



CITY OF BUELLTON

CITY COUNCIL AGENDA

**Regular Meeting of February 13, 2014 – 6:00 p.m.
City Council Chambers, 140 West Highway 246
Buellton, California**

Copies of staff reports or other written documentation relating to each item of business referred to on this Agenda are on file in the office of the City Clerk and are available for public inspection

CALL TO ORDER

Mayor John Connolly

PLEDGE OF ALLEGIANCE

Council Member Holly Sierra

ROLL CALL

Council Members Ed Andrisek, Judith Dale, Holly Sierra, Vice Mayor Leo Elovitz, and Mayor John Connolly

REORDERING OF AGENDA

PUBLIC COMMENTS

Speaker Slip to be completed and turned in to the City Clerk prior to commencement of meeting. Limited to matters not otherwise appearing on the agenda. Limited to three (3) minutes per speaker. No action will be taken at this meeting.

CONSENT CALENDAR

(ACTION)

The following items are scheduled for consideration as a group. Any Council Member, the City Attorney, or the City Manager may request that an item be withdrawn from the Consent Agenda to allow for full discussion.

- 1. Minutes of January 23, 2014 Regular City Council Meeting**
- 2. List of Claims to be Approved and Ratified for Payment to Date for Fiscal Year 2013-14**

PRESENTATIONS**PUBLIC HEARINGS****(POSSIBLE ACTION)**

3. **Resolution No. 14-03 – “A Resolution of the City Council of the City of Buellton, California, Directing Staff to Authorize the County of Santa Barbara to Submit the Funding Request for Community Development Block Grant Capital Funds to the Federal Housing and Urban Development Department for the City of Buellton Library Renovation”**
 ❖ *(Staff Contact: City Manager Marc Bierdzinski)*

COUNCIL MEMBER COMMENTS**COUNCIL ITEMS****(POSSIBLE ACTION)**

4. **Possible Reconsideration of Resolution No. 14-01 - Ballot Measure for Elected Mayor**
 ❖ *(Staff Contact: City Manager Marc Bierdzinski & City Attorney Ralph Hanson)*

WRITTEN COMMUNICATIONS

Written communications are included in the agenda packets. Any Council Member, the City Manager, or City Attorney may request that a written communication be read into the record.

COMMITTEE REPORTS

This Agenda listing is the opportunity for Council Members to give verbal Committee Reports on any meetings recently held for which the Council Members are the City representatives thereto.

BUSINESS ITEMS**(POSSIBLE ACTION)**

5. **Discussion and Possible Amendment to City of Buellton Guidelines of Procedure for Council Meetings and Related Functions and Activities Regarding Public Comments on Consent Calendar Items**
 ❖ *(Staff Contact: City Manager Marc Bierdzinski)*
6. **Discussion of Sustainability – Goal 7 from Vision Plan**
 ❖ *(Staff Contact: City Manager Marc Bierdzinski)*
7. **Discussion of a Board of Architectural Review (BAR) or Other Similar Options**
 ❖ *(Staff Contact: City Manager Marc Bierdzinski)*

CITY MANAGER’S REPORT**CLOSED SESSION ITEMS****(POSSIBLE ACTION)**

8. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
California Government Code Section 54956.9(d)(1)
City of Buellton, et al. vs. Ana J. Matosanto, et al.
Sacramento Superior Court Case No. 34-2013-80001468-CU-WM-GDS

ADJOURNMENT

The next meeting of the City Council will be held on Thursday, February 27, 2014 at 6:00 p.m.

CITY OF BUELLTON

CITY COUNCIL MEETING MINUTES
Regular Meeting of January 23, 2014
City Council Chambers, 140 West Highway 246
Buellton, California

CALL TO ORDER

Mayor John Connolly called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

Council Member Ed Andrisek led the Pledge of Allegiance

ROLL CALL

Present: Council Members Ed Andrisek, Judith Dale, Holly Sierra, Vice Mayor Leo Elovitz, and Mayor John Connolly

Staff: City Manager Marc Bierdzinski, City Attorney Ralph Hanson, Public Works Director Rose Hess, Finance Director Carolyn Galloway-Cooper, Deputy Matt Delgado, and City Clerk Linda Reid

REORDERING OF AGENDA

None

PUBLIC COMMENTS

Mark Preston, Buellton, requested that the public be able to comment on Consent Calendar items.

CONSENT CALENDAR

- 1. Minutes of January 9, 2014 Regular City Council Meeting**
- 2. List of Claims to be Approved and Ratified for Payment to Date for Fiscal Year 2013-14**

MOTION:

Motion by Council Member Sierra, seconded by Mayor Connolly, approving the Consent Calendar as listed.

VOTE:

Motion passed by a roll call vote of 5-0.

PRESENTATIONS

None

PUBLIC HEARINGS

None

COUNCIL MEMBER COMMENTS

Council Member Sierra thanked Council Member Andrisek for submitting an article to the Santa Ynez Valley News about the life of Buellton resident Norma Gray.

Council Member Dale announced that White Stone Treasures and the Santa Ynez Valley Thrift Stores are hosting a Valentine Luncheon and Fashion Show on Saturday, February 8 at 12:00 p.m. at the Santa Ynez Valley Marriott.

Council Member Dale thanked Finance Director Galloway-Cooper for explaining the quarterly reports and the mid-year budget.

