

TOWN OF YOUNTVILLE
MINUTES OF REGULAR COUNCIL MEETING
August 5, 2008

1. CALL TO ORDER – 5:00 P.M.

Mayor Saucerman called the meeting to order at 5:00 p.m.

2. CLOSED SESSION

- A. 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.

Mayor Saucerman convened the regular Council meeting at 6:03 p.m.

4. PLEDGE OF ALLEGIANCE

Councilmember Rosa led the pledge of allegiance.

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:

Steve Rogers, Town Manager; Amy Valukevich, Town Attorney;
Bob Tiernan, Planning/Building Director; Myke Praul, Public Works
Director/Town Engineer; Michelle Price, Town Clerk; Richard Stranzl,
Finance Director, and Kenneth Leary, Community Services Director

6. CLOSED SESSION REPORT

Mayor Saucerman advised Council met earlier in Closed Session and Closed
Session will be continued to the end of the meeting.

7. ADOPTION OF THE AGENDA

Michelle Price, Town Clerk, advised of the following correction to the
Recommendation for Item 15.: “Council to discuss rebuttal to primary
argument in favor of Measures M and O, recommend changes to the Council
subcommittee and authorize the rebuttal to be submitted to the Town Clerk
no later than Friday, August 8, 2008 at 5:00 p.m.”

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

Ayes: Rosa, Dutton, 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)**

Donna Heine came to say thank you and to acknowledge the Mayor, Councilmembers, Town Manager Rogers, and Public Works Director Praul for the new access ramp in front of Town Hall.

9. APPROVAL OF CONSENT CALENDAR

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

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

A. *Approval of Warrants*

- Accounts payable check numbers \$647,720.33
- Total payroll and benefits \$214,872.33
- Total payments for period \$862,592.66

Recommendation: Received and Filed.

B. *Adopt Resolution Number 2702-08* Establishing an Appropriation Limit for Fiscal Year 2008-09 and selecting current Fiscal Year Adjustment Factors (Gann Limit).

Recommendation: Adopted Resolution.

C. *Adopt Resolution Number 2703-08* Approving Budget Adjustment Number 2007-08-A17 Final Budget Adjustments for Fiscal Year 2007-2008.

Recommendation: Adopted Resolution.

D. ***Adopt Resolution Number 2704-08*** Approving Amendment #4 to Agreement No. 2003-1 with the Napa County Flood Control and Water Conservation District to Fund and Administer the Napa County Stormwater Management Program.

Recommendation: Adopted Resolution.

E. ***Adopt Resolution Number 2705-08*** Approving Amendments to the Zoning & Design Review Board By-laws.

Recommendation: Adopted Resolution.

F. ***Adopt Resolution Number 2706-08*** Approving Amendments to the Transportation Advisory Committee By-laws.

Recommendation: Adopted Resolution.

G. ***Special Event Application***

Approve request from Bardessono Inn & Spa for Special Event, Amplified Noise and Building Permits for the unveiling of the "Yountville Community Wall of Faces" mural Monday, August 11, 2008 from 3:00 p.m. to 7:00 p.m. at 6526 Yount Street.

Recommendation: Approved.

H. ***Appoint Voting Delegate and Alternate for the League of California Cities Annual Conference*** being held in Long Beach, CA September 24-27, 2008.

Recommendation: Approved.

10. PRESENTATIONS - NONE

11. WINIARSKI SUBDIVISION MAP EXTENSION REQUEST

Consider Adoption of Resolution Number 2707-08 Approving a request by Warren Winiarski to extend the expiration date of a Parcel Map approved by Resolution Number 2489-06 for a three-lot subdivision located at 1957 Yountville Cross Road.

Recommendation: Adopted Resolution.

Bob Tiernan, Planning Director, presented staff report.

Public Comment - None

ACTION: A Motion by Councilmember Rosa; Seconded by Councilmember Dutton to Adopt Resolution Number 2707-08 Approving a Request by Warren Winiarski to Extend the Expiration Date for a Parcel Map Approved by Resolution No. 2489-06 for a Three Lot Subdivision at 1957 Yountville Cross Road was unanimously approved.

Ayes: Rosa, Dutton, Chilton, Dunbar and Saucerman

Noes: None

Absent: None

Abstain: None

12. PUBLIC HEARING – MASTER DEVELOPMENT PLAN AMENDMENT – COFFEE CABOOSE – 6523 WASHINGTON STREET (APN 036-081-004)

Consider Adoption of Resolution Number 2708-08 Approving Master Development Plan Amendment to Convert an Inn Unit to a Walk-up Coffee Shop (Coffee Caboose) at the Railway Inn located at 6523 Washington Street.

