

TOWN OF YOUNTVILLE
MINUTES OF REGULAR COUNCIL MEETING
July 15, 2008

5:15 P.M. - NAPA CITY/COUNTY LIBRARY INTERVIEWS – YOUNTVILLE REPRESENTATIVE

Town Council conducted Applicant Interview for the Napa City/County Library Commission, as follows:

- Karla Reyff

1. CALL TO ORDER – 5:30 P.M.

Mayor Saucerman called the meeting to order at 5:30 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 called the meeting to order 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:

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

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)**

None

9. APPROVAL OF CONSENT CALENDAR

Councilmember Chilton requested Consent Calendar Item 9 C be held for separate vote.

ACTION: A Motion by Vice Mayor Dunbar; Seconded by Councilmember Rosa to Approve Consent Calendar Items 9 A & B was unanimously approved.

Ayes: Dunbar, Rosa, Chilton, Dutton and Saucerman

Noes: None

Absent: None

Abstain: None

Item 9 C

Councilmember Chilton commented he personally supports Item 9 C (Ballot Measure P), but does not believe the Council should take this action as a whole.

ACTION: A Motion by Vice Mayor Dunbar; Seconded by Councilmember Rosa to Approve Consent Calendar Item 9 C was approved.

Ayes: Dunbar, Dutton, Rosa, and Saucerman

Noes: None

Absent: None

Abstain: Chilton

A. *Approval of Warrants*

- Accounts payable check numbers \$386,010.03
- Total payroll and benefits \$126,932.53
- Total payments for period \$512,942.56

Recommendation: Received and Filed.

B. *Monthly Financial Report* - June 2008

Recommendation: Approved.

C. *Adopt Resolution Number 2699-08* in support of Napa County Farm Bureau Ballot Measure P (Initiative to Extend Measure J – Protection of Open Space Lands).

Recommendation: Adopted Resolution.

10. PRESENTATIONS

A. Mayor and Council Recognition of Outgoing ZDRB Members

Mayor Saucerman, on behalf of the Town Council, presented plaque and recognized Jarrod Denton and Stephen Henderson as individuals who have completed time on the Town's Zoning & Design Review Board.

Mayor Saucerman also recognized Katie Hogan, Assistant Planner, who will be going back to Chicago to pursue a Master Degree in planning and thanked her for her service.

B. CAL FIRE Public Safety Quarterly Report.

Barry Beardman, on behalf of Cal Fire, presented Report.

C. Sheriff Department Public Safety Quarterly Report.

Pete Berg, Sergeant, Napa County Sheriff, presented Report.

11. STATUS REPORT ON TITLE 22 UPGRADE OF THE WASTEWATER TREATMENT PLANT.

Recommendation: Received Staff Report and Provided Direction to Staff.

Myke Praul, Public Works Director, introduced Don Moore, Wastewater Systems Supervisor.

Don Moore, Wastewater System Supervisor, presented staff report.

Public Comment

Carol Fink questioned whether or not the discussion has to do with sand and charcoal.

Councilmember Rosa responded No.

ACTION: Council consensus to move forward with Alternative 2 (which includes Alternative 1) as presented in the Staff Report which are provided below.

Alternative 1

Complete the final design of the existing project to receive bids on the current design by WBA (includes a new transfer box to be able to supply reclaimed water to customers and discharge to river) bypass and added valuing and contracts with an estimated cost of \$750,000.

Alternative 2

Concurrently with #1, hire a Consultant to prepare a master plan for the facility that will allow for a phased list of improvements.

12. PROPOSED BALLOT INITIATIVE LIMITING LEASE FINANCING – 9212 REPORT

Review and Discuss report prepared pursuant to Election Code 9212.

Recommendation: Accepted Report.

Steve Rogers, Town Manager and Amy Valukevich, Town Attorney, presented report on the impacts of the proposed ballot initiative.

Council commented the report was very comprehensive and encouraged the public to review.

Town Attorney Valukevich advised the legal analysis included in the 9212 Report was prepared by outside legal counsel in relation to the validity of the measure itself in order to provide an impartial analysis from outside of the Town and the Council's opportunity to review its legal options related to the measure's validity.

Town Attorney Valukevich further advised Council of its options under the Elections Code to either adopt the proposed measure as an ordinance within 10 days of having received 9212 Report or order an election and submit measure without alternations to the voters at the next regular election.

Public Comment

Tim Bringman commented he does not think this is an impartial report. The Town Attorney may know there are over 20 different ways that the municipality of Yountville can borrow money – legally. The Report only talks about lease financing and doesn't even leave any option open for any other type of financing whatsoever. The Town could get a regular bond, but they are limited by the constitutional debt limit which is the actual purpose of this initiative to bring the Town back into compliance with the constitutional debt limit. Mr. Bringman further commented on other items he feels are important and that he thinks are outrageous. One of the comments from the report states that it would disenfranchise voters who

voted in the 2003 election and he disagrees stating these same people can vote again. Mr. Bringman also commented that another opportunity for the Town would be to draft its own initiative as an alternative.

Vice Mayor Dunbar requested clarification from the Town Attorney in response to Mr. Bringman's comments in regard to the purpose of the 9212 Report. Specifically, Vice Mayor Dunbar wanted to know if the report is to review the initiatives as presented or is it to review all conceivable options the Town might have in borrowing money.