COUNCIL ITEMS

Vice Mayor Elovitz requested that staff review the agenda process and if necessary, modify the public's ability to comment on Consent Calendar items.

Council Member Andrisek requested that staff agendaize the topic of installing speed humps on certain roads in the City. The Council agreed by consensus to agendaize this item at a future meeting.

Council Member Andrisek requested that staff agendaize the topic of installing street lights on Industrial Way. The Council agreed by consensus to agendaize this item at a future meeting.

WRITTEN COMMUNICATIONS

None

COMMITTEE REPORTS

Council Member Sierra announced that she attended the Santa Barbara County Association of Governments (SBCAG) meeting and provided an oral report regarding the meeting.

Council Member Andrisek announced that he attended the Central Coast Water Authority (CCWA) Board Meeting and provided an oral report regarding the meeting.

BUSINESS ITEMS

3. **Resolution No. 14-01 – “A Resolution of the City Council of the City of Buellton, California, Calling and Giving Notice of the Holding of an Election to be Consolidated with the General Election to be Held on Tuesday, November 4, 2014 for the purpose of Submitting a Measure to the Qualified Voters of Buellton Regarding an Elected Mayor of Buellton and the Term of Office for Such Mayor”**

RECOMMENDATION:

That the City Council consider the approval and adoption of Resolution No. 14-01.

STAFF REPORT:

City Attorney Hanson presented the staff report.

DOCUMENTS:

Staff Report with attachment (Resolution No. 14-01)

SPEAKERS/DISCUSSION:

Mark Preston, Buellton, stated he is against voting for an elected Mayor in Buellton.

The City Council discussed the following issues:

- Allowing voters to decide whether a Mayor should be elected
- Costs associated with electing a Mayor

MOTION:

Motion by Council Member Sierra, seconded by Council Member Dale, approving and adopting Resolution No. 14-01 – “A Resolution of the City Council of the City of Buellton, California, Calling and Giving Notice of the Holding of an Election to be Consolidated with the General Election to be Held on Tuesday, November 4, 2014 for the purpose of Submitting a Measure to the Qualified Voters of Buellton Regarding an Elected Mayor of Buellton and the Term of Office for Such Mayor”

VOTE:

Motion passed by a roll call vote of 3-2, with Vice Mayor Elovitz and Mayor Connolly voting no.

4. **Mid-Year Financial Report for the First and Second Quarters Ending September 30, 2013 and December 31, 2013, Respectively**

RECOMMENDATION:

That the City Council receive and file the two quarterly financial reports.

STAFF REPORT:

Finance Director Galloway-Cooper presented the staff report.

DOCUMENTS:

Staff Report with attachments (Quarterly Financial Reports for First and Second Quarter)

SPEAKERS/DISCUSSION:

Mark Preston, Buellton, provided a handout for the record and discussed the Quarterly reports and the monthly report.

DIRECTION:

The City Council agreed by consensus to receive and file the First and Second Quarterly Financial Reports.

5. Revenue and Expenditure Reports Summarized by Fund Through December 31, 2013**RECOMMENDATION:**

That the City Council receive and file the Revenue and Expenditure Reports through December 31, 2013.

STAFF REPORT:

Finance Director Galloway-Cooper presented the staff report.

DOCUMENTS:

Staff Report with attachment (Revenue and Expenditure Reports through December 31, 2013)

DIRECTION:

The City Council agreed by consensus to receive and file the Revenue and Expenditure Reports through December 31, 2013.

6. Resolution No. 14-02 – “A Resolution of the City Council of the City of Buellton, California, for the Purpose of Budget Amendments from Operational Changes Related to Fiscal Year 2013-14 through the Second Quarter ending December 31, 2013”**RECOMMENDATION:**

That the City Council consider the approval and adoption of Resolution No. 14-02.

STAFF REPORT:

Finance Director Galloway-Cooper presented the staff report.

DOCUMENTS:

Staff Report with attachment (Resolution No. 14-02)

SPEAKERS/DISCUSSION:

Mark Preston, Buellton, stated he is pleased with how the Finance Department is operating and is happy to be able to review a mid-year budget.

The City Council discussed the following issues:

- The Transportation Development Act (TDA) funds

MOTION:

Motion by Vice Mayor Elovitz, seconded by Council Member Sierra, approving and adopting Resolution No. 14-02 – “A Resolution of the City Council of the City of Buellton, California, for the Purpose of Budget Amendments from Operational Changes Related to Fiscal Year 2013-14 through the Second Quarter ending December 31, 2013”

VOTE:

Motion passed by a roll call vote of 5-0.

CITY MANAGER’S REPORT

City Manager Bierdzinski provided an informational report for the record.

ADJOURNMENT

Mayor Connolly adjourned the regular meeting at 7:05 p.m. The next regular meeting of the City Council will be held on Thursday, February 13, 2014 at 6:00 p.m.

John Connolly
Mayor

ATTEST:

Linda Reid
City Clerk

BACK-UP/SUPPORT DATA IS AVAILABLE FOR COUNCIL REVIEW IN CITY HALL

The following is a list of claims to be ratified and approved for payment by the City Council at the **February 13, 2014** Council Meeting.