Recommendation: Adopted Resolution.

Councilmember Chilton recused himself from this item as he is the co-owner of Yountville Deli located at 6498 Washington Street, which is a direct competitor of the proposed business and left Council Chambers.

Bob Tiernan, Planning Director, presented staff report.

Director Tiernan advised the driveway is not currently aligned with the 3-way stop at the point and the Town is planning and has had plans to realign so it is a four-way stop and applicant has agreed to contribute \$10,000 to the relocation of the driveway.

Jason Jones, Applicant, provided brief overview.

Public Hearing Held – No Public Comment

ACTION: A Motion by Councilmember Dutton; Seconded by Councilmember Rosa to Adopt Resolution Number 2708-08 Approving Master Development Plan Amendment to Convert an Inn Unit to a Walk-up Coffee Shop (Coffee Caboose) at the Railway Inn located at 6523 Washington Street was unanimously approved.

Ayes: Dutton, Rosa, Dunbar and Saucerman

Noes: None

Absent: None

Abstain: None

13. PUBLIC HEARING – MASTER DEVELOPMENT PLAN (COMBINED PRELIMINARY AND FINAL STAGES) – FRENCH LAUNDRY INN – NW CORNER OF WASHINGTON STREET AND WEBBER AVENUE (APN 036-330-001)

- A. *Consider Adoption of Resolution Number 2709-08* Adopting a Mitigated Negative Declaration of Environmental Impact and a Mitigation Monitoring and Reporting Program for the French Laundry Inn Project.
- B. *Consider Adoption of Resolution Number 2710-08* Approving Master Development Plan for the French Laundry Inn project consisting of a 20-unit inn and spa, and associated outdoor parking and open space areas at the NW Corner of Washington Street and Webber Avenue.

Recommendation: Adopted Resolutions.

Councilmember Chilton returned to Council Chambers for the remainder of the meeting.

Mayor Saucerman recused herself due to a conflict of interest as her primary residence is located within 500' of this project and left Council Chambers.

Vice Mayor Dunbar will chair this item.

Bob Tiernan, Planning Director, presented staff report.

Vice Mayor Dunbar asked staff to discuss the affordable housing component for this project.

John Frane, Predock Frane Architects and Applicant Representative, provided project overview.

Public Comment

Donna Heine complimented Mr. Keller and his team from the standpoint of a concept that he had and his team's ability to put together and hopes he is able to proceed with this project.

Ms. Heine read comments into the record related to Mr. Keller's projects from the south end of Town to the north end of Town (i.e. Ad hoc, Burgers & Half Bottles, Bouchon (between restaurant and bakery), Edward Keller Plaza (formerly Beard Plaza), French Laundry, the vegetable garden and greenhouse and Laura Cunningham's restaurant run by Keller's group.

Ms. Heine also recalls last October the failure of the Applicant to pay funding for the affordable housing project and an explanation is provided in Attachment D of the staff report.

Ms. Heine in closing requested Council approve the permit.

Tim Bringman commented this is the most carefully planned project he has ever seen in Yountville and it anticipated most of the questions and concerns the Town would have and incorporated everything the Town wanted. Mr. Bringman encouraged the Council to approve the project.

David Shipman, Vintage Estates, commended Thomas Keller and his group on a great project and commented on the following:

- Has concerns regarding noise and traffic on Webber and is working with Applicant to mitigate those concerns.
- Traffic Study Concerns - Disagrees with traffic study and thinks there will be well more than 17 trips made in and out of Webber back to the parking lot by service, employee and guest vehicles. Also, concerned that the numbers for industry standards were used rather than contacting the Inn to measure the actual traffic flow on a Saturday afternoon.
- Overall supports the project.

Public Comment Closed

Council Comments

Councilmember Chilton commented on the following:

- General reaction is this is a unique and spectacular project.
- Preliminary Plans – Pleased to see that the Applicant did not come back with requests for exceptions to the rules and what is great about the project is it is within the Town requirements.
- Affordable Housing – Would like this portion of the project to continue along and hopes it is resolved satisfactorily to all.

Councilmember Rosa commented he agrees with Councilmember Chilton and stated this is a fantastic project and is part of the patchwork that is Yountville and the Town is the jewel of the Napa Valley.

Councilmember Rosa further commented on the following:

- Hopes the Webber Street alignment issues can be resolved.
- Water – Does not think water is an issue with the well on site.
- Lighting is great.
- Supports the project.

