

MINUTES
CITY COUNCIL
TUESDAY, OCTOBER 19, 2010 - 6:00 P.M.
CALISTOGA COMMUNITY CENTER
CLOSED SESSION

CALL TO ORDER

Mayor Gingles called the Closed Session to order at 6:00 p.m. In attendance were the following: Councilmember Placido Garcia, Councilmember Gary Kraus, Councilmember Karen Slusser, Vice Mayor Dunsford, and Mayor Jack Gingles

ORAL COMMUNICATIONS

No public comment.

RECONVENE TO CLOSED SESSION IN THE COMMUNITY CENTER

CLOSED SESSION

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.
2. PUBLIC EMPLOYEE APPOINTMENT: Council will meet in Closed Session to discuss City Manager appointment pursuant to Government Code Section 54957
Title: City Manager

ADJOURN CLOSED SESSION

RECONVENE TO OPEN SESSION IN THE COMMUNITY CENTER

ACTION OUT OF CLOSED SESSION

Mayor Gingles announced that there was no reportable action out of tonight's Closed Session.

ADJOURNMENT

To the scheduled regular meeting of the Calistoga City Council, on Tuesday, October 19, 2010 Calistoga Community Center, 1307 Washington Street, 7:00 p.m.

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

1 **CALL TO ORDER**

2
3 **Mayor Gingles called the Regular Session to order at 7:00 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, Interim City
10 Manager William Norton, Associate Planner Erik Lundquist, Fire Chief Steve
11 Campbell, Police Chief Jonathan Mills, Building Inspector Cliff Castle, and City
12 Clerk Susan Sneddon.

13
14 **Mayor Gingles** stated that **Item No. 9** regarding a Consultant Services
15 Agreement with Center for Ecosystem Management and Restoration has
16 been pulled from tonight's Council agenda.

17
18 **ORAL COMMUNICATION**

19
20 **Dean Moser, Rancho de Calistoga Mobilehome Park General Manager,**
21 stated that a letter from Anthony Rodriguez was included in the October 5,
22 2010 Council packet, however it is his understanding that some of the
23 Councilmembers were unaware that it was included. He stated that the letter
24 requests Councils' consideration in the City establishing a rent supplemental
25 fund to help offset the Rancho de Calistoga Mobilehome Park residents
26 proposed rent increase.

27
28 **Planning and Building Director Charlene Gallina** stated that Council
29 provided direction to staff at the September 7, 2010 Council meeting to work
30 with the City Attorney in establishing a process to receive comments, and to
31 advise staff in preparing an amendment to the City's Rent Stabilization
32 Ordinance (RSO).

33
34 **City Attorney Kenyon** stated there has not been direction from Council to
35 include in the proposed RSO amendment the establishment of a
36 supplemental fund for the park residents proposed rent increase.

37

38 **Mayor Gingles** requested that staff provide a response to Dean Moser's
39 questions.

40
41 **Doug Johnson, Western Manufactured Housing Community**
42 **Association**, stated that he supports Dean Moser's proposal for the City to
43 supplement the mobilehome park residents rent.

44
45 **Chris Canning, Chamber of Commerce Executive Director**, announced
46 that the Calistoga Downtown Blues Festival will be held on October 22nd, 23rd
47 and 24th.

48

49 **ADOPTION OF MEETING AGENDA**

50

51 It was **MOVED** by **Vice Mayor Dunsford** and **SECONDED** by
52 **Councilmember Garcia** to approve the City Council Meeting Agenda. The
53 Motion was carried unanimously.

54

55 **OATH OF OFFICE**

56 **1. Swearing in of Jaime Orozco, new paid call firefighter.**

57

58 **Mayor Gingles** introduced **Jaime Orozco**, the new paid-call firefighter, and
59 he was sworn in by City Clerk Sneddon.

60

61 **PROCLAMATION**

62 **2. Proclamation supporting Red Ribbon Week, October 25-29, 2010.**

63

64 **Mayor Gingles** read the proclamation supporting Red Ribbon Week.

65

66 **Police Chief Mills** introduced this item.

67

68 **Ann Williams, Drug and Alcohol Prevention Coordinator at Calistoga**
69 **Junior Senior High School**, introduced the Safe School Ambassadors who
70 presented information regarding Red Ribbon Week.

71

72 **COUNCIL REQUESTS AND IDEAS FOR DISCUSSION**

73

74 **Councilmember Kraus** stated that **Mayor Gingles** recently met with
75 Caltrans to discuss various road improvements. He stated his concerns
76 regarding delays in the Highway 128 pavement overlay.