Listed below is a brief summary of the attached claims:

EXHIBIT A		<u>\$ 317,431.01</u>
EXHIBIT B		<u>\$ 17,101.30</u>
Council Pay	1/24/14	\$ 2,290.71
Payroll	1/31/14	\$ 27,989.33
Other Pay	2/3/14	<u>\$ 1,039.62</u>
TOTAL AMOUNT OF CLAIMS:		<u><u>\$ 365,851.97</u></u>

AUTHORIZATION IS HEREBY GIVEN TO THE CITY TREASURER TO PAY ALL CLAIMS AS REVENUES BECOME AVAILABLE

Obligat'n	Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A001-000-2306-000	Long-Term Care Deduction			
	21500 1/16/14-1/31/14 -M.Bierdzinski	90 CaIPERS LONG-TERM CARE PROGRAM		
		1	Paid	84.25
A001-000-2306-000	Long-Term Care Deduction			
			*** Account total ***	84.25
A001-216-2825-000	Developer Deposit			
	21400 8/13 The Village TTM-Mass Impr	326 MNS ENGINEERS, INC.		
		1	Paid	575.00
	21401 8/13 Verizon TPM #107	326 MNS ENGINEERS, INC.		
		1	Paid	345.00
	21402 8/13 Crossroads Ctr-Village #1	326 MNS ENGINEERS, INC.		
		1	Paid	680.00
	21417 9/13 Village TTM & Mass Impr.	326 MNS ENGINEERS, INC.		
		1	Paid	460.00
	21418 9/13 Verizon TPM #107	326 MNS ENGINEERS, INC.		
		1	Paid	115.00
	21419 9/13 Crossroads Center-Village	326 MNS ENGINEERS, INC.		
		1	Paid	1,050.00
	21433 10/13 Village TTM & Mass Imprv	326 MNS ENGINEERS, INC.		
		1	Paid	1,696.25
	21434 10/13 Crossroads Ctr@Village#1	326 MNS ENGINEERS, INC.		
		1	Paid	825.00
	21449 11/13 Crossroads Ctr-Village #	326 MNS ENGINEERS, INC.		
		1	Paid	6,905.00
A001-216-2825-000	Developer Deposit			
			*** Account total ***	12,651.25
A001-410-5305-000	Equipment Rental			
	21502 1/14 CH Copier Lease	713 COASTAL COPY, LP		
		1	Paid	484.92
A001-410-5305-000	Equipment Rental			
			*** Account total ***	484.92
A001-410-5703-000	Utilities - Electric			
	21497 12/5/13-1/5/14 Summary Billing	352 P G & E		
		1	Paid	594.02
A001-410-5703-000	Utilities - Electric			
			*** Account total ***	594.02
A001-410-6006-000	H/R Expense			
	21451 1/14 Breath Alcohol Test-Abell	728 KIMBERLEY LECLAIRE dba		
		1	Paid	35.00
	21452 1/14 Random Drug Screen-Abello	728 KIMBERLEY LECLAIRE dba		
		1	Paid	67.00
A001-410-6006-000	H/R Expense			
			*** Account total ***	102.00
A001-410-6017-000	Emergency Operations			
	21501 1/14 Satellite Phone Svcs	706 SATCOM GLOBAL, INC.		
		1	Paid	49.76
A001-410-6017-000	Emergency Operations			
			*** Account total ***	49.76
A001-410-6301-000	Miscellaneous			
	21403 2014 Sponsorship	0 ECO ANGELS		
		1	Paid	200.00
A001-410-6301-000	Miscellaneous			
			*** Account total ***	200.00

Obligat'n	Description	Vendor/ Line Nbr	Name/ Description	Stage	Amount
A001-420-6201-000	Contract Services				
	21475 12/30/13-1/5/14 C. Gomez-Final	802	GOVERNMENT STAFFING SERVICES,		
		1		Paid	382.50
A001-420-6201-000	Contract Services		*** Account total ***		382.50
A001-501-5703-000	Utilities - Electric				
	21497 12/5/13-1/5/14 Summary Billing	352	P G & E		
		2		Paid	203.76
A001-501-5703-000	Utilities - Electric		*** Account total ***		203.76
A001-501-6201-000	Contract Services				
	21453 1/14 Overtime Chgs	450	SB CO SHERIFF'S DEPARTMENT		
		1		Paid	30.08
A001-501-6201-000	Contract Services		*** Account total ***		30.08
A001-510-5703-000	Utilities - Electric				
	21497 12/5/13-1/5/14 Summary Billing	352	P G & E		
		3		Paid	180.71
A001-510-5703-000	Utilities - Electric		*** Account total ***		180.71
A001-511-5306-000	Advertising				
	21499 1/14 P&R Vacancy Notice	285	SANTA MARIA TIMES dba		
		1		Paid	136.90
A001-511-5306-000	Advertising		*** Account total ***		136.90
A001-511-5801-000	Buellton Recreation Program				
	21477 10/13-12/13 Qtr Field Rental F	63	BUELLTON UNION SCHOOL DISTRICT		
		1		Paid	270.00
	21478 12/19/13-1/15/14 Zumba-Pilates	11170	DONELLE MARTIN		
		1		Paid	350.00
	21479 12/19/13-1/15/14 Flamenco Danc	11336	LAURA GARCIA dba		
		1		Paid	38.50
	21480 1/1/14-1/15/14 Youth Chorus	11165	DAVID SPINDLER		
		1		Paid	126.00
	21481 12/19/13-1/15/14 Zumba	11244	HERMILA SANCHEZ		
		1		Paid	98.00
	21482 12/19/13-1/15/14 Barre Workout	11307	BETH KIMBERLY HARRIES		
		1		Paid	7.00
	21483 12/19/13-1/15/14 Tai Chi Relax	11476	STEPHEN F. DUNLAP		
		1		Paid	210.00
	21484 12/19/13-1/15/14 Yoga Class	11343	MARIANNE MADSEN		
		1		Paid	270.00
	21485 12/19/13-1/15/14 Dance Class	11304	KEITH MARSHALL		
		1		Paid	10.50
	21486 12/19/13-1/15/14 Wreath Making	0	SYV BOTANIC GARDEN		
		1		Paid	50.00
	21487 12/19/13-1/15/14 Kundalini Yog	11300	KAREN PALMER		
		1		Paid	31.50
	21488 12/19/13-1/15/14 Cycle Trainin	11321	LAURA COGAN		
		1		Paid	120.00

