

TOWN OF YOUNTVILLE
MINUTES OF REGULAR COUNCIL MEETING
September 4, 2007

1. CALL TO ORDER - 5:45 P.M.

Mayor Saucerman called the Town Council meeting to order at 5:45 p.m.

2. CLOSED SESSION -

- A. Conference with Legal Counsel – Existing Litigation (Pursuant to Government Code Section 54956.9(a)):

Name of Case: Town of Yountville v. Timothy Bringman (Napa Superior Court Case Number 26-38104)

3. CONVENE REGULAR COUNCIL MEETING – 6:00 P.M.

Mayor Saucerman convened the regular meeting at 6:00 p.m.

4. PLEDGE OF ALLEGIANCE

The pledge of allegiance was held.

5. ROLL CALL

Mayor and Town Councilmembers Present:

Mayor Cynthia L. Saucerman, Vice Mayor John F. Dunbar and Councilmembers William “Bill” Dutton, Steven C. Rosa and Lewis G. Chilton

Town Staff Present:

Bob Tiernan, Interim Town Manager/Planning Director; Amy L. Valukevich, Town Attorney; Michelle Price, Town Clerk; Myke Praul, Public Works Director/Town Engineer, and Kenneth Leary, Community Services Director

6. CLOSED SESSION REPORT

Amy Valukevich, Town Attorney, stated the Council met in Closed Session and there is no reportable action.

7. ADOPTION OF THE AGENDA

ACTION: A Motion by Councilmember Dutton, Seconded by Councilmember Rosa to adopt the agenda was unanimously approved.

Ayes: Dutton, Rosa, Chilton, Dunbar and Saucerman

Noes: None

Absent: None

Abstain: None

**8. Public Comment on Matters Not Listed on the Agenda
(Five-minute limitation per speaker)**

Chip Bouril commented on the upcoming Statewide Coastal Clean-up Day being held September 15, 2007 and acknowledged the Town for its first time participating.

Steve Combs commented on the altercation that occurred 3 months ago between Tim Bringman and Town staff.

9. APPROVAL OF CONSENT CALENDAR

Vice Mayor Dunbar requested Items 9 D and 9 E be pulled for discussion.

Councilmember Rosa requested Item 9 H be pulled for discussion.

Bob Tiernan, Interim Town Manager/Planning Director, requested Item 9 G be removed from the Agenda and rescheduled at a future meeting pursuant to a request he received from the Napa County Flood Control and Water Conservation District.

ACTION: A Motion by Councilmember Dutton, Seconded by Councilmember Rosa to approve Consent Calendar Items 9 A, B, C, F, I and J was unanimously approved.

Ayes: Dutton, Rosa, Chilton, Dunbar and Saucerman

Noes: None

Absent: None

Abstain: None

Items 9 D and 9 E

Vice Mayor Dunbar requested postponement of Items 9 D and 9 E to a future agenda for review by the new Town Manager to review organizational structure in order to provide feedback on the items.

ACTION: A Motion by Vice Mayor Dunbar, Seconded by Councilmember Rosa to continue Items 9 D and 9 E to a future agenda for review by the new Town Manager was unanimously approved.

Ayes: Dunbar, Rosa, Dutton, Chilton and Saucerman

Noes: None

Absent: None

Abstain: None

Item 9 G was pulled and will be heard at a future meeting.

Item 9 H

Councilmember Rosa confirmed the Town has a contract with the Veterans Home for water from Rector Reservoir and wanted to know why we are asking for a separate reliability study. Councilmember Rosa thought the study being asked for had already been performed by West Yost Associates in earlier studies.

Myke Praul, Public Works Director, responded there is a licensing of the well required by the State. Prior to allowing the contractor to leave the job, you have to certify that the well can produce on a short-term pumping schedule. For the groundwater management program, we need to know what the environmental impacts the well will have on a prolonged pumping basis.

Director Praul commented the well development was done in two phases by West Yost Associates. The first phase was a feasibility study which was used to develop the groundwater monitoring program. Then the well was constructed based on the technical report and feasibility study and drilled. The well was tested to see if it could produce the amount of water they were contracted to produce which enabled us to get the permit from the State to operate.

