

**MINUTES
CITY COUNCIL
TUESDAY, AUGUST 3, 2010 - 6:30 P.M.
CALISTOGA COMMUNITY CENTER
CLOSED SESSION**

CALL TO ORDER

Vice Mayor Dunsford called the Closed Session to order at 6:30 p.m. In attendance were the following: Councilmember Placido Garcia, Councilmember Gary Kraus, Councilmember Karen Slusser, and Vice Mayor Dunsford. Mayor Jack Gingles was absent.

1) Conference with Labor Negotiators (Government Code Section 54957.6)

Agency negotiation:	Interim City Manager William Norton
Employee Organization:	Calistoga Public Employees Association Calistoga Police Officers Association Calistoga Professional Firefighters Association

ADJOURNMENT

Mayor Gingles adjourned the Closed Session at 7:00 p.m. to the special 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: Michael Dunsford, Vice Mayor

MINUTES
CITY COUNCIL – REGULAR MEETING
TUESDAY, AUGUST 3, 2010 - 7:00 P.M.
CALISTOGA COMMUNITY CENTER

1 **CALL TO ORDER**

2
3 **Vice Mayor Dunsford called the Regular Session to order at 7:00 p.m.**

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

8
9 Also present were Planning and Building Director Charlene Gallina, Public Works
10 Director/City Engineer Dan Takasugi, Administrative Services Director Bill Mushallo,
11 and City Clerk Susan Sneddon.

12
13 **ACTION OUT OF CLOSED SESSION**

14
15 **Vice Mayor Dunsford** announced that there was no action out of tonight's Closed
16 Session.

17
18 **ORAL COMMUNICATION**

19
20 **Drew Sparks, 2412 Foothill Blvd,** stated that she is a resident at Rancho de
21 Calistoga Mobilehome Park and she opposes the proposed space rental rate
22 increase which is far above the rates allowed by the City's Rent Stabilization
23 Ordinance. She asked how the funds (\$0.83 per month/per residence) for legal
24 services provided to the City for rental control are spent.

25
26 **Jean Haidary, 2412 Foothill Blvd,** stated that the increase is unreasonable and is
27 looking to the City Council to remedy the situation in order to keep housing
28 affordable for seniors.

29
30 **Ronald Lynch, 2412 Foothill Blvd,** voiced his opposition to the proposed rent
31 increase at Rancho de Calistoga Mobilehome Park.

32
33 **Mary Kay Macy, 2412 Foothill Blvd,** requested that the City enforce the Rent
34 Stabilization Control Ordinance.

35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76

Lois Stansberry, 415 Burgundy South, stated that the City's seniors need to be united against Mobilehome park owners and she opposes the proposed space rental rate increase.

Larry Kromann, Calistoga Affordable Housing President, stated that anyone spending over 30% of their income on housing is in affordable housing, and that the community has many seniors with limited income. He stated that when Rebuilding Calistoga Project occurred he became aware of the large number of senior's homes that need assistance. He stated that Calistoga Affordable Housing supports the seniors in this matter.

Marvin Braun, 2412 Foothill Blvd, stated that the City's attorney needs to defend the City's Rent Stabilization Ordinance.

Planning and Building Director Gallina clarified that City staff has been in touch with the City Attorney about this issue and an informational meeting is set for August 18, 2010. She stated that the park owner did provide the required ten day meeting notice but staff believes that the original informational meeting date (August 2, 2010) was inconvenient for residents since the notice came out on Friday July, 20, 2010; therefore the meeting has been rescheduled to August 18, 2010 at 10 AM. She stated that she will ensure that the appropriate documents are filed.

Vice Mayor Dunsford stated that Council will stand behind the City's Rent Stabilization Ordinance.

Councilmember Kraus asked staff to report to Council an accounting of fund collected (\$0.83 paid per month by each mobilehome owner) received by the City as their monthly contribution for rental control and spent over the years.

Elizabeth Hammond, 304 Foothill Blvd, stated the Council should not approve an amendment to the existing Memorandum of Understanding regarding the Bounsall development proposal.