Obligat'n	Description	Vendor/ Line Nbr	Name/ Description	Stage	Amount
A001-511-5801-000	Buellton Recreation Program		*** Continued ***		
	21489 12/18/13-1/15/14 Kenpo Karate	11280	JAMES R. ATHERTON 1	Paid	252.00
	21490 12/18/13-1/15/13 Gymnastic Nor	11236	GARY GENE JOHNSON dba 1	Paid	198.00
	21503 3/14 Buellton Rec Copier Lease	201	G E CAPITAL 1	Paid	150.12
	21504 1/1/14-1/15/14 Karlin's Soccer	11306	KARLIN LADERA 1	Paid	357.00
A001-511-5801-000	Buellton Recreation Program		*** Account total ***		2,538.62
A001-511-6201-000	Contract Services				
	21492 1/14 Rec Ctr/Gym Janitorial	395	JOSE RAFAEL RUIZ dba 1	Paid	2,105.00
A001-511-6201-000	Contract Services		*** Account total ***		2,105.00
A001-550-5703-000	Utilities - Electric				
	21497 12/5/13-1/5/14 Summary Billing	352	P G & E 4	Paid	4,377.35
A001-550-5703-000	Utilities - Electric		*** Account total ***		4,377.35
A001-551-6201-000	Contract Services				
	21391 8/13 Storm Water Mgmt Plan	326	MNS ENGINEERS, INC. 1	Paid	2,110.00
	21408 9/13 Storm Water Mgmt Plan	326	MNS ENGINEERS, INC. 1	Paid	16,542.50
	21424 10/13 Storm Water Mgmt Plan	326	MNS ENGINEERS, INC. 1	Paid	18,592.50
	21439 11/13 Storm Water Mgmt Plan	326	MNS ENGINEERS, INC. 1	Paid	11,472.50
A001-551-6201-000	Contract Services		*** Account total ***		48,717.50
A001-552-5305-001	Small Equipment				
	21491 1/14 Misc Repair Items-RVP	342	NIELSEN BUILDING MATERIALS, INC 1	Paid	10.26
A001-552-5305-001	Small Equipment		*** Account total ***		10.26
A001-552-5703-000	Utilities - Electric				
	21497 12/5/13-1/5/14 Summary Billing	352	P G & E 10	Paid	75.82
A001-552-5703-000	Utilities - Electric		*** Account total ***		75.82
A001-552-6201-000	Contract Services				
	21458 1/14 Landscape Maint	781	VALLEY CREST LANDSCAPE MAINT, 2	Paid	2,720.00
			3	Paid	1,277.00
	21471 12/6/13 Pest Control-Variou	804	ANIMAL & INSECT PEST MANAGEMEN 1	Paid	149.50
	21472 12/20/13 Pest Control-Variou	804	ANIMAL & INSECT PEST MANAGEMEN 1	Paid	149.50

Obligat'n	Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A001-552-6201-000	Contract Services			
	21493 1/14 Park Restrooms/Fountains	395 JOSE RAFAEL RUIZ dba		
		1	Paid	1,650.00
A001-552-6201-000	Contract Services			
				*** Account total ***
				5,946.00
A001-556-5703-000	Utilities - Electric			
	21497 12/5/13-1/5/14 Summary Billing	352 P G & E		
		8	Paid	598.74
A001-556-5703-000	Utilities - Electric			
				*** Account total ***
				598.74
A001-556-6201-000	Contract Services			
	21458 1/14 Landscape Maint	781 VALLEY CREST LANDSCAPE MAINT,		
		1	Paid	4,675.00
A001-556-6201-000	Contract Services			
				*** Account total ***
				4,675.00
A001-557-6101-000	Development Permit Processing			
	21393 8/13 Small Permits	326 MNS ENGINEERS, INC.		
		1	Paid	240.00
	21416 9/13 Small Permits	326 MNS ENGINEERS, INC.		
		1	Paid	585.00
	21432 10/13 Small Permits	326 MNS ENGINEERS, INC.		
		1	Paid	520.00
	21448 11/13 Small Permits	326 MNS ENGINEERS, INC.		
		1	Paid	1,045.00
A001-557-6101-000	Development Permit Processing			
				*** Account total ***
				2,390.00
A001-557-6201-000	Contract Services			
	21385 8/13 Buellton Town Center	326 MNS ENGINEERS, INC.		
		1	Paid	525.00
	21386 8/13 City Engineer/Public Work	326 MNS ENGINEERS, INC.		
		1	Paid	4,290.00
	21404 9/13 City Engineer/Public Work	326 MNS ENGINEERS, INC.		
		1	Paid	9,305.66
	21420 10/13 City Engineer/Public Wor	326 MNS ENGINEERS, INC.		
		1	Paid	4,365.00
	21435 11/13 City Engineer/Public Wor	326 MNS ENGINEERS, INC.		
		1	Paid	5,025.00
A001-557-6201-000	Contract Services			
				*** Account total ***
				23,510.66
A001-558-5507-000	Maintenance - Vehicles			
	21474 1/14 Ford Fusion Repair	350 OLIVERA'S REPAIR, INC		
		1	Paid	158.00
	21495 1/14 Caterpillar Repair	390 QUINN COMPANY		
		1	Paid	240.79
A001-558-5507-000	Maintenance - Vehicles			
				*** Account total ***
				398.79
A001-558-5701-000	Telephone			
	21496 1/14 PW/CM Cell Phone Chgs	556 VERIZON WIRELESS		
		1	Paid	491.06
A001-558-5701-000	Telephone			
				*** Account total ***
				491.06

