

TOWN OF YOUNTVILLE
MINUTES OF REGULAR COUNCIL MEETING
May 1, 2007

1. CALL TO ORDER – 5:45 P.M.

Mayor Saucerman called the regular Town Council meeting to order.

2. CLOSED SESSION

Conference with Legal Counsel – Anticipated Litigation

Significant Exposure to Litigation pursuant to subdivision (b) of Section 54956.9.
(One Case)

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

Council convened the regular meeting at 6:02 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 and Lewis G. Chilton

Excused: Councilmember Steven C Rosa

Town Staff Present:

Bob Tiernan, Interim Town Manager/Planning Director; Malcolm Mackenzie, Town Attorney; Michelle Price, Town Clerk and Kenneth Leary, Community Services Director

The Mayor, on behalf of Council, expressed best wishes and thoughts and prayers for Councilmember Rosa and his wife, Phyllis, who was recently diagnosed with a serious illness.

6. CLOSED SESSION REPORT

Malcolm Mackenzie, Town Attorney, reported that Council met in closed session regarding Item 2 previously announced and Council took the following actions:

The Council unanimously accepted the resignation agreement and general release of claims with former Town Manager Kevin Plett and directed staff to prepare a resolution adopting those actions on the next agenda.

7. ADOPTION OF THE AGENDA

ACTION: A Motion by Councilmember Dutton, Seconded by Vice Mayor Dunbar to adopt the agenda was approved.

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

8. Public Comment on Matters Not Listed on the Agenda (FIVE MINUTE LIMITATION PER SPEAKER)

No Public Comment.

9. APPROVAL OF CONSENT CALENDAR

Councilmember Dutton requested Item 9B be removed for discussion.

ACTION: A Motion by Vice Mayor Dunbar, Seconded by Councilmember Chilton to adopt Consent Calendar Items 9A, C, D and E was approved.

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

ACTION: A Motion by Vice Mayor Dunbar, Seconded by Councilmember Chilton to adopt Consent Calendar Item 9B, was approved.

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

A. *Approval of Warrants* —

- Accounts payable check numbers \$116,437.60
- Total payroll and benefits \$ 87,348.82
- Total payments for period \$203,786.42

Recommendation: Received and Filed.

B. *Adopt Resolution Number 2551-07* Approving and Accepting the Final Map for Ghirardi Place Subdivision and Making Findings all in Accordance with the Subdivision Map Act and Authorizing the Interim Town Manager to Sign Certain Agreements and Documents and Accepting Certain Offers of Dedication.

Recommendation: Adopted Resolution.

C. *Adopt Resolution Number 2552-07* Approving Fees for the Yountville Summer Day Camp Usage and Approving Revised Usage Policies and Rescinding Resolution Number 2343-05.

Recommendation: Adopted Resolution.

D. *Adopt Resolution Number 2553-07* Authorizing Investment of Monies in the State of California Local Agency Investment Fund (LAIF), Updating Authorized Positions for LAIF Transactions and Rescinding Resolution Numbers 520-82 and 1155-95.

Recommendation: Adopted Resolution.

E. *Approval of Minutes* – April 17, 2007

Recommendation: Approved.

10. PUBLIC HEARING – USE PERMIT – ROOTS RUN DEEP, LLC – 6795 WASHINGTON STREET (APN 036-032-007)

Consider Adoption of Resolution Number 2554-07 Approving a Use Permit to establish an office related to a wine wholesale business of (Roots Run Deep, LLC) with no on-site retail sales; office to be located in Building C, Suites F & S, Washington Square, 6795 Washington Street.

Recommendation: Adopted Resolution.

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

Public Hearing Held – No Testimony Presented

Mark Albrecht, Applicant, spoke about his project and hopes of opening a small wine company in Napa Valley reiterating comments stated in his letter dated April 18, 2007 which was included in the staff report.

ACTION: A Motion by Vice Mayor Dunbar, Seconded by Councilmember Chilton to adopt Resolution Number 2554-07 Approving a Use Permit proposal to establish an office related to a wine wholesale business (Roots Run Deep, LLP) with no on-site retail sales; located Building C, Suites F & S, Washington Square, 6795 Washington Street was approved.

Ayes: Dunbar, Chilton, Dutton and Saucerman

Noes: None

Absent: Rosa

Abstain: None

11. PUBLIC HEARING – TENTATIVE PARCEL MAP – GAMBA – 6816 YOUNT STREET (APN 036-041-001)

Consider Adoption of Resolution Number 2555-07 Approving a Parcel Map to subdivide an existing ±9,811 square foot parcel into two parcels consisting of a ±5,811 square foot parcel and a ±4,020 square foot parcel located at 6816 Yount Street.

