

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**

CALL TO ORDER

Mayor Gingles called the Regular Session to order at 7:00 p.m.

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

Also present were Planning and Building Director Charlene Gallina, Interim City Manager William Norton, Associate Planner Erik Lundquist, Fire Chief Steve Campbell, Police Chief Jonathan Mills, Building Inspector Cliff Castle, and City Clerk Susan Sneddon.

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

ORAL COMMUNICATION

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

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

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

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

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

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

ADOPTION OF MEETING AGENDA

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

OATH OF OFFICE

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

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

PROCLAMATION

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

Mayor Gingles read the proclamation supporting Red Ribbon Week.

Police Chief Mills introduced this item.

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

COUNCIL REQUESTS AND IDEAS FOR DISCUSSION

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

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

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

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

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

CONSENT CALENDAR

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

3. **Consideration of an Ordinance amending Calistoga Municipal Code Chapter 13.18 pertaining to water service charges, fees, and rates; and consideration of Ordinance No. 671 amending Calistoga Municipal Code Chapter 13.18 pertaining to wastewater (sewer) service charges, fees, and rates.**
4. **Adoption of Resolution No. 2010-098 approving a recommendation of the Community Resources Commission Green Subcommittee to support Assembly Bill 32 the Global Warming Solutions Act and oppose Proposition 23, which suspends implementation of AB 32.**

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

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

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

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

NOES: None

ABSTAIN: Vice Mayor Dunsford
ABSENT: None

PUBLIC HEARING

- 5. Consideration of a Resolution authorizing the acceptance and expenditure of \$100,000 in the State Citizen's Option for Public Safety (COPS) grant funds for Fiscal Year 2010/2011.**

Police Chief Mills introduced and summarized his staff report on this item.

Mayor Gingles opened the Public Hearing, and then closed it when no person came forward to speak.

It was **MOVED** by Councilmember Slusser and **SECONDED** by Councilmember Garcia to adopt **Resolution No. 2010-099** authorizing the acceptance and expenditure of \$100,000 in the State Citizen's Option for Public Safety (COPS) grant funds for Fiscal Year 2010/2011. The Motion was carried unanimously as follows:

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

NOES: None

ABSTAIN/ABSENT: None

- 6. Consideration of an Ordinance initiated by the City of Calistoga, repealing Title 15, California Building Standards Chapters: 15.01 General Provisions, 15.04 Administrative Code, 15.08 California Building Code, 15.12 California Electrical Code, 15.16 California Mechanical Code, 15.20 Uniform Plumbing Code, 15.24 California Energy Code, 15.28 California Historical Building Code, 15.32 California Fire Code, 15.36 California Existing Building Code, 15.40 California Reference Standards, 15.44 Uniform Code for the Abatement of Dangerous Buildings, and 15.48 Uniform Housing Code of the Calistoga Municipal Code, and adopting the 2010 California Building Standards Code, Title 24, as adopted by the California State Building Standards Commission.**

Planning and Building Director Gallina introduced this item. She stated that every three years the California Building Standards Commission reviews the newest model Codes; the proposed amendment would become effective January 2011. She briefly reviewed the various proposed amendments to the City's Code.

Mayor Gingles opened the Public Hearing.

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

Mayor Gingles closed the Public Hearing.

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

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

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

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

The Motion carried unanimously by the following roll call vote:

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

NOES: None

ABSTAIN/ABSENT: None

GENERAL GOVERNMENT

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

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

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

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

NOES: None

ABSTAIN/ABSENT: None

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

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

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

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

NOES: None

ABSTAIN/ABSENT: None

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

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

CITY MANAGER REPORTS

None provide.

CITY COUNCIL ADJOURNMENT

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

Respectfully submitted:

Prepared by: Susan Sneddon, City Clerk

Approved by: Jack Gingles, Mayor