Director Praul further commented it is not known how the well will run on a long-term basis and that is what this request will identify which will determine whether or not we need the NBA water.

ACTION: A motion by Vice Mayor Dunbar; Seconded by Councilmember Dutton to approve Item 9 H was unanimously approved.

Ayes: Dunbar, Dutton, Rosa, Chilton and Saucerman

Noes: None

Absent: None

Abstain: None

A. *Approval of Warrants* —

- Accounts payable check numbers \$284,473.24
- Total payroll and benefits \$152,328.32
- Total payments for period \$436,801.56

Recommendation: Received and Filed.

B. *Monthly Financial Report* – July 2007

Recommendation: Received and File.

C. *Adopt Resolution Number 2601-07* Approving Budget Adjustment Number 2007-08-A03 for Planned Destination Disneyland Excursion through the Community Services Department.

Recommendation: Adopted Resolution.

D. *Adopt Resolution Number 2602-07* Approving Amended Job Description and Salary Range for the Position of Administrative Services Supervisor.

Recommendation: Continued to Future Meeting – Non-specific date.

E. *Public Works Department – Personnel Allocations*

- *Adopt Resolution Number 2603-07* Approving the Job Description, Salary Range and Authorizing the Interim Town Manager to conduct recruitment for an Operator-in-Training with the Joint Treatment Plant.
- *Adopt Resolution Number 2604-07* Approving the Job Description, Salary Range and Authorizing the Interim Town Manager to promote for a Public Works Manager Position.

Recommendation: Continued to Future Meeting – Non-specific date.

F. *Climate Protection/Global Warming*

- *Adopt Resolution Number 2605-07* Approving joining the ICLEI – Local Governments for Sustainability, Inc.
- *Adopt Resolution Number 2606-07* Endorsing the U.S. Mayors Climate Protection Agreement.
- Authorize staff to join the Association of Bay Area Governments (ABAG) Energy Watch Program.

Recommendations: Adopted Resolutions and Authorized Staff to Join ABAG Energy Watch Program.

G. *Adopt Resolution Number 2607-07* Approving an Agreement with the Napa County Flood Control and Water Conservation District for the Joint Zone Watershed Management Project 96-1 for Fiscal Year 2008.

Recommendation: Removed from the Agenda.

H. *Adopt Resolution Number 2608-07* Authorizing the Interim Town Manager to Execute a Professional Services Agreement with West Yost & Associates to conduct a Study and Prepare a Report on the reliability of the Municipal Well and Approving Budget Adjustment Number 2007-08-A05.

Recommendation: Adopted Resolution.

I. *Yountville Days* – Approval of Event Permits and Street Closures for Annual Yountville Days Parade and Festival October 7, 2007.

Recommendation: Approved.

J. *Approval of Minutes* – February 6, 2007.

Recommendation: Approved.

10. PUBLIC HEARING – CITIZENS OPTION FOR PUBLIC SAFETY (COPS) PROGRAM FISCAL YEAR 2007-08

Consider Adoption of Resolution Number 2609-07 Approving Fiscal Year 2007-08 Citizens Option for Public Safety (COPS) Program and Approving Budget Adjustment Number 2007-08-A04.

Recommendation: Adopted Resolution.

Richard Stranzl, Finance Director, presented staff report.

Public Hearing Held – No Public Comment

ACTION: A Motion by Councilmember Rosa; seconded by Vice Mayor Dunbar to Adopt Resolution Number 2609-07 Approving the Fiscal-Year 2007-08 Citizens Option for Public Safety Program (COPS) and Budget Adjustment Number 2007-08-A04 was unanimously approved.

Ayes: Rosa, Dunbar, Dutton, Chilton and Saucerman

Noes: None

Absent: None

Abstain: None

11. PUBLIC HEARING – CONSIDERATION OF AN APPEAL OF A ZONING & DESIGN REVIEW BOARD DECISION FILED BY JIM BROCKMAN PERTAINING TO THE AD HOC RESTAURANT PERMANENT SIGN REVIEW CONDITION OF APPROVAL – 6476 WASHINGTON STREET (APN 036-090-020)

Recommendation: Received Applicant’s Presentation and Provided Direction to the Applicant and Staff.

