

TOWN OF YOUNTVILLE
MINUTES OF SPECIAL COUNCIL MEETING
July 5, 2007

1. CALL TO ORDER - 5:30 P.M.

Mayor Saucerman called the Town Council Special Meeting to order at 5:30 p.m.

2. CLOSED SESSION -

- A. Public Employee Appointment/Recruitment/ of the following Positions -
Government Code Section 54957:

Titles: Town Manager

- B. 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)

Supplemental Agenda

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

Name of Case: Linda Pedroni and George Louie Superior Court Case
Number 26-36225

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

Council convened the Special Meeting at 6:05 p.m.

4. PLEDGE OF ALLEGIANCE

Councilmember Dutton led the pledge of allegiance.

5. ROLL CALL

Mayor and Town Councilmembers Present:

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

Excused: Vice Mayor John F. Dunbar was excused.

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 there is no reportable action.

7. ADOPTION OF THE AGENDA

Consent Calendar Item 9E was continued to next Town Council meeting.

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

Ayes: Dutton, Chilton, Rosa and Saucerman

Noes: None

Absent: Dunbar

Abstain: None

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

Jan Fechter, General Manager of Vintage 1870, formally announced Vintage 1870 was celebrating its 40th Anniversary and changing its name to V-MarketPlace to better reflect the collective of merchants doing business in a common place.

9. APPROVAL OF CONSENT CALENDAR

Mayor Saucerman requested Consent Calendar Item 9 A be pulled from the Consent Calendar for a separate vote.

Item 9 E was removed and continued to the next Town Council meeting.

ACTION: A Motion by Councilmember Dutton; Seconded by Councilmember Rosa to adopt the Consent Calendar Items 9 B through 9 H was unanimously approved.

Ayes: Dutton, Rosa, Chilton and Saucerman

Noes: None

Absent: Dunbar

Abstain: None

Item 9 A

ACTION: A Motion by Councilmember Dutton; Seconded by Councilmember Rosa to adopt the Consent Calendar Items 9 A was approved.

Ayes: Dutton, Rosa and Chilton

Noes: None

Absent: Dunbar

Abstain: Saucerman

A. *Approval of Warrants* —

- Accounts payable check numbers \$505,548.46
- Total payroll and benefits \$ 78,485.50
- Total payments for period \$584,033.96

Recommendation: Received and Filed.

B. *Adopt Resolution Number 2583-07* Authorizing the filing of a Notice of Completion and accepting the work for the Town Hall Staff Bathroom Remodel and ***Adopt Resolution Number 2590-07*** Authorizing the filing of a Notice of Completion and accepting the work for the Exterior Door Addition to Community Services Building both performed by Richard Alkema Construction for a combined total contract amount of \$19,837.

Recommendation: Adopted Resolutions.

C. *Adopt Resolution Number 2584-07* Authorizing the filing of a Notice of Completion and accepting the work for the Forrester Park Pathway Replacement Project (FEMA) performed by Acequia Cement for a total contract amount of \$18,800.

Recommendation: Adopted Resolution.

D. *Adopt Resolution Number 2585-07* Approving Amendment 3 to Agreement No. 6054 with the Napa County Flood Control and Water Conservation District Increasing the Town's Annual Contribution for the Napa County Storm Water Pollution Prevention Program.

Recommendation: Adopted Resolution.

E. *Adopt Resolution Number 2586-07* Approving Use Permit Amendment for the Napa Valley Wine Train to include launching hot air balloons from the Yountville Wine Train Station site (use limited to Balloons Above the Valley). (1A California Drive (APN 034-140-012)

Recommendation: Continued to the next meeting.

F. *Accept the Transient Occupancy Tax (TOT) Audit* for Calendar Year 2004 and 2005 prepared by Brownell & Duffey, CPA.

Recommendation: Accepted Report.

G. *Adopt Resolution Number 2587-07* Approving Budget Adjustment Numbers 2007-08-A01 for PARSAC Insurance Costs and 2007-08-A02 for Yountville Community Pool Equipment.

Recommendation: Adopted Resolution.

H. *Approval of Minutes* – May 22, 2007

Recommendation: Approved.

10. CONSIDER REMOVAL OF THREE HERITAGE OAK TREES

A. *Consider Adoption of Resolution Number 2588-07* Approving a request from the Town Engineer to remove three Heritage Oak Trees due to safety concerns.

Recommendation: Adopted Resolution.

Myke Praul, Public Works Director/Town Engineer, presented staff report.

Public Comment

Janet Molinar commented she lives behind two of the Oak trees in question. Ms. Molinar stated she bought her house because the trees were so spectacular; however, she cannot take issue with the trees being removed because of the potential danger. She further commented that she would like to be part of whatever trees the Town would be replanting and also requested that she be named as additional insured by the Town on the date of tree removal.

