

TOWN OF YOUNTVILLE
MINUTES OF REGULAR COUNCIL MEETING
December 5, 2006

1. CALL TO ORDER – 5:30 P.M.

Vice Mayor Saucerman called the regular Town Council meeting to order at 5:30 p.m.

2. CLOSED SESSION

Conference with Legal Counsel – Anticipated Litigation: Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9.
(One Case)

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

The Council convened the regular meeting at 6:00 p.m.

4. PLEDGE OF ALLEGIANCE

The pledge of allegiance was held.

5. ROLL CALL

Council Member Bill Dutton
Council Member John Dunbar
Council Member Steven R. Rosa
Vice Mayor Cynthia Saucerman

Kevin Plett, Town Manager
Amy L. Valukevich, Town Attorney
Michelle Price, Town Clerk
Bob Tiernan, Planning Director
Kenneth Leary, Community Services Director
Sergeant Pete Berg, Sheriff's Department Napa County

6. REPORT OF CLOSED SESSION

Town Manager Plett reported the Town Council met in Closed Session at 5:30 p.m. and there is no reportable action.

7. ADOPTION OF THE AGENDA

ACTION: It was M/S (Dutton/Rosa) to adopt the agenda. Vote 4-0

8. PUBLIC COMMENT ON MATTERS NOT LISTED ON THE AGENDA

Vincent Ruggiero commented he came to the Town several months ago regarding a tree on the Yountville Cross Road and wanted to thank Council Member Dutton for his response. Mr. Ruggiero stated the Heritage Oak Tree does not look like it will make it and suggested that when the tree is ultimately removed the tree be used as a possible resource for flooring, new buildings or new housing in the community.

Sergeant Pete Berg reported on the following:

- Provided an update on law enforcement activities related to the Festival of Lights and commented Deputy Horvath did an excellent job. He also spoke with Bonnie Buss and she said the event went well and there were no problems law enforcement or otherwise.
- Reported on a high speed accident that occurred on Washington and Yount Streets. Witnesses at Bouchon observed a vehicle about 1:20 a.m. traveling southbound at speeds ranging from 80 mph to 100 mph. The vehicle took out landscaping across the point at Yount Street into Hurley's area and the driver fled the scene. Sergeant Berg has spoken to the Sheriff's Office and they have a person of interest being interviewed.
- People are adjusting to new stop signs at Washington and Yount Streets.
- Concerns have been expressed regarding illegal parking in the red zone on the corner between Wells Fargo and Redd and he has contacted the businesses to let them know it is unacceptable and will continue to monitor the parking issues.
- At the previous meeting comments were made about a bus parked on Washington Street near McGrath's Garage and reminded people to please contact 944-9228 to report any problems.
- Last week a random vandalism spree occurred and windows of vehicles in the Washington Park area were shot out. It was also noted that Silverado Country Club had a similar situation the night before and the two incidents could be related.

9. APPROVAL OF CONSENT CALENDAR

ACTION: It was M/S (Dutton/Rosa) to adopt Consent Calendar Items 9A through 9E. Vote 4-0

A. Approval of Warrants —

- | | |
|----------------------------------|--------------|
| • Accounts payable check numbers | \$80,182.92 |
| • Total payroll and benefits | \$64,394.14 |
| • Total payments for period | \$144,577.06 |

Recommendation: Received and Filed.

B. ***Adopt Resolution Number 2530-06*** Affirming that the County of Napa Department of Environmental Management is the Town of Yountville's designated Local Enforcement Agency for Solid Waste and rescinding Resolution Number 1062-94.

Recommendation: Adopted Resolution.

C. ***Adopt Resolution Number 2531-06*** Authorizing the filing of a Notice of Completion and accepting the work for the Yount Street Pedestrian Path Project (ST-13) by Ameca General Engineering for a total contract amount of \$88,016.82.

Recommendation: Adopted Resolution.

D. ***Adopt Resolution Number 2532-06*** Authorizing the filing of a Notice of Termination for Agreement Number 2000-5 between the Town of Yountville and Paul L. and Denise R. Jackson to Pay for Future Costs of Sidewalk Repair for the Jackson residence located at 1888 Larkspur Street, Yountville (Assessor's Parcel Number 36-292-04).

Recommendation: Adopted Resolution.

E. ***Approval of Minutes*** – October 3, 2006

10. CANVASS OF ELECTION RESULTS

Consider ***Adoption of Resolution Number 2533-06*** Reciting the Facts of the General Municipal Election Held on November 7, 2006 Declaring the Results and Such Other Matters as Provided by Law.

Recommendation: Adopted Resolution.

Michelle Price, Town Clerk, presented staff report.

John Tuteur, Napa County Registrar of Voters, reported there were two pieces to the election process. We had early voting at the Veterans Home and the Community Center. He congratulated the Town of Yountville for having the highest voter turnout in the County. He also let the audience know the canvass is now posted on the County website and results by precinct can be viewed.