Councilmember Dutton commented the Applicant has really addressed everything and has left no stone unturned. Additional comments include:

- Pedestrian Pathway – Glad to see the pathway and hopes Caltrans approves.
- Public Gardens are an enhancement to Washington Street.
- Webber Street – Confident this can be worked out.
- Supports the project.

Vice Mayor Dunbar commented on the following:

- Entry Gate – Recognized the removal of the entry gate and sees this as a positive.
- Webber Street – Wants staff to work on issue and thinks we should look at perpendicular parking to get the maximum number of parking spaces.
- Would be comfortable abandoning Webber Street knowing there will be less impact on Washington Street.
- Bike Path – Hopes Caltrans approves Plan A.
- Parking Requirements – Town does not currently have a factor in place that relates to high end, high service business which results in higher number of vehicles and people.
- Supports more than 7 spaces on Webber Street.
- Encourages dialogue between Vintage Partnership and Keller Team to make sure there is a mutually beneficial resolution to the noise and traffic concerns.

Planning Director Tiernan commented on the following Conditions of Approval:

- Conditions of Approval 2, 4 and 12 – References the project must be developed per the approved plans and stated there is no kitchen shown in the approved plans.
- Condition of Approval 49 - Add language including the portion of Washington Street sidewalk crossing through the project site be recorded as a public easement.
- Memorandum of Understanding (MOU) in Attachment D that discusses 11 units off-site – If you want to have a clearer understanding can incorporate MOU into the conditions of approval within the resolution.
- Webber Street – If it is to remain public, that it be brought up to the Town Engineer's standards for serviceability to possibly include repaving.

Councilmember Chilton commented that he does not agree with the amendment to require Applicant to repave Webber Street if it remains owned by the Town.

Planning Director Tiernan commented that this is a fairly common condition to have adjoining streets be brought up to current standards.

Vice Mayor Dunbar asked staff how they would like Council to handle the abandonment issue of Webber Street.

Town Manager Rogers suggested Council provide consensus direction for Condition of Approval Number 21 which references that the Applicant will cooperate and again the Town will have to record all the various conditions that have been discussed.

Amy Valukevich, Town Attorney, clarified in regard to the vacation and/or right-of-way issue and whether or not that is owned by the Town as an easement, she has not been presented with what the ownership currently is. Vacation of Webber Street requires a public hearing.

ACTION: Council consensus to abandon Webber Street to be detailed by staff for Council future consideration.

Town Manager Rogers clarified that letters of understanding need to be reached by all parties, as well as the appropriate conveyances for the public access, right-of- way, parking conditions and utility easement.

ACTION: Council consensus to include the following changes in the Resolution:

- **Add the Affordable Housing Memorandum of Understanding (shown as Attachment D in the Staff Report) as a condition of approval.**
- **Condition of Approval 49 - Add language including the portion of Washington Street sidewalk crossing into the project site be recorded as a public easement for access.**
- **Webber Street to be brought up to the Town Engineer's standards for serviceability, if abandoned by the Town to the Applicant.**

ACTION: A Motion by Councilmember Rosa; Seconded by Councilmember Dutton to Adopt Resolution Number 2709-08 Adopting a Mitigated Negative Declaration of Environmental Impact and a Mitigation Monitoring and Reporting Program for the French Laundry Inn Project was unanimously approved.

Ayes: Rosa, Dutton, Chilton and Dunbar

Noes: None

Absent: None

Abstain: None

ACTION: A Motion by Councilmember Rosa; Seconded by Councilmember Dutton to Adopt Resolution Number 2710-08 Approving Master Development Plan for the French Laundry Inn project consisting of a 20 unit inn and spa, and associated outdoor parking and open space areas at the NW Corner of Washington Street and Webber Avenue was unanimously approved, as amended above.

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

14. CALIFORNIA STATE BUDGET CRISIS DISCUSSION

Consider Adoption of Resolution Number 2711-08 Opposing Fiscally Irresponsible State Budget Decisions that would “Borrow” Local Government, Redevelopment and Transportation Funds.

Mayor Saucerman returned to Council Chambers for the remainder of the meeting.

Steve Rogers, Town Manager, provided overview.

Amy O’Gorman, Regional Legislative Representative for the League of California Cities, spoke on the topic.

No Public Comment

ACTION: A Motion by Councilmember Chilton; Seconded by Councilmember Rosa to Adopt Resolution Number 2711-08 Opposing Fiscally Irresponsible California State Budget Decisions that would “Borrow” Local Government, Redevelopment and Transportation Funds was unanimously approved.