Council Comments

Councilmember Chilton commented on the following:

- Supports the Town's next steps towards a Townwide Forestation Plan.
- Would like to see the plan include resources or time from an arborist to provide the tools to help residents maintain the Oak Trees on their property.

Councilmember Rosa commented it is a good idea to have a formalized Townwide Forestation Plan and to make sure only native trees are planted.

Councilmember Dutton commented he supports the Townwide Forestation Plan and questioned whether or not the Town has a similar plan for its parks, as he thinks the two programs could go hand in hand.

Mayor Saucerman commented on the following:

- Due to the diseased trees, she supports the removal of the trees.
- Expressed concern regarding the Townwide Forestation Plan and stated the Town should be more proactive with preserving the Heritage Oaks, treating them when they are diseased and implementing a replanting plan and supports the Townwide Forestation Plan.

ACTION: A Motion by Councilmember Rosa; Seconded by Councilmember Chilton to adopt Resolution Number 2588-07 Approving a Request from the Town Engineer to remove three Heritage Oaks Trees located on Town-Owned Properties, was unanimously approved.

Ayes: Rosa, Chilton, Dutton and Saucerman

Noes: None

Absent: Dunbar

Abstain: None

B. *Consider Townwide Forestation Plan*

Recommendation: Provided Direction to Staff on whether to pursue Townwide Forestation Plan.

DIRECTION: Council consensus to proceed with the Townwide Forestation Plan.

11. PUBLIC HEARING – DESIGN REVIEW – PASSIVE PUBLIC PARK – 6526 YOUNT STREET (APN 036-090-022)

Design Review for a project consisting of a passive use public park located adjacent to Community Hall.

Recommendation: Received staff report and provided direction to staff.

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

Public Hearing Opened – No Public Comment

Council Comments

Councilmember Chilton commented on the following:

- Investigate Alternative 2 in the Staff Report – “Investigate possible cost savings by using a local designer and putting the work out to bid locally. It is not known if this would result in significant reductions in project cost.”
- Also should Investigate Option 3 in the Staff Report – “Reduce costs by administering the project in-house similar to the Forrester Park improvements, bid out the concrete work to local contractors, and partner with the group of local master gardeners who have offered their assistance. At the June 19th meeting, Billie Hewitt suggested the project could be a demonstration garden and offered the participation local master gardeners. She cited Connolly Ranch as an example of where this arrangement has worked (see http://groups.ucanr.org/mgnapa/Demonstration_Garden/ for further information). The estimates provided by Girvin Associates includes labor to install improvements and significant cost reductions would be expected using Town staff and volunteer labor. The specific cost reductions would depend upon the scope of work that the Town would administer and the extent of the master gardener’s group participation. If this option is of interest to Council, staff will investigate the reductions in cost and return to the Council with a draft budget.”

- Cost is too high with what is presented in this staff report. Wants the project done right, but a little cheaper.

Councilmember Rosa commented on the following:

- Investigate working with the Bardessono project to cut down costs as they already have a preliminary design which would help avoid start up costs to the Town.
- If the Town goes out to bid, there will be delays in getting a Contractor.
- Leaning towards Alternative 1 – “Increase the budget to cover the estimates presented by George W. Girvin Associates.”

Councilmember Dutton commented on the following:

- Supports Alternative 2 – shown above.
- Also supports Alternative 3 - shown above.
- Suggested possibly working with Matt Lamborn who is on the Town’s ZDRB because of his knowledge of plants, etc.
- If the Town could work with current designer, George W. Girvin Associates, as long as there is not that much of a premium in comparison to getting a bid and work on the cost.
- Does not support the \$40,000 sculpture.

Mayor Saucerman concurred with some of the Councilmembers comments earlier and commented on the following:

- Agrees alternatives need to be looked at.
- Likes the design of the project.
- Discussion needs to take place on who will maintain the project and what those costs are.
- Concerned about vineyards encroaching and who will be maintaining them.
- Concerned about the \$40,000 cost for a sculpture that tells the time of day.
- Agrees with Councilmember Chilton that the architect fees are on the steep side.

Councilmember Chilton commented he recalls when the new Bardessono General Manager (GM) was introduced and the passive park was discussed previously that the GM showed potential interest in regard to the vines and maintenance of the passive park. Councilmember Chilton would like the Town to pursue potential collaboration with the Developer to determine if they are interested in the maintenance of the park.

Interim Town Manager/Planning Director Tiernan indicated he has sufficient information regarding maintenance concerns and commented on the following:

- Will look at local bids to reduce costs.
- Will review the budget itself to try and reduce some of the costs.
- Depending on what works out with the first two bullets, there may be an interest in going with Girvin Associates and if so, he will specifically discuss fees.
- He will meet with Billie Hewitt and her group to see what level of commitment they are willing to make initially and on an on-going basis.