Council Member Dunbar commented residents mentioned they had trouble with the multiple voting for the Council race and questioned if there was an issue with the machines.

John Tuteur, Napa County Registrar or Voters, responded that some people only wanted to vote for one person and at the end, the machine showed the name voted for and then stayed red reminding the voter that there was one more seat to vote for it they wanted to. He further commented that it is a requirement of the Secretary of State that a voter never be allowed to cast a ballot without being notified they have other items on the ballot that could be voted on.

ACTION: It was M/S (Dutton/Dunbar) to Adopt Resolution Number 2533-06 Reciting the Fact of the Consolidated General Municipal Election Held on November 7, 2006 and Declaring the Result and Such Other Matters as Provided by Law. Vote 4-0

11. ADMINISTER OATH OF OFFICE AND PRESENT CERTIFICATE OF ELECTION

- A. Cynthia L. Saucerman, Mayor
- B. William Dutton, Council Member
- C. John F. Dunbar, Council Member

Michelle Price, Town Clerk, administered the oath of office to Mayor Elect Saucerman and Council Members Dutton and Dunbar.

Mayor Saucerman thanked her supporters for their continued support.

Council Members Dunbar and Dutton thanked the community for their continued support.

12. APPOINT VICE MAYOR TO TOWN COUNCIL

Kevin Plett, Town Manager, presented staff report.

ACTION: It was M/S (Dutton/Rosa) to appoint Council Member Dunbar as Vice-Mayor. Vote 4-0

13. DISCUSSION AND POSSIBLE APPOINTMENT TO THE TRANSPORTATION ADVISORY COMMITTEE (TAC)

Kevin Plett, Town Manager, presented staff report.

Public Comment - None

Council Member Dutton thanked Mr. Gervasio for his service to TAC.

ACTION: It was M/S (Rosa/Dutton) to reappoint Jim Shupe and Gene Halliday and appoint Donna Heine to the Transportation Advisory Committee (TAC) with their terms of office expiring October 16, 2009. Vote 4-0

14. COUNCIL REPORTS AND COMMENTS

Report of Council Member Meeting Attendance:

A. NCTPA/NVTA Meeting –

Council Member Rosa reported on a special meeting held by the Napa County Transportation Planning Agency (NCTPA) where closed session was held with no report and NCTPA did authorize hiring a consultant to handle the paperwork related to the quarter mobility improvement account.

B. Other Reports and Comments

Council Member Dunbar commented on the following:

- Thanked everyone associated with the Festival of Lights and said the event was well attended.
- He was pleased to hear that early voting was successful at the Veterans Home and heard from some of the residents that they appreciated the ability to vote early.
- Town needs to update emergency phone listing.

Council Member Dutton commented on the following:

- Thanked everyone for their participation in the Festival of Lights and thanked Community Services Department for the Town tree lighting and the singing provided by the Napa Choral Group.
- Reminded everyone to attend the Wine and Cheese Social for Seniors at Community Hall December 6, 2006 at 3:00 p.m. to discuss options for future Senior Programs.
- Christmas tree pick-up will be provided by Upper Valley Waste Management on Saturday, January 6, 2007.
- Wished everyone a Happy Holiday and prosperous New Year.

Mayor Saucerman applauded the success of the Festival of Lights and reminded everyone to attend the Wine and Cheese Social.

Recommendation: Received and filed.

15. STAFF REPORTS

A. Update on Riechers, Spence & Associates (RSA) Agreement for the Community Center Project

Town Manager Plett informed Council the Town was unable to execute the agreement with RSA due to indemnity language in the Town's Professional Services Agreement. RSA was unwilling to sign the agreement and as a result have issued a notice of termination.

The Town is now in the process of negotiating a contract with Coastland Engineering using the same subconsultants Brooks and Miller Pacific.

Town Manager Plett commented on the following:

- Recruitment for the Associate Planner has closed and five applications were received. Interviews of the three qualified individuals will be held December 8, 2006.
- Recently attended the Public Agency Risk Sharing Authority of California (PARSAC) Board Meeting, the Town's Risk Management Pool, where the Town of Yountville received a Best Practices Award for the Town's ADA Accessibility Program, Complaint Process and Transition Plan that has been in place for several years.

In addition, the Town Manager reported he was appointed president of PARSAC and assumed the duties for the remainder of the term.

16. FUTURE AGENDA ITEMS

- A. Interview Applicants and Appoint Council Member to fill unexpired term of office replacing Cynthia L. Saucerman.
- B. Comprehensive Annual Financial Report (CAFR) for 2005/2006
- C. Ghirardi Place Final Map
- D. 17 Stags View Lane Master Development Plan
- E. First Reading and Intention to Adopt Water and Sewer Rate Ordinance

17. ADJOURNMENT

The Council adjourned at 6:45 p.m. to the next Regular Meeting scheduled for January 2, 2007.

ATTEST:

/s/ Michelle Price, Town Clerk

Approved by Town Council:

January 7, 2007