Councilmember Rosa recused himself due to a conflict of interest resulting from his primary residence being located within 500’ of the affordable housing portion of the subject project and left the Council Chambers.

Robert Tiernan, Interim Town Manager/Planning Director, presented staff report.

Jim Brockman, Appellant/Applicant Representative, commented this item was approved about a year ago temporarily and then put on calendar for permanent approval. Mr. Brockman stated he believes the color compliments the building and his group goes through extensive marketing research to pick colors. Mr. Brockman further commented blue trim is used in signs all over Town in the “Welcome to

Yountville” sign and the West America Bank and is asking the sign be approved “as is” without the color change.

Public Hearing Held – No Public Comment

Council Comments

Councilmember Chilton commented on the following:

- Agrees with ZDRB comments and if he reads the sign ordinance correctly it does not quite fit in with it.
- Does not feel a need to overrule the ZDRB decision at this time and would stick with the condition.

Councilmember Dutton commented he agrees with Councilmember Chilton and stated the ZDRB did a good job of evaluating the recommendations and sees no reason to deviate from decision.

Vice Mayor Dunbar commented on the following:

- Does not have a problem with the blue color, but has a problem with the process, as we had to go through a similar situation with another project.
- Agrees it does not meet the necessary criteria and supports the decision of ZDRB.

Mayor Saucerman commented on the following:

- Does not find the blue trim offensive and it looks nice with Ad Hoc signage.
- Believes an earth-tone brown trim on the lattice below the sign would bring out and enhance the sign.
- Intent of the ordinance encourages signs to be informative, representative of businesses, and a quality design that is compatible with Town character and the sign meets those criteria.
- Can support the ZDRB decision.

Vice Mayor Dunbar clarified that Council is not discussing changing the brand identity of the sign, but we are talking about the façade – frame of the sign.

ACTION: A Motion by Vice Mayor Dunbar; seconded by Councilmember Chilton directing staff to prepare a resolution with findings supporting the decision and continuing the Public Hearing to September 18, 2007, was unanimously approved.

Ayes: Dunbar, Chilton, Dutton and Saucerman
Noes: None
Absent: None
Abstain: None

12. PUBLIC HEARING – MASTER DEVELOPMENT PLAN AMENDMENT AND LANDSCAPE PLAN REVIEW – YOUNTVILLE INN EXPANSION AND AFFORDABLE HOUSING 6409 – 6448 WASHINGTON STREET (APN 036-090-005)

Consider Adoption of Resolution Number 2610-07 Approving a Master Development Plan Amendment and Landscape Plan for a project consisting of a 32 inn unit expansion, 25 affordable housing units on a separate adjacent parcel, and a pool/clubhouse at Gateway Mobile Home Park. The proposed amendment relates to modifications to the inn expansion portion of the project, including reduction in the number of inn units, a reconfiguration of the parking lot, and modifications to floor plans and elevations, adding total square footage and Floor Area Ratio. A complete landscape plan is also submitted for review and approval.

Recommendation: Adopted Resolution.

Councilmember Rosa recused himself due to a conflict of interest resulting from his primary residence being located within 500' of the affordable housing portion of the subject project and left the Council Chambers.

Councilmember Dutton recused himself due to a conflict of interest resulting from his primary residence being located within 500' of the affordable housing portion of the subject project and left the Council Chambers.

Robert Tiernan, Interim Town Manager/Planning Director, presented staff report.

Mayor Saucerman reported Council received letters regarding this item from Marion Ladbrook, Jim Mcloy and Rosemarie Reece regarding a security gate which is an issue between developers and the residents at gateway.

Public Hearing Opened

Wayne Holland, Applicant Representative, spoke on behalf of the project.

Dick Ives, Gateway Mobile Home Park resident, expressed concern regarding the number of trucks hauling dirt through the park and potential damage to the roads.