Obligat'n	Description	Vendor/ Line Nbr	Name/ Description	Stage	Amount
A001-558-6201-000 - Contract Services					
21390	8/13 Traffic Safety Studies	326	MNS ENGINEERS, INC.		
		1		Paid	500.00
21423	10/13 Traffic Safety Studies	326	MNS ENGINEERS, INC.		
		1		Paid	3,620.00
21431	10/13 AOF&OakValleyTrafficStd	326	MNS ENGINEERS, INC.		
		1		Paid	520.00
21438	11/13 Traffic Safety Studies	326	MNS ENGINEERS, INC.		
		1		Paid	650.00
21447	11/13 AOF-OakValleyTrafficStdy	326	MNS ENGINEERS, INC.		
		1		Paid	455.00
21470	1/14 Rodent Cntrl/Post Office	669	HYDREX PEST CONTROL		
		1		Paid	105.00
21494	12/13 Mat & Towel Svcs	28	ARAMARK UNIFORM SERVICES		
		2	Surplus	Paid	347.35
					6,197.35
A001-558-6201-000 - Contract Services *** Account total ***					
A001-565-5002-000 - Planning Commission Salaries					
21454	1/14 Planning Commission Mtgs	119	CRAIG ADAMS		
		1		Paid	50.00
21455	1/14 Planning Commission Mtgs	303	ART MERCADO		
		1		Paid	50.00
21456	1/14 Planning Commission Mtgs	199	FOSTER D. REIF		
		1		Paid	50.00
					150.00
A001-565-5002-000 - Planning Commission Salaries *** Account total ***					
A001-565-5306-000 - Advertising - Legal					
21498	1/14 Legal Notice	285	SANTA MARIA TIMES dba		
		1		Paid	165.10
					165.10
A001-565-5306-000 - Advertising - Legal *** Account total ***					
A001-565-5402-000 - Travel & Training					
21476	1/14 Reimb Mileage	663	MARC P. BIERDZINSKI		
		1		Paid	23.52
					23.52
A001-565-5402-000 - Travel & Training *** Account total ***					
A001-565-5703-000 - Utilities - Electric					
21497	12/5/13-1/5/14 Summary Billing	352	P G & E		
		5		Paid	221.87
					221.87
A001-565-5703-000 - Utilities - Electric *** Account total ***					
A001-565-6202-000 - Contract Services-Engineering					
21392	8/13 Misc. Planning Support	326	MNS ENGINEERS, INC.		
		1		Paid	260.00
21409	9/13 Misc Planning Support	326	MNS ENGINEERS, INC.		
		1		Paid	670.00
21425	10/13 Misc Planning Support	326	MNS ENGINEERS, INC.		
		1		Paid	110.00
21440	11/13 Misc Planning Support	326	MNS ENGINEERS, INC.		
		1		Paid	175.00
					1,215.00
A001-565-6202-000 - Contract Services-Engineering *** Account total ***					

Obligat'n	Description	Vendor/ Line Nbr	Name/ Description	Stage	Amount
A005-701-5501-000	Operational Supplies				
	21457 1/14 Reimb 1WWTp Operation Sup	796	ROSE HESS		
		1		Paid	104.61
	2/17/14				
A005-701-5501-000	Operational Supplies		*** Account total ***		104.61
A005-701-5507-000	Maintenance - Vehicles				
	21495 1/14 Caterpillar Repair	390	QUINN COMPANY		
		2		Paid	240.80
A005-701-5507-000	Maintenance - Vehicles		*** Account total ***		240.80
A005-701-5509-000	Maintenance / Repair				
	21464 12/13 Misc Maint/Repair Item-W	76	CAL-COAST IRRIGATION, INC.		
		1		Paid	115.88
	21465 1/14 Misc Maint/Repair Items-W	76	CAL-COAST IRRIGATION, INC.		
		1		Paid	34.42
	21466 1/14 Misc Maint/Repair Items-W	76	CAL-COAST IRRIGATION, INC.		
		1		Paid	27.18
	21467 1/14 Misc Maint/Repair Items-W	76	CAL-COAST IRRIGATION, INC.		
		1		Paid	25.66
	21468 1/14 Item Return Credit Inv#75	76	CAL-COAST IRRIGATION, INC.		
		1		Paid	-16.23
A005-701-5509-000	Maintenance / Repair		*** Account total ***		186.91
A005-701-5703-000	Utilities - Electric				
	21497 12/5/13-1/5/14 Summary Billing	352	P G & E		
		6		Paid	7,616.41
A005-701-5703-000	Utilities - Electric		*** Account total ***		7,616.41
A005-701-6201-000	Contract Services				
	21469 12/13 Regulatory Compliance Sv	677	WALLACE GROUP		
		1		Paid	9,714.75
	21473 12/13 Sludge Disposal Svcs	598	ENGEL & GRAY, INC.		
		1		Paid	4,870.32
	21494 12/13 Mat & Towel Svcs	28	ARAMARK UNIFORM SERVICES		
		1	MAT & TOWEL SVCS	Paid	86.84
A005-701-6201-000	Contract Services		*** Account total ***		14,671.91
A005-701-6202-000	Contract Services-Engineering				
	21384 4/13 City/Sewer Network	326	MNS ENGINEERS, INC.		
		1		Paid	8,050.00
	21389 8/13 Sewer Network	326	MNS ENGINEERS, INC.		
		1		Paid	3,315.00
	21407 9/13 Sewer Network	326	MNS ENGINEERS, INC.		
		1		Paid	3,665.00
	21422 10/13 Sewer Network	326	MNS ENGINEERS, INC.		
		1		Paid	440.00
	21437 11/13 Sewer Network	326	MNS ENGINEERS, INC.		
		1		Paid	3,300.00
A005-701-6202-000	Contract Services-Engineering		*** Account total ***		18,770.00