Public Works Director Praul wanted to point out that with Council approval of the budget this year, the Town has become more active in the landscaping of Town parks and work in Forrester Park was done as a collaboration effort between Town staff and landscape maintenance person at the Post Office.

Director Praul would like the opportunity to pursue Alternative 3 to present something to Council.

12. CAPITAL IMPROVEMENT PROGRAM

Consider Adoption of Resolution Number 2589-07 Adopting the Town's Five-Year Capital Improvement Program for Fiscal Years 2007-08 through 2011-12.

Recommendation: Adopt Resolution.

Richard Stranzl, Finance Director, presented staff report.

Public Comment – None

ACTION: A Motion by Councilmember Rosa; Seconded by Councilmember Dutton to adopt Resolution Number 2589-07 Adopting the Town's Five-Year Capital Improvement Program for Fiscal Years 2007-08 through 2011-12 was approved.

Ayes: Rosa, Dutton, Chilton and Saucerman

Noes: None

Absent: Dunbar

Abstain: None

13. CONSIDER RECOMMENDATION OF ONE INDIVIDUAL TO REPRESENT THE TOWN OF YOUNTVILLE ON THE NAPA COUNTY ARTS AND CULTURE COMMISSION WITH FINAL APPOINTMENT APPROVED BY THE NAPA COUNTY TRANSPORTATION & PLANNING AGENCY (NCTPA).

Michelle Price, Town Clerk, presented staff report.

Council consensus to not consider the application filed late.

Councilmembers Dutton and Chilton recommended Diane Brinker.

Mayor Saucerman and Councilmember Rosa recommended Judith Caldwell.

Following discussion, there was Council consensus to recommend both Diane Brinker and Judith Caldwell to serve on the Napa County Arts and Culture Commission with the Napa County Transportation & Planning Agency making final appointment of one (1) representative for Yountville with consideration given to the remaining Applicant for the At-large seat.

14. COUNCIL REPORTS AND COMMENTS

Report of Council Member Meeting Attendance:

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

No meeting.

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

Councilmember Rosa commented the Agency discussed a variety of things including the VINE Trolley in Downtown Napa, budgetary information, and green house effects with a number of presentations regarding how to mitigate.

C. Other Reports and Comments

Councilmember Chilton commented he and his family attended the 4th of July festivities at the Veterans Home.

Councilmember Dutton commented on the following:

- Happy to report there were a lot of people who were enjoying themselves at the Community Pool.
- Concerned about the disappearance of approximately five (5) flags on display for the 4th of July celebration along Washington Street and hopes next year something can be done to prevent the flags from disappearing.
- Congratulated the Native Daughters of the Golden West in celebration of their 50th Anniversary.

Mayor Saucerman commented on a letter the Council received from Eugene Turner, Veterans Home Section B, expressing his concern about the temperature of the pool and suggested the temperature be a little warmer for the senior swim.

Councilmember Rosa commented on the following:

- Attended the Napa Valley Housing Authority meeting and the Authority accepted the Independent Audit of the farmworker housing and the Housing Authority. The Authority also approved a farmworker management agreement with Napa County Housing Authority to administer and manage the farmworker housing.
- Attended the Napa River Watershed Conservancy/Watershed Information Center (WICC) meeting and received a report on salmon spawning and salmon counts have increased a little in the Napa River. Also received comments regarding the County of Napa General Plan update and people would like more information regarding the impacts of the environmental aspects of the General Plan update.

Recommendation: Received and Filed.

15. STAFF REPORTS

Bob Tiernan, Interim Town Manager/Planning Director, reminded Council of the NCLOG meeting on July 12th at Villa Romano and the upcoming League of California 2007 Conference in Sacramento.

Myke Praul, Public Works Director, commented on the following:

- Residents in Toyon Terrace may have noticed contractors marking the pavement in preparation to start repaving of Mulberry and Holly Streets and a notice will go out to residents informing them of the details.
- Work on Forrester Park is ongoing and staff is working with local residents to come up with a color pallet for planting the park.
- Basketball court at Vineyard Park will be poured tomorrow.
- New Women's Restroom and Custodial Storage Closet is being added at Veterans Park.

16. FUTURE AGENDA ITEMS

- A. Knight Concept Review
- B. Affordable Housing Projects (Ad Hoc and Finnell Road)

Bob Tiernan, Interim Town Manager/Planning Director, commented the Knight Concept Review may not be heard at the next Council meeting.

17. ADJOURNMENT

Adjourned to the Town Council Regular Meeting July 17, 2007.

ATTEST:

/s/ Michelle Price, Town Clerk

Approved by Town Council:

October 16, 2007