year 2010/2011 Appropriation Limits. Motion was carried by the following vote:

AYES: Mayor Gingles Councilmembers Kraus, Garcia and Slusser

NOES: None

ABSENT: Vice Mayor Dunsford

ABSTAIN: None

8. Consideration of a Resolution authorizing a professional services agreement in the amount of \$30,000 with Housing Authority of the City of Napa.

Planning and Building Director Gallina introduced this item. She recommended that the proposed services are necessary in order for the City to fulfill its obligations and goals as outlined in the Housing Element of the City's General Plan regarding

affordable housing. She stated that the minimum costs associated with this monitoring program are \$26,250, however the total potential costs for housing services by Housing Authority of the City of Napa will not exceed \$30,000.

It was **MOVED** by Councilmember Slusser and **SECONDED** by Mayor Gingles to adopt the **Resolution No. 2010-064** authorizing a professional services agreement in the amount of \$30,000 with Housing Authority of the City of Napa (**Authorizing Agreement No. 412**). Motion was carried by the following vote:

AYES: Councilmember Slusser, Mayor Gingles, Councilmembers Kraus and Garcia

NOES: None

ABSENT: Vice Mayor Dunsford

ABSTAIN: None

9. Consideration of a Resolution authorizing a professional services agreement in the amount of \$3,230 with Fair Housing Napa Valley.

It was **MOVED** by Councilmember Kraus and **SECONDED** by Councilmember Garcia to adopt the **Resolution No. 2010-065** authorizing a professional services agreement in the amount of \$3,230 with Fair Housing Napa Valley (**Authorizing Agreement No. 413**). Motion was carried by the following vote:

AYES: Councilmembers Kraus, Garcia, Slusser, Mayor Gingles

NOES: None

ABSENT: Vice Mayor Dunsford

ABSTAIN: None

10. Consider of a Resolution authorizing a Professional Services Agreement in the amount of \$10,000 with the Calistoga Family Center to provide family support services to residents of Calistoga.

It was **MOVED** by Councilmember Garcia and **SECONDED** by Councilmember Slusser to adopt the **Resolution No. 2010-066** authorizing a Professional Services Agreement in the amount of \$10,000 with the Calistoga Family Center to provide family support services to residents of Calistoga (**Authorizing Agreement No. 414**). Motion was carried by the following vote:

AYES: Councilmembers Garcia, Slusser, Kraus and Mayor Gingles

NOES: None

ABSENT: Vice Mayor Dunsford

ABSTAIN: None

11. Consideration of draft response to the Napa County Grand Jury 2009/2010 Final Report response on water.

Pubic Works Director/City Engineer Takasugi introduced this item. He stated that the Napa County Grand Jury 2009/2010 Final Report has been issued and staff has drafted a response letter to the report entitled "Final Report on Water Our Precious, Critical Resource". He stated that there were no major, however the City agrees with issues related to catastrophic loss of water, increasing the capacity of water storage facilities, and more use of reclaimed water. He stated the issue that the City has the most exception with is related to fluoridation of the City's water because it would be a large capital cost to the City, and it is not required; there are plenty of over-the-counter supplements available for those that feel fluoride is needed.

There was Council consensus for staff to send the draft response letter.

12. Consideration of a Resolution authorizing the issuance of Tax Revenue Anticipation Notes for the 2010/2011 Fiscal Year.

Administrative Services Director Mushallo introduced this item. He stated that the City obtains the property tax receipt at the end of the year which creates a cash flow issue in these tight financial times. He stated that the City has projected a cash flow deficit of approximately \$1.4 million. He stated the City is looking to borrow \$1.435 million in Tax Revenue Anticipation Notes at $\frac{3}{4}$ %.

It was MOVED by Mayor Gingles and SECONDED by Councilmember Garcia to adopt the Resolution No. 2010-061 authorizing the issuance of Tax Revenue Anticipation Notes for the 2010/2011 Fiscal Year. Motion was carried by the following vote:

AYES: Mayor Gingles, Councilmembers Garcia Slusser, Kraus
NOES: None
ABSENT: Vice Mayor Dunsford
ABSTAIN: None

15. Consideration of a Resolution rescinding Resolution No. 2007-132 regarding the formation of the Pool Facility Advisory Committee changing the appointment of the Director of Community Services to the Aquatic and Recreation Manager as members of said Committee.

It was MOVED by Councilmember Slusser and SECONDED by Councilmember Kraus to adopt the Resolution No. 2010-067 rescinding Resolution No. 2007-132 regarding the formation of the Pool Facility Advisory Committee changing the appointment of the Director of Community Services to the Aquatic and Recreation Manager as members of said Committee. Motion was carried by the following vote:

AYES: Councilmembers Slusser, Kraus, Garcia, and Mayor Gingles
NOES: None

ABSENT: Vice Mayor Dunsford
ABSTAIN: None

COUNCIL IDEAS FOR DISCUSSION

Councilmember Slusser asked the following:

- The community pool banner should be hoisted up whenever other banners across Washington Street come down.
- Requested community pool signage be placed at the intersection of Washington Street and Lincoln Avenue.
- She inquired about the status of the County roads that need repair.
- She stated that a local contractor (Bill Nance) is having issues with dealing with Napa County Environmental Health Department regarding opening the new bakery on Lincoln Avenue.

Council discussion ensued regarding Bill Nance's (local contractor) complaint regarding the delay in opening the new bakery on Lincoln Avenue due to Napa County Environmental Management's change in their permitting requirement.

Planning and Building Director Gallina stated that the City's Planning and Building Department will be providing part time office space for the County Environmental Management staff to help new retail food operators coordinate the County and City permit processes.

Mayor Gingles discussed the following:

- Suggested that a small business committee be formed and the members should include Interim City Manager Norton, Associate Planner Lundquist, Senior Planner MacNab, Chamber of Commerce Executive Director Canning, and two Councilmembers to discuss how the City can assist in getting vacant downtown stores occupied.
- Noted that he contacted the County Public Works Director regarding needed Silverado Trail road improvements for the upper valley area. He said that he was informed that the County is waiting on Caltrans to obtain environmental permits. He also asked about the Caltrans delays in planned Foothill Boulevard and Lincoln Avenue paving (**Pubic Works Director/City Engineer Takasugi** responded that paving on Foothill Boulevard (Tubbs to High Street) and the downtown drainage improvements would start in September.
- Stated that VINE Route 11 to Santa Rose is being discontinued.

CITY MANAGERS REPORT

Interim City Manager Norton reported on the following:

- He stated that there will be presentations on August 4th (4:30 PM) at the Calistoga Elementary School to discuss ideas and concerns with the Napa County Transportation and Planning Agency regarding transit services for those who live or work in Calistoga.
- He noted the community pool directional signage at Washington Street and Lincoln Avenue was ordered and expected to be installed next week.
- He stated that the July 28th Planning Commission meeting is cancelled.

CITY COUNCIL ADJOURNMENT

Mayor Gingles adjourned the meeting at 8:45 PM to the next scheduled regular meeting of the Calistoga City Council, on Tuesday, August 3, 2010, Calistoga Community Center, 1307 Washington Street, 7:00 p.m.

Respectfully submitted:

Prepared by: Susan Sneddon, City Clerk

Approved by: Jack Gingles, Mayor