ADOPTION OF MEETING AGENDA

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

77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116

CONSENT CALENDAR

1. Minutes of the June 15, 2010; June 24, 2010 and June 29, 2010 special City Council meetings; and the July 6, 2010 regular City Council meetings.
2. Adoption of Resolution No. 2010-068 authorizing a purchase order in the amount of \$7,200 to West Yost Associates to perform a constructability review of the Mt. Washington Water Storage Tank Improvement Plans.
3. Adoption of Resolution No. 2010-069 authorizing a Professional Services Agreement with Terry Krieg for the Fiscal Year 2009/2010 Comprehensive Annual Financial Report (CAFR) (Authorizing Agreement No. 0415).
4. Adoption of Resolution No. 2010-070 approving a budget adjustment for the Calistoga Fire Station Seismic Retrofit and Renovation Project.
5. Adoption of Resolution No. 2010-071 authorizing the acceptance of a donation in the amount of \$100.00 from Chateau Montelena Winery.

It was MOVED by Councilmember Kraus and SECONDED by Councilmember Slusser to approve Items No. 1, 2, 3, 4, and 5 on the Consent Calendar. The Motion was carried unanimously.

GENERAL GOVERNMENT

6. Consideration of a Resolution authorizing the Interim City Manager to execute a funding agreement with Napa County Housing Authority in the amount of \$10,000 to support the Napa Valley Farmworker Housing Centers' Fiscal Year 2010/2011 Operating Budget.

Planning and Building Director Gallina introduced this item.

Councilmember Kraus stated that eventually the City should consider limiting funding to Napa Valley Farmworker Housing Centers once the facilities become more self sufficient.

Vice Mayor Dunsford stated that he would like to continue funding this program in support of the wine industry.

Councilmember Kraus stated that the Napa County Housing Authority needs to be diligent in ensuring that the occupancy stays up at the farmworker housing centers, and to keep their financial needs at a minimum. He stated that in many cases the centers are under utilized.

117 **Councilmember Garcia** stated that the labor provided by the farmworkers is
118 affordable and the centers help to protect the workers.

119
120 **Councilmember Slusser** stated the wine industry should help fund the
121 farmworker housing centers.

122
123 **Frances Elliot, 2412 Foothill Blvd**, asked if the wineries provide funds to the
124 farmworker housing centers.

125
126 **Councilmember Kraus** responded that that the wineries contribute \$10 per acre
127 of planted vineyard land to the farmworker housing centers. The tenants pay \$12
128 per day for room and board.

129
130 **It was MOVED by Councilmember Kraus and SECONDED by**
131 **Councilmember Slusser to adopt Resolution No. 2010-072 authorizing the**
132 **Interim City Manager to execute a funding agreement with Napa County**
133 **Housing Authority in the amount of \$10,000 to support the Napa Valley**
134 **Farmworker Housing Centers' Fiscal Year 2010/2011 Operating Budget.**
135 **Motion was carried by the following vote:**

136 **AYES: Councilmembers Kraus, Slusser, Garcia,**
137 **and Vice Mayor Dunsford.**

138 **NOES: None**

139 **ABSTAIN: None**

140 **ABSENT: Mayor Gingles**

141
142 **7. Consideration of a Resolution authorizing the Interim City Manager to**
143 **execute a professional services agreement in the amount of \$6,053 with**
144 **Community Action of Napa Valley (CANV) to provide homeless and**
145 **emergency support services to residents of Calistoga.**

146
147 **Planning and Building Director Gallina** introduced this item. She stated that
148 given Community Action of Napa Valley's budget for Fiscal Year 2010-2011, the
149 amount now being requested from Calistoga has increased by \$1,373 for a total
150 not to exceed \$6,053.

151
152 **It was MOVED by Councilmember Slusser and SECONDED by**
153 **Councilmember Kraus to adopt Resolution No. 2010-073 authorizing the**
154 **Interim City Manager to execute a professional services agreement in the**
155 **amount of \$6,053 with Community Action of Napa Valley (CANV) to provide**
156 **homeless and emergency support services to residents of Calistoga.**
157 **Motion was carried by the following vote:**

158 **AYES: Councilmembers Slusser, Kraus, Garcia, and Vice Mayor**
159 **Dunsford**

160 **NOES: None**
161 **ABSTAIN: None**
162 **ABSENT: Mayor Gingles**

163
164 **8. Consideration of a Resolution authorizing the Interim City Manager to**
165 **execute an amendment to the existing Memorandum of Understanding**
166 **(MOU) regarding the Bounsall development proposal.**
167

168 **Planning and Building Director Gallina** introduced this item. She stated that
169 staff received a letter from the Bounsall family requesting that the term of their
170 Memorandum of Understanding (MOU) be extended from August 31, 2011 to
171 December 31, 2012 to allow additional time prior to commencing work on
172 submitting a formal application for their proposed development.