Recommendation: Adopted Resolution.

Bob Tiernan, Interim Town Manager/Planning Director, presented staff report and noted corrections to Condition of Approval Numbers 8, 9, 13 and 22, as distributed.

Kirsty Shelton, representing the Applicant, Delores Gamba, gave brief presentation regarding the project.

Public Hearing Opened

Russell Brown commented about the house location and questioned why the house was not set back further from the road.

Ms. Shelton responded the project was originally on the Town right-of-way and because it is a state historic listed structure, it was granted the state historic rehabilitation guidelines exemption for the front setback.

Interim Town Manager/Planning Director Tiernan concurred.

Tim Bringman commented the building looks fabulous, but it has been under construction for years and he wonders if it is ever going to be finished and what the plans are.

Public Hearing Closed

ACTION: A Motion by Councilmember Chilton, Seconded by Councilmember Dutton to adopt Resolution Number 2555-07 Approving a Tentative Parcel Map to subdivide an existing ±9,811 square foot parcel into two parcels consisting of a ±5,811 square foot parcel and a ±4,020 square foot parcel located at 6816 Yount Street (APN 036-041-001) was approved, as amended to include changes to Conditions of Approval 8, 9, 13 and 22.

Ayes: Chilton, Dutton, Dunbar and Saucerman

Noes: None

Absent: Rosa

Abstain: None

12. PUBLIC HEARING – MASTER DEVELOPMENT PLAN AMENDMENT – BARDESSONO INN – 6526 YOUNT STREET (036-090-022 AND 036-090-023)

Review and discussion of a proposal approving an amendment to the existing Master Development Plan for the 62-unit inn project including Use Permit and Design Review. The proposal consists of modifying the spa building to add an elevator, addition of a bicycle storage room to the valet parking booth, and reconfiguration of parking spaces located at 6526 Yount Street, Bardessono Inn.

Recommendation: Received Applicant's Request and Provided Direction to the Applicant and Staff.

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

Public Hearing Opened

Tim Bringman commented he is opposed to the proposed elevator change because you can tell with the skeleton of the building it will ruin a beautiful view and anything that can be done to preserve the beautiful view that used to be there is worth the effort.

Phil Sherburne, Applicant, commented on the proposed amendments for the bicycle program, elevator changes for handicap access and food service to the pool bar area, and restroom relocation, as stated in the staff report.

Tim Bringman inquired as to whether or not it is currently within regulations for handicap accessibility as it stands right now.

Phil Sherburne commented on the handicap accessibility stating it ends up being a legal question because the handicap requirement is that you have to provide equivalent access and the definition of that is in the eye of beholder to some extent. We did have access you just had to cross the terraces of the dining area or come around the back road.

Donna Heine commented on the bicycle storage and was wondering if there is any idea of the number of bicycles and expressed concern because the Town does not have any provision for bicycle trails at this time.

Public Hearing Closed

Mr. Sherburne clarified there would be approximately 12 bicycles.

Council Comments

Councilmember Chilton commented on the following:

- Movement of the elevator is an unfortunate architecture change, but makes sense from an accessibility standpoint. The mass has been moved, but the height has not changed and is still in compliance.
- Does not believe the view from Yount Street will be significantly impacted.
- Supports restrooms on the second level with the pool.

Councilmember Dutton commented on the following:

- Restrooms upstairs make sense.
- Bicycle location is fine.
- Elevator - Concerned about the proposed 30' height of new elevator and potential smoke stack effect and believes it will definitely stand out especially from the east/west corridor. Not comfortable with the design at this point.

Vice Mayor Dunbar stated he agrees with much of what Councilmember Dutton has said so far and commented on the following:

- Massing - Proposed change is a significant reduction of the massing; however, the elevator will now stand out just as much or more as a narrow tower.
- Comfortable with all other proposed changes.
- Elevator – Concerned about the height and at an absolute minimum, if no other alternative is available, the Applicant will need to come up with some creative masking of the elevator tower and stated this an opportunity to get the waterfall feature back in the design. Believes the proposed design will look like an elevator shaft and will impact the east/west view.
- Access – Suggests looking at options to keep access on the north side of the building.

Mayor Saucerman commented she concurs with comments made by Councilmember Dutton and Vice Mayor Dunbar and commented on the following:

- Elevator - New elevator seems like an after thought and she would like the proposed elevator height lowered to at least the equivalent to the other side and the other building.
- Restrooms and Dumb Waiter – Does not think a 10-foot ceiling is necessary.
- Bicycle storage is fine.

- Uncomfortable with elevator being in the corridor after going to great lengths to clear it out and hopes it can be worked in to the north end building side or even in the front of the north end and keep it consistent with massing on that side.