Obligat'n	Description	Vendor/ Line Nbr	Name/ Description	Stage	Amount
A020-210-2101-000	- Customer Deposits				
	21450 1/14 Dep Refund/Closing Bill	0	KATHRYN BAILEY		
		1		Paid	40.96
A020-210-2101-000	- Customer Deposits		*** Account total ***		40.96
A020-601-5402-000	- Travel & Training				
	21461 3/14 WTR Conference	22	AMERICAN WATER WORKS ASSOC.		
		1		Paid	465.00
A020-601-5402-000	- Travel & Training		*** Account total ***		465.00
A020-601-5502-000	- Chemicals / Analysis				
	21459 1/14 Chlorine/Sulfide Dioxide	248	JCI JONES CHEMICALS, INC.		
		1		Paid	3,786.94
	21460 1/14 Cylinder Return-CM	248	JCI JONES CHEMICALS, INC.		
		1		Paid	-1,049.99
A020-601-5502-000	- Chemicals / Analysis		*** Account total ***		2,736.95
A020-601-5507-000	- Maintenance - Vehicles				
	21495 1/14 Caterpillar Repair	390	QUINN COMPANY		
		3		Paid	240.80
A020-601-5507-000	- Maintenance - Vehicles		*** Account total ***		240.80
A020-601-5703-000	- Utilities - Electric				
	21497 12/5/13-1/5/14 Summary Billing	352	P G & E		
		7		Paid	6,157.77
A020-601-5703-000	- Utilities - Electric		*** Account total ***		6,157.77
A020-601-6014-000	- Santa Ynez River Appropriation				
	21462 7/13-12/13 Zone A	424	S Y R W C D		
		1		Paid	5,868.70
	21463 7/13-12/13 Zone D	424	S Y R W C D		
		1		Paid	1,520.10
A020-601-6014-000	- Santa Ynez River Appropriation		*** Account total ***		7,388.80
A020-601-6202-000	- Contract Services-Engineering				
	21388 8/13 Easement Mapping	326	MNS ENGINEERS, INC.		
		1		Paid	3,300.00
	21399 8/13 SOP-Water Dept.	326	MNS ENGINEERS, INC.		
		1		Paid	1,450.00
	21406 9/13 Easement Mapping	326	MNS ENGINEERS, INC.		
		1		Paid	4,345.00
	21415 9/13 SOP-Water Department	326	MNS ENGINEERS, INC.		
		1		Paid	2,485.00
A020-601-6202-000	- Contract Services-Engineering		*** Account total ***		11,580.00
A029-557-6201-000	- Contract Services				
	21387 8/13 Transportation Planning	326	MNS ENGINEERS, INC.		
		1		Paid	4,110.00
	21405 9/13 Transportation Planning	326	MNS ENGINEERS, INC.		
		1		Paid	2,580.00