173
174 **Councilmember Kraus** noted his concern with the property line dispute with the
175 adjacent property owner; the time extension will provide a chance to resolve the
176 issues.

177
178 **Councilmember Slusser** stated concerns regarding this project being
179 advertised as an “approved” project for sale, which it is not. She stated that she
180 is neither in favor of the proposed project nor extending the MOU an additional
181 two and a half years. She stated that the developer is not recognizing concerns
182 of the Planning Commission regarding the intensity of the project.

183
184 **Vice Mayor Dunsford** asked if the new owners would be required to go through
185 the same approval process if the Bounsall property was sold to a developer.

186
187 **Planning and Building Director Gallina** stated that staff would recommend the
188 project go to the Planning Commission under a conceptual design review
189 application if a new developer desired to utilize the existing MOU and the
190 development proposal changes.

191
192 **Vice Mayor Dunsford** stated that the Council has endorsed the proposed project
193 in its general concept, and the Planning Commission’s specific concerns would
194 need to be addressed especially if new buyers wanted to make changes.

195
196 **Planning and Building Director Gallina** stated that any changes to the MOU
197 and/or if the property is sold the City would need to be notified in writing.

198
199 **Jeff Bounsall, 4014 Foothill Blvd,** stated that personal matters have arisen
200 resulting in a delay in moving forward with the proposed project.
201

202 **Councilmember Garcia** stated there is sufficient time to address any issues
203 between the Bounsalls' and the adjacent property owners since Council has not
204 approved the project yet.

205
206 **Jennifer Barkley, 216 Foothill Blvd**, stated that the amendment verbiage has
207 substantially changed (**Planning and Building Director Gallina** briefly reviewed
208 the minor changes).

209
210 It was **MOVED** by Councilmember Garcia and **SECONDED** by
211 Councilmember Kraus to adopt **Resolution No. 2010-074** authorizing the
212 Interim City Manager to execute an amendment to the existing
213 Memorandum of Understanding (MOU) regarding the Bounsall
214 development proposal. Motion was carried by the following vote:

215 **AYES:** Councilmember Garcia, Councilmember Kraus,
216 and Vice Mayor Dunsford

217 **NOES:** Councilmember Slusser

218 **ABSTAIN:** None

219 **ABSENT:** Mayor Gingles

220

221 **9. Consideration of a Resolution authorizing the Interim City Manager to**
222 **execute an amendment to the existing Professional Services Agreement**
223 **with Cliff Castle of Castle Consulting for building services on private**
224 **development and general building services as needed.**

225

226 **Planning and Building Director Gallina** introduced this item. She stated that
227 the funding for these services is already in the budget, and expenditures will be
228 primarily recovered from plan check fees associated with individual projects.

229

230 **Councilmember Kraus** asked if the Mr. Castle would be providing fire sprinkler
231 inspection services.

232

233 **Planning and Building Director Gallina** stated that the proposed agreement
234 with Mr. Castle includes fire sprinkler inspections but identified that those
235 inspections are completed by the Fire Chief.

236

237 It was **MOVED** by Councilmember Kraus and **SECONDED** by
238 Councilmember Slusser to adopt **Resolution No. 2010-075** authorizing the
239 Interim City Manager to execute an amendment to the existing Professional
240 Services Agreement with Cliff Castle of Castle Consulting for building
241 services on private development and general building services as needed.

242 **Motion was carried by the following vote:**

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

244 **NOES:** None

245 **ABSTAIN: None**
246 **ABSENT: Mayor Gingles**

247
248 **10. Consideration of a Resolution authorizing the Interim City Manager to**
249 **execute a Memorandum of Understanding related to the Collection,**
250 **Disbursement, and Auditing of Assessment Funds of the Napa Valley**
251 **Tourism Improvement District.**

252
253 **Administrative Services Director Mushallo** provided a brief history of this item.
254 He stated that this is a 2% self imposed assessment on lodging operators to
255 increase tourism; 74% of revenue goes to the Napa Valley Tourism Improvement
256 District; 25% of the revenue goes to a Local Tourism Oversight Board, and 1%
257 goes to the City for administration.

