

**Town of Yountville
Ordinance Number 24-528**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YOUNTVILLE
AMENDING SECTIONS 2.08.030(a), 2.12.010, AND 2.24.010, AND ADDING
SECTIONS 2.24.090 AND 2.40.040, OF TITLE 2 OF THE YOUNTVILLE MUNICIPAL
CODE REGARDING APPOINTED OFFICERS**

WHEREAS, Yountville Municipal Code section 2.24.010 establishes the office of Town Clerk.

WHEREAS, Yountville Municipal Code section 2.12.010 establishes a list of appointive officers.

WHEREAS, Yountville Municipal Code section 2.08.030(A) establishes the Town Manager's authority to appoint officers, employees, and department head positions subject to ratification by the Town Council.

WHEREAS, pursuant to Yountville Municipal Code Section 2.08.030(A), the Town Manager may recommend to the Town Council reorganization of officers, departments or divisions as may be indicated in the interests of the efficient, effective and economical conduct of the Town's business; and pursuant to Yountville Personnel Rules and Policies Sections 6.G.1. and 6.G.2., the Town Manager oversees the Classification Plan for all Town employees and shall make recommendations to the Town Council from time to time when changes are deemed necessary.

WHEREAS, the Town Manager has reviewed the current Town Clerk position and determined that reclassification to Communications Director/Town Clerk, to be appointed by the Town Manager and ratified by the Town Council, is appropriate.

WHEREAS, the Town Council now wishes to amend the Yountville Municipal Code to implement this change and make other clarifying changes.

Now, therefore, the Town Council of the Town of Yountville does ordain as follows:

SECTION 1. CODE AMENDMENT: Yountville Municipal Code section 2.08.030(A) is hereby repealed and replaced to read as follows (additions denoted with underlined text and deletions denoted with ~~struck through~~ text):

Authority. The Town Manager shall be the administrative head of the government of the Town, under the direction and control of the Council. The Town Manager shall be responsible for the efficient administration of all the affairs of the Town, which affairs are under his or her control. The Town Manager shall appoint competent, qualified officers and employees to the administrative service (which term is inclusive of all positions excepting the Town Attorney, Chief of Police, and Fire Chief) and to dismiss, suspend and

discipline such officers and employees in accordance with such policies as may from time to time be set forth by the Council; to transfer employees from one department to another consistent with the policies of the Council; to recommend to the Council such reorganization of officers, departments or divisions as may be indicated in the interests of the efficient, effective and economical conduct of the Town's business, and to effect such reorganization when authorized by appropriate ordinance, resolution or motion of the Council; provided, however, the Town Manager's appointment of the Town Engineer, Planning Director, Director of Public Works, ~~Community Services Director~~, Administrative Services Director/Finance Director/Treasurer, Communications Director/Town Clerk, and other department head positions hereafter created shall be subject to ratification by the Town Council at its next regular meeting, and no person filling such positions shall be dismissed without the Town Manager giving prior notice to the Town Council.

SECTION 2. CODE AMENDMENT: Yountville Municipal Code section 2.12.010 is hereby repealed and replaced to read as follows (additions denoted with underlined text and deletions denoted with ~~struck through~~ text):

2.12.010 Appointed officers.

In addition to the Town Manager, the other appointed officers of the Town shall include the Town Attorney, Communications Director/Town Clerk, Town Engineer, Administrative Services Director/Finance Director/Treasurer, Fire Chief, Planning Director ~~Town Planner~~, Police Chief, and Director of Public Works ~~Director~~. The Council may, by ordinance or resolution, create new offices or deputies or assistants to these officers.

SECTION 3. CODE AMENDMENT: Yountville Municipal Code Chapter 2.24 is hereby retitled "Communications Director/Town Clerk" and Yountville Municipal Code section 2.24.010 is hereby repealed and replaced to read as follows (additions denoted with underlined text and deletions denoted with ~~struck through~~ text):

2.24.010 Office.

There is established the office of Communications Director/Town Clerk. The Communications Director/Town Clerk shall be appointed by the Town Manager and serve at the pleasure of the Town Manager ~~in the competitive service of the Town subject to all the rules and policies as established by the Council, including the Personnel Rules and Memorandum of Understanding between the Town and the Yountville Employees Association.~~

SECTION 4. CODE AMENDMENT: Yountville Municipal Code section 2.24.090 is hereby added to read as follows:

2.24.090 Communications Director/Town Clerk.

All reference in this code to “Town Clerk” and/or “Communications Director” shall also mean “Communications Director/Town Clerk.” The Communications Director/Town Clerk shall exercise all powers and duties of these positions enumerated in this code and/or in policies, resolutions, or procedures adopted by the Town Council.

SECTION 5. CODE AMENDMENT: Yountville Municipal Code section 2.40.040 is hereby added to read as follows:

2.40.040 Town Planner

All references in this code to “Town Planner” shall also mean “Planning Director.” The Planning Director shall exercise all powers and duties of this position enumerated in this code and/or in policies, resolutions, or procedures adopted by the Town Council.

SECTION 6. CEQA: The Town Council has considered all of the evidence in the record, including the staff reports, the testimony received during the meeting on the matter held by the Town Council, and hereby determines that this Ordinance is exempt from review under the California Environmental Quality Act (CEQA). Pursuant to section 15061(b)(3) of the CEQA Guidelines, CEQA applies only to projects which have the potential for causing a significant effect on the environment. This Ordinance will not result in a significant foreseeable environmental impact.

SECTION 7. SEVERABILITY: If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town Council declares that it would have adopted this Ordinance, and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, phrases or portions might be declared invalid or unconstitutional.

SECTION 8. EFFECTIVE DATE: This Ordinance shall take effect 30 days after final adoption.

SECTION 9. CERTIFICATION: The Town Clerk shall certify to the passage and adoption of this Ordinance and shall give notice of its adoption as required by law. Within 15 days from the date of passage of this ordinance, the Town Clerk shall post a copy of the ordinance in accordance with California Government Code in at least three public places in the Town.

INTRODUCED by the Town Council at a regular meeting held on the 7th day of May, 2024.

PASSED AND ADOPTED by the Town Council at a regular meeting held on the 21st day of May, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Margie Mohler, Mayor

ATTEST:

Hilary Gaede, Acting Town Clerk

APPROVED AS TO FORM:

Gary B. Bell, Town Attorney

I, Hilary Gaede, ACTING TOWN CLERK of the Town of Yountville, California, do hereby certify that the foregoing was regularly introduced and placed upon its first reading at a regular meeting of the Town Council on the 7th day of May, 2024. That thereafter said Ordinance was duly adopted and passed at a regular meeting of the Town Council on the 21st day of May, 2024.

by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Hilary Gaede, Acting Town Clerk