Obligat'n	Description	Vendor/ Line Nbr	Name/ Description	Stage	Amount
A029-557-6201-000	- Contract Services		*** Continued ***		
	21421 10/13 Transportation Planning	326	MNS ENGINEERS, INC.		
		1		Paid	3,385.00
	21436 11/13 Transportation Planning	326	MNS ENGINEERS, INC.		
		1		Paid	2,985.00
A029-557-6201-000	- Contract Services		*** Account total ***		13,060.00
A051-566-5703-000	- Utilities - Electric				
	21497 12/5/13-1/5/14 Summary Billing	352	P G & E		
		9		Paid	167.42
A051-566-5703-000	- Utilities - Electric		*** Account total ***		167.42
A092-301-6507-000	- Improvements				
	21398 8/13 2012-13 Road Maint Projec	326	MNS ENGINEERS, INC.		
		1		Paid	7,085.00
	21414 9/13 2012-13 Road Maint Projec	326	MNS ENGINEERS, INC.		
		1		Paid	16,737.50
	21430 10/13 2012-13 Road Maint Proje	326	MNS ENGINEERS, INC.		
		1		Paid	19,571.00
	21446 11/13 2012-13 Road Maint Proje	326	MNS ENGINEERS, INC.		
		1		Paid	13,576.50
A092-301-6507-000	- Improvements		*** Account total ***		56,970.00
A092-306-6507-000	- Improvements				
	21394 8/13 Ped Safety-Hwy246/Sycamor	326	MNS ENGINEERS, INC.		
		1		Paid	1,380.00
	21410 9/13 Ped Safety Impr 246/Sycam	326	MNS ENGINEERS, INC.		
		1		Paid	3,665.00
	21426 10/13 Ped Safety Imp-246/Sycam	326	MNS ENGINEERS, INC.		
		1		Paid	525.00
	21442 11/13 Ped Safety Impr 246-Syca	326	MNS ENGINEERS, INC.		
		1		Paid	1,050.00
A092-306-6507-000	- Improvements		*** Account total ***		6,620.00
A092-308-6507-000	- Improvements				
	21441 11/13 Park & Ride Expansion	326	MNS ENGINEERS, INC.		
		1		Paid	175.00
A092-308-6507-000	- Improvements		*** Account total ***		175.00
A092-602-6507-000	- Improvements				
	21396 8/13 Reservoir 1&2 Roof Rpr	326	MNS ENGINEERS, INC.		
		1		Paid	4,544.32
	21412 9/13 Reservoir 1&2 Roof Repair	326	MNS ENGINEERS, INC.		
		1		Paid	4,162.50
	21428 10/13 Reservoir 1&2 Roof Repai	326	MNS ENGINEERS, INC.		
		1		Paid	6,340.00
	21444 11/13 Reservoir 1&2 Roof Repai	326	MNS ENGINEERS, INC.		
		1		Paid	5,980.00
A092-602-6507-000	- Improvements		*** Account total ***		21,026.82

Obligat'n	Description	Vendor/ Line Nbr	Name/ Description	Stage	Amount	
A092-704-6507-000 - Improvements						
21397	8/13 Sewerline Rplace-Flying F	326	MNS ENGINEERS, INC.			
		1		Paid	8,440.00	
21413	9/13 Sewerline Replace-Flying	326	MNS ENGINEERS, INC.			
		1		Paid	2,096.25	
21429	10/13 Sewerline Rplace-Flying	326	MNS ENGINEERS, INC.			
		1		Paid	5,226.81	
21445	11/13 Sewerline Replce-Flying	326	MNS ENGINEERS, INC.			
		1		Paid	4,310.00	
A092-704-6507-000 - Improvements					*** Account total ***	20,073.06
A092-705-6507-000 - Improvements						
21395	8/13 WWTP Headworks Impr.	326	MNS ENGINEERS, INC.			
		1		Paid	9,295.00	
21411	9/13 WWTP Headworks Imp	326	MNS ENGINEERS, INC.			
		1		Paid	260.00	
21427	10/13 WWTP Headworks Impr.	326	MNS ENGINEERS, INC.			
		1		Paid	545.00	
21443	11/13 WWTP Headworks Impr	326	MNS ENGINEERS, INC.			
		1		Paid	130.00	
A092-705-6507-000 - Improvements					*** Account total ***	10,230.00
* Report total *					*** Total ***	317,431.01

EXHIBIT B

Payments via Electronic Fund Transfer (EFT):

Dental/Vision Trasfer	1/10/14	5,000.00
FSA - Staff	1/21/14	687.46
Staff Payroll Taxes	1/21/14	10,090.79
UI/ETT 4th Qtr 2013	1/21/14	842.46
Hassler Annual Fee	1/23/14	50.00
FSA - Council	1/27/14	100.00
Use Tax 4th Qtr 2013	1/27/14	63.00
Council Payroll Taxes	1/28/14	117.59
Jan. Bank Svc Chgs	1/31/14	150.00
Total		<u>\$17,101.30</u>

CITY OF BUELLTON
City Council Agenda Staff Report

City Manager Review: MPB
Council Agenda Item No.: 3

To: The Honorable Mayor and City Council

From: Marc P. Bierdzinski, City Manager

Meeting Date: February 13, 2014

Subject: Resolution No. 14-03 – “A Resolution of the City Council of the City of Buellton, California, Directing Staff to Authorize the County of Santa Barbara to Submit the Funding Request for Community Development Block Grant Capital Funds to the Federal Housing and Urban Development Department for the City of Buellton Library Renovation”

BACKGROUND

The City of Buellton is part of a Cooperation Agreement between the County of Santa Barbara and the City of Buellton for Joint Participation in the Federal Housing and Community Development Department (HUD) Community Development Block Grant Program (CDBG). HUD has approved Santa Barbara County as an Urban County and the City of Buellton is therefore entitled to participate in the CDBG Program.

The City has a little over \$100,000 in capital project funds available through the CDBG program. A couple of years ago we were going to use the money for the Highway 246 sidewalk project east of the Avenue of Flags. That project fell through due to denial of the project by Caltrans.

Late last year, City staff met with the Director of the Lompoc Library, Ashlee Chavez, and the Buellton Branch Manager, Elizabeth Chapman. We discussed several safety issues at the library and the lack of some Americans with Disabilities improvements. It was determined that we could use the \$100,000 City CDBG capital funds for these improvements since it is a City owned facility.

The funds would be used for the following improvements:

- Remodeling of the circulation desk area to create a more efficient workspace. It will also provide a more professional appearance to the entrance to the library and will be ADA compliant for both staff and patrons.