Donna Heine, Gateway Mobile Home Park resident commented on the following:

- Reviewed the plans and said they have done a very good job with usage of floor space and landscaping.
- Security Gate – Says the security gate was never part of original plan submitted and noted there was concern about the children being part of the affordable housing project and not associated with the Inn itself.
- Roadway - Shares concerns others have expressed with the conditions of the road

- PG&E Poles – Would like clarification of whether or not there was a request to PG&E for installation of power poles. Concerned about not being able to use the recreation room and no accommodation for use of the swimming pool.
- Affordable Housing – Anticipates with reduction of units going into the Yountville Inn that there will be a future agenda request for a reduction of the number of affordable units and hopes that does not happen.

Janice Adams, Gateway Mobile Home Park resident, expressed concern about traffic on Champagne Drive from residents, visitors to the Inn and from affordable housing residents saying this is an impact to senior citizens and adds risk to their homes.

Dante Caron, Gateway Mobile Home Park resident, requested clarification on plans for access in and out of the park.

Jim (inaudible), Gateway Mobile Home Park resident, suggested using the path between Casa de Napa and Gateway as an alternate route to Champagne.

Wayne Holland provided clarification regarding comments related to PG&E power poles stating an application was submitted in 2006, and we recently received the contract which will be signed and said we may have power poles by the end of the year, but indicated PG&E is behind.

Public Hearing Closed

Council Comments

Councilmember Chilton commented on the following:

- Requested clarification regarding the FAR bonus and how it is applied.

Vice Mayor Dunbar commented on the following:

- Comfortable with the FAR because it is only slightly over the number and is reasonable, especially because of the reduction of guest traffic and total capacity on the site which is an enhancement the overall plan.
- Had concern about visual and traffic impact on Washington and Champagne and there have been mitigations put in place for that.
- Has concern about the retaining wall within the drip line of the Heritage Oaks and wants a condition to be included that we are quite sure with the arborist report that there is no risk to the trees.
- Would like to confirm that compressors in the walls do not have any long-term impact to the trees.
- Comfortable with 25 units of affordable units and developer is doing good job of blending the two elements.
- Can support moving forward with the project.

Mayor Saucerman commented on the following:

- Concurs with Councilmember Chilton and Vice Mayor Dunbar.
- Happy Applicant has brought back plan with reduced number of units on the Inn side which will reduce traffic and impacts on Champagne and Washington.
- Trees - Shares concerns expressed by the Vice Mayor and ZDRB about protecting the trees and it is very important we get arborist to sign off on the plans.
- Would like to see landscape plan go back to ZDRB for approval and to contain arborist reports.
- Does not have a concern with the FAR.
- Hopes the Developer will work closely with residents at Gateway to lesson impacts during construction and get the street repaired as soon as possible.
- Supports changes to project and supports comments from ZDRB.

ACTION: A Motion by Vice Mayor Dunbar; seconded by Councilmember Chilton to adopt Resolution Number 2610-07 approving Amendments to the Master Development Plan, including Use Permit, and Design Review; and approving the proposed Landscape Plan for the Yountville Inn Expansion, Affordable Housing, and Mobile Home Park Pool/Clubhouse Project located at 6409-6448 Washington Street/Assessor Parcel Number 036-090-005, as amended adding a condition of approval to have ZDRB review the Final Landscape Plan was unanimously approved.

Ayes: Dunbar, Chilton and Saucerman

Noes: None

Absent: None

Abstain: None

13. YOUNTVILLE TOWN CENTER PROJECT – PRELIMINARY ASSESSMENT OF TOWN BONDING CAPACITY

Consider Adoption of Resolution Number 2611-07 Authorizing the Interim Town Manager to Execute a Professional Services Agreement with Kelling, Northcross & Norbriga, a Municipal Financial Advisory Company, to provide a Preliminary Assessment of the Bonding Capacity of the Town in relation to the Yountville Town Center Project.

Recommendation: Adopted Resolution.

Councilmember Rosa and Dutton returned to Council Chambers for the remainder of the meeting.

Myke Praul, Public Works Director, presented staff report.

Councilmember Chilton commented that Resolution Recital C be amended changing the word “avoid” to “allow”.