77

78 **Councilmember Slusser** announced a community meeting on Internet
79 Safety will be held on November 4, 2010 at 6:00 PM in the Community
80 Center (**Councilmember Garcia** gave the same announcement in Spanish).

81

82 **Mayor Gingles** stated that **Vice Mayor Dunsford** and he recently attended
83 a Napa County Transportation and Planning Agency meeting where Caltrans
84 representatives reported that the Highway 128 and Highway 29 (Mt. St.
85 Helena to the Silverado Trail) overlay projects will be completed in April
86 2011.

87
88 He provided an update regarding a recent meeting with downtown property
89 owners to discuss issues surrounding downtown vacancies.

90
91 He also provided an update regarding the notice of rent increases at Rancho
92 de Calistoga Mobile Home Park.

93
94 **CONSENT CALENDAR**

95
96 **Vice Mayor Dunsford** requested that **Item No. 3** be pulled.

97
98 **3. Consideration of an Ordinance amending Calistoga Municipal Code**
99 **Chapter 13.18 pertaining to water service charges, fees, and rates; and**
100 **consideration of Ordinance No. 671 amending Calistoga Municipal**
101 **Code Chapter 13.18 pertaining to wastewater (sewer) service charges,**
102 **fees, and rates.**

103 **4. Adoption of Resolution No. 2010-098 approving a recommendation of**
104 **the Community Resources Commission Green Subcommittee to**
105 **support Assembly Bill 32 the Global Warming Solutions Act and**
106 **oppose Proposition 23, which suspends implementation of AB 32.**

107 **It was MOVED by Mayor Gingles and SECONDED by Councilmember**
108 **Kraus to approve Items No. 4 on the Consent Calendar. The Motion was**
109 **carried unanimously.**

110
111 **3. Consideration of Ordinance amending Calistoga Municipal Code**
112 **Chapter 13.18 pertaining to water service charges, fees, and rates; and**
113 **consideration of Ordinance No. 671 amending Calistoga Municipal**
114 **Code Chapter 13.18 pertaining to wastewater (sewer) service charges,**
115 **fees,**

116
117 **It was MOVED by Councilmember Kraus and SECONDED by Mayor**
118 **Gingles to adopt Ordinance No 670 amending Calistoga Municipal Code**
119 **Chapter 13.18 pertaining to water service charges, fees, and rates; and**
120 **consideration of Ordinance No. 671 amending Calistoga Municipal**
121 **Code Chapter 13.18 pertaining to wastewater (sewer) service charges,**
122 **fees, and rates. The motion was carried by the following vote:**

123 **AYES: Councilmember Kraus, Mayor Gingles, Councilmember**
124 **Garcia, Councilmember Slusser**

125 **NOES: None**

171 **Michael Quast, 1300 Washington St**, suggested that staff provide simplified
172 information to the public to facilitate a better understanding the Code's
173 requirements.

174

175 **Mayor Gingles** closed the Public Hearing.

176

177 **Councilmember Kraus** stated his concern that the City's Building Standards
178 Advisory and Appeals Board recommended that only the Residential and
179 Non-Residential Mandatory Measures from the 2010 California Green
180 Building Standards Code be adopted at this time due to the current economic
181 climate.

182

183 **Planning and Building Director Gallina** responded that the City will still
184 make progress on "green" issues pursuant to the City's Climate Action Plan.

185

186 **Councilmember Slusser** suggested including in the City's "green" initiatives
187 to encourage the community to construct white roofs in order to help reflect
188 sunlight resulting in energy conservation.

189

190 **It was MOVED by Mayor Gingles and SECONDED by Councilmember**
191 **Kraus to introduce an Ordinance and waive the first reading for an**
192 **Ordinance initiated by the City of Calistoga, repealing Title 15,**
193 **California Building Standards Chapters: 15.01 General Provisions,**
194 **15.04 Administrative Code, 15.08 California Building Code, 15.12**
195 **California Electrical Code, 15.16 California Mechanical Code, 15.20**
196 **Uniform Plumbing Code, 15.24 California Energy Code, 15.28 California**
197 **Historical Building Code, 15.32 California Fire Code, 15.36 California**
198 **Existing Building Code, 15.40 California Reference Standards, 15.44**
199 **Uniform Code for the Abatement of Dangerous Buildings, and 15.48**
200 **Uniform Housing Code of the Calistoga Municipal Code, and adopting**
201 **the 2010 California Building Standards Code, Title 24, as adopted by the**
202 **California State Building Standards Commission.**