Town Attorney Valukevich responded and stated that staff's information and legal analysis are provided so that Council has an understanding of the impact of the initiative as it is written and thinks the legal analysis provided by outside counsel addresses section by section the language of the initiative itself.

ACTION: Council Consensus to receive the Report.

13. GENERAL MUNICIPAL ELECTION – NOVEMBER 4, 2008

Adopt Resolution Number 2700-08 Calling and Giving Notice of the Holding, and Requesting the Board of Supervisors of the County of Napa to Consolidate, a General Municipal Election to be Held on Tuesday, November 4, 2008 for the Election of Two Council Members and for the Submission to the Voters Two Questions Related to Measure M (Limit on Aggregate Amount of Revenue Bonds) and Measure O (Limit of Five Million Dollars (\$5,000,000) of Town of Yountville Lease Financing).

Recommendation: Adopted Resolution.

Michelle Price, Town Clerk, presented staff report.

Public Comment – None

Councilmember Chilton advised he supports calling the election, but does support Council drafting a primary argument and will ask that his name not be attached either for or against the measure.

ACTION: A Motion by Vice Mayor Dunbar; Seconded by Councilmember Dutton to Adopt Resolution Number 2700-08 Calling and Giving Notice of the Holding, and Requesting the Board of Supervisors of the County of Napa to Consolidate, a General Municipal Election to be Held on Tuesday, November 4, 2008 for the Election of Two Council Members and for the Submission to the Voters Two Questions Related to Measure M (Limit on Aggregate Amount of Revenue Bonds) and Measure O (Limit of Five Million Dollars (\$5,000,000) of Town of Yountville Lease Financing), was unanimously approved, as amended adding the Town's address to Item 12 and 13 of the Resolution.

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

ACTION: Counsel Consensus to prepare primary argument against the initiative and to prepare a rebuttal and will work with staff to call a Special Meeting for the Council to consider the text of the argument.

Vice Mayor Dunbar and Councilmember Dutton volunteered to write primary argument

Town Attorney by virtue of the resolution is directed to prepare impartial analysis.

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- 14. NAPA CITY-COUNTY LIBRARY COMMISSION – YOUNTVILLE REPRESENTATIVE**
Consider Appointment of one (1) Yountville Representative to serve a three-year term expiring June 30, 2011.
Recommendation: Appointed Yountville Representative to the Napa City-County Library Commission.

Michelle Price, Town Clerk, presented staff report.

ACTION: A Motion by Vice Mayor Dunbar; Seconded by Councilmember Rosa to reappoint Karla Reyff as the Yountville Representative to the Napa City-County Library Commission was unanimously approved.

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

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- 15. CAPITAL IMPROVEMENT PROGRAM**
Consider Adoption of Resolution Number 2701-08 Adopting the Town's Five-Year Capital Improvement Program for Fiscal Years 2008-09 through 2012-13.
Recommendation: Adopted Resolution.

Paul Klassen, Assistant Town Engineer, presented staff report.

Assistant Town Engineer advised of budget correction for project WW-27 changing the amount from \$300,000 to \$750,000 and will issue new sheets to reflect change.

Public Comment – None

ACTION: A Motion by Councilmember Rosa; Seconded by Councilmember Dutton to Adopt Resolution Number 2701-08 Adopting the Town's Five-Year Capital Improvement Program for Fiscal Years 2008-09 through 2012-13 was unanimously approved.

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

16. COUNCIL REPORTS AND COMMENTS

Report of Council Member Meeting Attendance:

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

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

Mayor Saucerman advised the District meeting was continued to July 22, 2008.

- B. Napa County Mosquito Abatement District (Rosa)

Councilmember Rosa reported on District meeting.

- C. Napa County League of Governments (NCLOG) (All)

Vice Mayor Dunbar reported on NCLOG Quarterly meeting held at the Culinary Institute of America.

Councilmember Dutton thanked the Town Clerk for her efforts coordinating the NCLOG meetings.

- D. Other Reports and Comments

Councilmember Dutton thanked staff, Community Services Department and those involved in the 4th of July celebration stating the event turned out nice.

Councilmember Chilton commented on the following:

- Really liked the flags hanging from the light posts.
- Recognized Bastille Day celebrations and thanked staff at Bouchon and Bouchon Bakery and recognized this as one of the great events held in Yountville.

Councilmember Saucerman commented on the following:

- Thanked staff and all of those involved for 4th of July festival noting it was well attended.
- Council was present at the Ribbon Cutting for the Napa Style Grand Opening.

Vice Mayor Dunbar wanted to acknowledge discussion by the Town's Transportation Advisory Committee (TAC) and stated he is happy to see them discussing options for the Yountville Shuttle.

Mayor Saucerman commented that a joint Business Forum with the Town and Chamber of Commerce will be held Tuesday, July 22nd at Hurley's to discuss a potential parking and bicycle program.

Recommendation: Received and Filed.

17. STAFF INFORMATIONAL REPORTS

A. Community Service Department Monthly Program Update

Kenneth Leary, Community Services Department Director, presented update.

18. FUTURE AGENDA ITEMS

- A. Award Contract for Informational Technology Services
- B. Award Contract for Space Needs Analysis and Seismic Retrofit Services
- C. Appoint Voting Delegate and Alternate for League of California Cities Annual Conference

19. ADJOURNMENT

Adjourned to Regular Town Council Meeting, Tuesday, August 5, 2008.

ATTEST:

/s/Michelle Dahme, Town Clerk

Approved by Town Council:

March 17, 2009