Mayor Saucerman requested the resolution be amended to include statement that the contract not exceed \$7,000.

Public Hearing Held – No Testimony Presented

ACTION: A Motion by Vice Mayor Dunbar; seconded by Councilmember Rosa to Adopt Resolution Number 2611-07 Authorizing the Interim Town Manager to execute a Professional Services Agreement with Kelling, Northcross & Norbriga, a Municipal Financial Advisory Company, to Provide a Preliminary Assessment of the Bonding Capacity of the Town in Relation to the Yountville Town Center Project, as amended to reflect the amount not exceed \$7,000 and under Recital C change “avoid” to “allow”, was unanimously approved.

Ayes: Dunbar, Rosa, Chilton, Dutton and Saucerman

Noes: None

Absent: None

Abstain: None

14. REVIEW PROPOSED AGREEMENT WITH THE HOUSING AUTHORITY OF THE CITY OF NAPA TO PROVIDE AFFORDABLE HOUSING SERVICES FOR THE TOWN.

Recommendation: Reviewed the proposed agreement and associated costs and directed staff to prepare a resolution for adoption.

Bob Tiernan, Interim Town Manager/Planning Director, presented staff report.

Public Comment - None

There was Council consensus to direct staff to prepare a resolution for approval by Council authorizing the Town to enter into the proposed agreement.

15. COUNCIL REPORTS AND COMMENTS

Report of Council Member Meeting Attendance:

A. Napa County Flood Control and Water Conservation District
(Saucerman/Dunbar)

Mayor Saucerman stated the District will meet on September 1, 2007.

B. Napa County Transportation & Planning Agency (NCTPA) (Saucerman/Rosa & Chilton)

Mayor Saucerman stated the Agency will meet on September 19, 2007.

C. Napa County Mosquito Abatement District (Rosa)

Councilmember Rosa stated the District has taken on yellow jacket eradication.

D. Napa Valley Housing Authority (Dunbar/Rosa)

Vice Mayor Dunbar commented the Authority received the Joe Serna Augmentation Grant in the amount of \$691,000. In addition, the Authority also discussed the CSA #4 vote which received 72% favorable vote to continue the vineyard acreage assessment at \$9.75 per acre.

E. Upper Valley Waste Management Agency (Dutton/Chilton)

Councilmember Dutton commented the Agency reappointed Napa County Board of Supervisor Mark Luce as Chair and he himself was reappointed as Vice Chair and the biggest discussion was in regard to starting the Feasibility Study on recycling construction debris.

F. Napa River Watershed Information Center (WICC) (Rosa)

Councilmember Rosa commented WICC received a presentation from the Resource Conservation District about the Napa River Salmon Monitoring Program.

G. Other Reports and Comments

Vice Mayor Dunbar recently attended the League of California Cities North Bay Division Meeting held at the Nut Tree Family Park and Joe Perkins, President/CEO of Homebuilders Association of Northern California, spoke on needing to catch up on the shortfalls of the housing stock in the bay area and California as a whole.

Councilmember Chilton thanked everyone involved with the FOCUS barbeque.

Mayor Saucerman commented the FOCUS barbeque was very well attended and thanked the volunteers.

Recommendation: Received and Filed.

16. STAFF REPORTS

A. Staff report regarding Regional Housing Needs Allocation.

Robert Tiernan, Interim Town Manager/Planning Director, presented staff report.

Richard Stranzl, Finance Director, on behalf of the Community Services Department announced the Community Pool will be open this week through Friday between 1:00 p.m. and 6:00 p.m. and then opened the next two weekends only from 10:00 a.m. to 5:00 p.m.

Michelle Price, Town Clerk, reported on Community Hall Commission recruitment.

17. FUTURE AGENDA ITEMS

- A. Burgundy House Use Permit Amendment and Design Review
- B. Bouchon Design Review Amendment
- C. Volakis Gallery Use Permit Amendment

18. ADJOURNMENT

Adjourned to the Next Regular Town Council Meeting Tuesday, September 18, 2007.

ATTEST:

/s/ Michelle Price, Town Clerk

Approved by Town Council:

February 19, 2008