Mr. Sherburne advised he will work further on design to bring the height down and further commented he plans to come back for one more set of changes because he thinks he has found a different solar alternative.

**13. CONSIDER LETTER OF APPEAL FILED BY PHIL SHERBURNE REGARDING WATER METER FEES ASSOCIATED WITH THE BARDESSONO PROJECT
APPELLANT AND STAFF REQUEST THIS ITEM BE CONTINUED TO
MAY 15, 2007.**

ACTION: A Motion by Vice Mayor Dunbar, Seconded by Councilmember Chilton to continue this item to May 15, 2007 was approved.

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

14. CONSIDER ADOPTION OF RESOLUTION NUMBER 2556-07 AWARDING THE BID AND BID ALTERNATIVE AND CONSTRUCTION CONTRACT WITH ACEQUIA CEMENT FOR THE CONSTRUCTION OF THE EAST SIDE PEDESTRIAN PATH (ST-13) IN THE AMOUNT OF \$39,311.00.

Recommendation: Adopted Resolution.

ACTION: A Motion by Vice Mayor Dunbar, Seconded by Councilmember Chilton to continue this item to May 15, 2007 was approved.

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

15. COUNCIL REPORTS AND COMMENTS

Report of Council Member Meeting Attendance:

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

Mayor Saucerman reported the Flood Control District Board accepted the report the 2007/2008 Fiscal Report for the Joint Zone Project 96-1 (Maintenance and Watershed Program) and adopted a resolution of intention to levy and collect assessments; received an update on the County of Napa's water supply and cancelled the regular meeting of May 15, 2007 and called a Special Meeting for May 22, 2007 at 1:30 p.m.

B. Association of Bay Area Governments (ABAG) General Assembly (Dunbar)

Vice Mayor Dunbar attended the ABAG General Assembly meeting in San Francisco where the topics of housing, land use, transportation, open space and climate change were discussed.

The County of Napa received an award for its environmental preservation and protection plan and Councilmember Rosa was part of the video.

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

No report.

D. Napa County Farmworker Housing Oversight Committee (Chilton/Rosa)

Councilmember Chilton reported the Napa County Farmworker Housing Oversight Committee was officially disbanded by the Board of Supervisors April 24, 2007 along with CSA #4 which will be disbanded July 1, 2007 and in its place the Napa County Housing Commission will be created. Recruitment is currently underway for the Napa County Housing Commission and it closes on May 18, 2007.

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

No report.

F. Other Reports and Comments

Vice Mayor Dunbar reported on the following:

- He and Councilmember Dutton attended the North Bay League of California Cities meeting in Novato where the topic of public employee retirement and pension planning was discussed.
- He attended the Veterans Home Founders' Day Ceremony on April 22, 2007 in Honor of the 123rd Anniversary of the Home and the 50th Anniversary of the original Lincoln Theatre.

Councilmember Dutton congratulated Karen Zanetell, a Yountville Resident, was inducted into the Hall of Fame by the Allied Council and he thanked her for all of her hard work over the years.

Recommendation: Received and Filed.

16. STAFF REPORTS

- A. Town Hall Meeting at Yountville Elementary School Multi-Purpose Room, Thursday, May 3, 2007
- B. Community Pool Ribbon Cutting Saturday, May 19, 2007

Interim Town Manager Tiernan reported on behalf of Councilmember Rosa that the Napa County Transportation & Planning Agency (NCTPA) that there is some movement by Caltrans to provide warning signs to the northbound traffic on Highway 29 south of the overpass advising people to slow down that their are signals ahead.

Michelle Price, Town Clerk, reported the Town is currently recruiting for three positions on the Zoning & Design Review Board (ZDRB) due to upcoming expiration of terms and the deadline to file applications is May 31, 2007.

17. FUTURE AGENDA ITEMS

- A. Yountville Post Office Lease
- B. Napa Valley Bike Tours – Use Permit Amendment
- C. Real Estates Signs – Policy Discussion
- D. Request to Remove Heritage Oak Trees

Vice Mayor Dunbar recognized that the past week has been a period of transition resulting from the resignation of the Town Manager and thanked staff for their extra diligence in supporting Council and asked for the public's patience as the Town transitions into the next chapter.

18. ADJOURNMENT

Adjourned to Town Hall Meeting at Yountville Elementary School Multi-Purpose Room located at 6554 Yount Street Thursday, May 3, 2007 at 6:00 p.m. and the Next Regular Council Meeting of May 15, 2007.

ATTEST:

/s/ Michelle Price, Town Clerk

Approved by Town Council:

May 15, 2007