203 **The Motion carried unanimously by the following roll call vote:**

204 **AYES: Mayor Gingles, Councilmembers Kraus, Slusser, Garcia,**
205 **and Vice Mayor Dunsford**

206 **NOES: None**

207 **ABSTAIN/ABSENT: None**

208

209 **GENERAL GOVERNMENT**

210

- 211 **7. Consideration of a Resolution authorizing a budget adjustment of**
212 **\$10,000 and authorizing a request to execute a funding agreement with**
213 **Calistoga Affordable Housing, Inc. (CAH) in the amount of \$20,000 to**
214 **support CAH's 2011 Rebuilding Calistoga Program.**

215

216 **Planning and Building Director Gallina** provided a brief history of this item;
217 earlier this year the Council executed a funding agreement with Calistoga
218 Affordable Housing, Inc (CAH) in the amount of \$17,000 for the Rebuilding
219 Calistoga Program. She stated that additional funding was received from the
220 Gasser Foundation, DeLong Sweet Family Foundation, and Home Deport
221 Corporation; over 150 volunteers and 14 contractors assisted CAH in this
222 successful effort. She stated that staff recommends that Council approve the
223 proposed funding agreement to support the 2011 Rebuilding Calistoga
224 Program. She stated that all City plan check and permit fees for inspections
225 shall be paid prior to issuance of building permits, and CAH will provide a
226 report detailing activities provided.

227
228 **It was MOVED by Vice Mayor Dunsford and SECONDED by**
229 **Councilmember Kraus to adopt Resolution No. 2010-100 authorizing a**
230 **budget adjustment of \$10,000 and authorizing a request to execute a**
231 **funding agreement with Calistoga Affordable Housing, Inc. (CAH) in the**
232 **amount of \$20,000 to support CAH's 2011 Rebuilding Calistoga**
233 **Program (Authorizing Agreement No. 0427). The Motion was carried**
234 **unanimously as follows:**

235 **AYES: Vice Mayor Dunsford, Councilmembers Kraus, Slusser, Garcia,**
236 **and Mayor Gingles**

237 **NOES: None**

238 **ABSTAIN/ABSENT: None**

239

240 **8. Consideration of a Resolution authorizing the Interim City Manager to**
241 **execute a contract with Citygate Associates, LLC for environmental**
242 **services (fire and emergency services) for the Enchanted Resorts**
243 **Project.**

244

245 **Associate Planner Lundquist** introduced this item. He stated that staff
246 reviewed three proposals; Citygate Associates proposal was the most
247 responsive. He stated that staff is recommending that Council approve a
248 contract with Citygate Associates, LLC for environmental services (fire and
249 emergency services) for the Enchanted Resorts Project.

250

251 **It was MOVED by Vice Mayor Dunsford and SECONDED by**
252 **Councilmember Garcia to adopt Resolution No. 2010-101 authorizing**
253 **the Interim City Manager to execute a contract with Citygate**
254 **Associates, LLC for environmental services (fire and emergency**
255 **services) for the Enchanted Resorts Project (Authorizing Agreement**
256 **No. 0428). The Motion was carried unanimously as follows:**

257 **AYES: Vice Mayor Dunsford, Councilmembers Garcia, Kraus,**
258 **Slusser, and Mayor Gingles**

259 **NOES: None**

260 **ABSTAIN/ABSENT: None**

261

262 **9. Consideration of a Resolution authorizing the Interim City Manager to**
263 **execute a Consultant Services Agreement with Center for Ecosystem**
264 **Management and Restoration.**

265
266 **Mayor Gingles** stated that Item No. 9 has been pulled from tonight's Council
267 agenda.

268
269 **CITY MANAGER REPORTS**

270
271 **None provide.**

272
273 **CITY COUNCIL ADJOURNMENT**

274
275 **Mayor Gingles** adjourned the meeting at 9:05 PM to the regular meeting of
276 the Calistoga City Council on Wednesday, November 3, 2010, Calistoga
277 Community Center, 1307 Washington Street.

278
279
280 **Respectfully submitted:**

281
282
283 _____
284 **Prepared by: Susan Sneddon, City Clerk**

285
286 _____
287 **Approved by: Jack Gingles, Mayor**