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

15. GENERAL MUNICIPAL ELECTION – NOVEMBER 4, 2008

- A. Discussion and possible action regarding Town Council rebuttal to primary argument in favor of Measure M - Limit on Aggregate Amount of Revenue Bonds.
- B. Discussion and possible action regarding Town Council rebuttal to primary argument in favor of Measure O - Limit of Five Million Dollars (\$5,000,000) of Town of Yountville Lease Financing.

Recommendation: Council to discuss rebuttal arguments, recommend changes to the Council subcommittee and authorize the primary argument(s) to be submitted to the Town Clerk no later than Friday, August 8, 2008 at 5:00 p.m.

Steve Manager, Town Manager, provided introduction to the item and turned over to the subcommittee members Vice Mayor Dunbar and Councilmember Dutton to discuss recommendations.

Measure M

Vice Mayor Dunbar provided overview on Council Rebuttal to Measure M.

Mayor Saucerman commented the rebuttal is very well written.

Councilmember Chilton requested correction to typographical error under fourth paragraph changing “site” to “cite”.

Measure O

Vice Mayor Dunbar provided overview on Council Rebuttal to Measure O.

Mayor Saucerman commented very good points were made in rebuttal argument.

Vice Mayor Dunbar clarified that correction to typographical area in second to last paragraph to capitalize Constitution.

Councilmember Dutton commented on some of the arguments and stated we all should be taken back by some of the words used and the innuendos and that is why Council felt the need to address. One item of clarification is related to the Long Term Debt Policy which the Council has already adopted. He also expressed concerns regarding the reference to the retroactivity of the proposed Measure.

Vice Mayor Dunbar also commented on the comparison of the Town of Yountville to the City/County of San Francisco and clarified it is a Charter City which can amend state constitution as it wants to for its own city which is an entirely separate set of circumstances from what is being discussed.

Mayor Saucerman thanked the Council Subcommittee for their hard work and research in creating the arguments against and rebuttals.

Public Comment

Tim Bringman commented Measure O is basically about the Constitutional debt limit and the Town cannot borrow more money than it can make in any given year without voter approval.

Amy Valukevich, Town Attorney, provided clarification regarding the Constitutional debt limit.

ACTION: A Motion by Mayor Saucerman; Seconded by Councilmember Rosa to accept rebuttal arguments and submit to the Town Clerk no later than Friday, August 8, 2008 at 5:00 p.m. was approved.

Ayes: Saucerman, Rosa, Dutton, Dunbar

Noes: Chilton

Absent: None

Abstain: None

Councilmember Chilton commented his no vote is not an agreement or disagreement with the rebuttal or primary arguments but rather should Council be taking this action and he does not think Council should be taking action.

16. RECESS TO THE YOUNTVILLE HOUSING AUTHORITY (SEE SEPARATE AGENDA)

(SEE MINUTES OF THE YOUNTVILLE HOUSING AUTHORITY)

17. COUNCIL REPORTS AND COMMENTS

Report of Council Member Meeting Attendance:

Agendas and Minutes related to Council Member Meeting Attendance are maintained separately by the various meeting bodies.

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

Vice Mayor Dunbar reported on recent action by the District.

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

Mayor Saucerman and Councilmember Rosa reported on recent action taken by the Agency.

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

Councilmember Rosa was unable to attend WIIC – No Report

D. Other Reports and Comments

Councilmember Dutton thanked everyone for the preparation of the groundbreaking ceremony for the Town Center Project and those who attended.

Vice Mayor Dunbar attended the League of California Cities North Bay Division Regional Meeting and noted main topics of discussion included two Climate Control Bills AB 32 and SB 375.

Recommendation: Received and Filed.

18. STAFF INFORMATIONAL REPORTS

A. Community Service Department Monthly Program Update

Kenneth Leary, Community Services Director, presented report

Steve Rogers, Town Manager, reported Town Staff will be participating in EOC regional training exercise Friday, August 8, 2008.

19. FUTURE AGENDA ITEMS

- A. Award Contract for Informational Technology Services
- B. Award Contract for Space Needs Analysis and Seismic Retrofit Services
- C. Report on ZDRB Workshop Held for Townwide Street Light Program

Mayor Saucerman reminded people of the FOCUS barbecue on August 31, 2008.

ACTION: A Motion by Councilmember Dutton; Seconded by Councilmember Rosa to recess to Closed Session and adjourn to September 2, 2008 Council Meeting was unanimously approved.

Ayes: Dutton, Rosa, Chilton, Dunbar and Saucerman

Noes: None

Absent: None

Abstain: None

20. ADJOURNMENT

Adjourned to Regular Town Council Meeting, Tuesday, September 2, 2008.

ATTEST:

/s/ Michelle Price, Town Clerk

Approved by Town Council:

November 18, 2008