258
259 **Councilmember Slusser** asked for a clarification of the Napa Valley Tourism
260 Improvement District (TBID).

261
262 **Chris Canning, Calistoga Chamber of Commerce Executive Director**, stated
263 that the TBID agreement confirms that 5% of the annual budget remains with the
264 City and is based on projected occupancy (\$125,000 to \$150,000 per year). He
265 stated that the funds can only be dispersed by majority vote of the board
266 comprised of seven individuals (four hoteliers, representative from the Chamber
267 of Commerce, an elected City official, and a staff member - generally the City
268 Manager). He stated that the board would follow a list of parameters for
269 dispersing the funds.

270
271 **It was MOVED by Councilmember Slusser and SECONDED by**
272 **Councilmember Kraus to adopt Resolution No. 2010-076 authorizing the**
273 **Interim City Manager to execute a Memorandum of Understanding related**
274 **to the Collection, Disbursement, and Auditing of Assessment Funds of the**
275 **Napa Valley Tourism Improvement District. Motion was carried by the**
276 **following vote:**

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

278 **NOES: None**

279 **ABSTAIN: None**

280 **ABSENT: Mayor Gingles**

281
282 **11. Presentation of the draft water and wastewater rate study reports to the**
283 **City Council, and review and authorization of the public notice scheduled**
284 **for September 21, 2010.**

285
286 **Administrative Services Director Mushallo** provided an overview and the
287 recommendations by the Water and Wastewater Revenue Advisory Committee.

288 He stated that staff recommends Council to approve the draft notice notifying the
289 public of the September 21, 2010 public hearing. He provided a brief overview of
290 the water and wastewater systems, challenges, and rate recommendations.

291
292 **Pubic Works Director/City Engineer Takasugi** provided a brief overview of the
293 City's Water and Wastewater systems.

294
295 **Larry Kromann, Water and Wastewater Revenue Advisory Committee**
296 **Member**, stated that he wants to address the availability of water in the Water
297 Master Plan; he is concerned that the City does not have a large enough
298 consumer base to pay for the quality of water that the City has. He suggested
299 that the City find more users to avoid future expenses.

300
301 **Paul Knoblich, Water and Wastewater Revenue Advisory Committee**
302 **Chairman**, stated that the Committee did a thorough job with arriving at the proposed
303 updated rate structures; the process was fair, equitable, compassionate, and fiscally
304 prudent.

305
306 **It was MOVED by Councilmember Garcia and SECONDED by**
307 **Councilmember Kraus to adopt Resolution No. 2010-077 approving the**
308 **draft water and wastewater rate study reports and authorization of the**
309 **public notice scheduled for September 21, 2010. Motion was carried by the**
310 **following vote:**

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

312 **NOES: None**

313 **ABSTAIN: None**

314 **ABSENT: Mayor Gingles**

315

316 **COUNCIL REQUESTS AND IDEAS FOR DISCUSSION**

317

318 **Councilmember Slusser** announced that there will be an open house transit
319 needs on August 4th from 4:30 PM to 6:30 PM at the Calistoga Elementary
320 School and that people should attend.

321

322 **Councilmember Kraus** stated that a large number of vehicles were parked on
323 residential streets during the recent motorcycle event held at the Napa County
324 Fairgrounds; he suggested in the future finding out if the Napa Trolley could be
325 used for transporting attendees.

326

327 **CITY MANAGER REPORTS**

328

329 **Planning and Building Director Gallina** stated that commencing August 4th
330 (1:00 PM to 4 PM) a representative of Napa County Environmental Management

331 Department will conduct office hours for new retail food operators on Wednesday
332 afternoons.
333

334 **CITY COUNCIL ADJOURNMENT**

335
336 **Mayor Gingles** adjourned the meeting at 9:00 PM to the next scheduled regular
337 meeting of the Calistoga City Council, on Tuesday, August 17, 2010, Calistoga
338 Community Center, 1307 Washington Street, 7:00 p.m.
339

340
341 **Respectfully submitted:**

342
343
344

Prepared by: Susan Sneddon, City Clerk

345
346
347

Approved by: Michael Dunsford, Vice Mayor
348