Replacement of the carpeting was originally included in the application. However, after review by County HCD and HUD, that activity is not eligible for CDBG funds. The City will work with the Lompoc Library on other funding options for the carpeting.

If the City Council adopts Resolution No. 14-03, the adopted resolution will be forwarded to the County of Santa Barbara HCD. The County will include our funding requests to HUD in one package as part of the entire Urban County funding request. Through our agreement with the County, they will handle all administrative tasks associated with this process. The City will be responsible for construction.

FISCAL IMPACT

There are no direct fiscal impacts except for staff time for coordinating this project. The \$100,000 is the federal funds allocated to the City so no general fund monies would be used for the project. It is estimated that the project would cost approximately \$10,000 to \$15,000. We are requesting authorization up to \$15,000 to be safe.

RECOMMENDATION

That the City Council consider the adoption of Resolution No. 14-03 – “A Resolution of the City Council of the City of Buellton, California, Directing Staff to Authorize the County of Santa Barbara to Submit the Funding Request for Community Development Block Grant Capital Funds to the Federal Housing and Urban Development Department for the City of Buellton Library Renovation”

ATTACHMENT

Resolution No. 14-03

RESOLUTION NO. 14-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUELLTON, CALIFORNIA, DIRECTING STAFF TO AUTHORIZE THE COUNTY OF SANTA BARBARA TO SUBMIT THE FUNDING REQUEST FOR COMMUNITY DEVELOPMENT BLOCK GRANT CAPITAL FUNDS TO THE FEDERAL HOUSING AND URBAN DEVELOPMENT DEPARTMENT FOR THE CITY OF BUELLTON LIBRARY RENOVATION

BE IT RESOLVED by the City Council of the City of Buellton as follows:

SECTION 1: The City of Buellton is part of a Cooperation Agreement between the County of Santa Barbara and the City of Buellton for Joint Participation in the Federal Housing and Community Development Department (HUD) Community Development Block Grant Program (CDBG). HUD has approved Santa Barbara County as an Urban County and the City of Buellton is therefore entitled to participate in the CDBG Program. The City of Buellton is eligible for an estimated Federal Funding in the amount of approximately \$100,000 for Capital Projects for the 2014 CDBG Program funding cycle.

SECTION 2: An estimated \$100,000 may be used for capital projects per HUD regulations as administered by the County Housing and Community Development Department (County HCD).

SECTION 3: All proceedings having been duly taken as required by law, and upon review of the information provided in the staff report, consideration of the testimony given at the public hearing, as well as other pertinent information, the City Council finds the following:

A. Record. Prior to rendering a decision on the Capital Projects Funding, the City Council considered the following:

1. All public testimony, both written and oral, received in conjunction with that certain public hearing conducted by the City Council on February 13, 2014 (“Public Hearing”).
2. All oral, written and visual materials presented by City staff in conjunction with that certain Public Hearing.
3. The following informational documents, which by reference, are incorporated herein:
 - a. That certain written staff report dated February 13, 2014 (the “Staff Report”).

B. Public Review. On the basis of evidence hereinafter listed, all administrative procedures and public participation requirements prescribed in the Buellton Municipal Code have been lawfully satisfied:

1. A public notice of Public Hearing was published in the local newspaper on January 30, 2014 (the "Public Notice"), a minimum of 10 days in advance of the Public Hearing held on February 13, 2014.
2. The Public Hearing Notice was posted in three public locations on January 30, 2014, a minimum of 10 days in advance of the Public Hearing.

SECTION 4: Now, therefore, it is hereby resolved by the City Council of the City of Buellton, California, that the following capital services funding allocation is approved for use of Fiscal Year 2014/2015 Federal funds under the CDBG program and that the County of Santa Barbara is hereby authorized to submit the funding request to the Federal Housing and Urban Development Department:

- City of Buellton Library ADA Circulation Desk Renovation – Up to \$15,000

SECTION 5: The City Clerk shall certify as to the adoption of this Resolution.

PASSED, APPROVED and ADOPTED this 13th day of February 2014.

John Connolly
Mayor

ATTEST:

Linda Reid
City Clerk

CITY OF BUELLTON
City Council Agenda Staff Report

City Manager Review: MPB
Council Agenda Item No.: 4

To: The Honorable Mayor and City Council

From: Marc Bierdzinski, City Manager and Ralph Hanson, City Attorney

Meeting Date: February 13, 2014

Subject: Possible Reconsideration of Resolution No. 14-01 - Ballot Measure for Elected Mayor

Councilmember Andrisek has requested that the Council re-consider the adoption of Resolution No 14-01 (Ballot Measure for Elected Mayor) for further discussions concerning the ramifications of establishing an elected Mayor on future Council elections. **Pursuant to the 2011 Agenda Preparation Manual, the City Manager has placed this item under “Council Items” and it will take three votes to bring back this item for re-consideration on February 27, 2014.** For re-consideration of any vote, Section 7.4 of the adopted City of Buellton Guidelines of Procedure provides (in pertinent part): “Any Councilmember who voted with the majority may move a reconsideration of any action at the same or next meeting....”

There is NOTHING invalid, illegal or improper about the adoption of Resolution 14-01. Confusion, if any, stems from a misstatement in the January 9 staff report (the City Manager miscalculated the Council cycles) that if the measure is adopted: “... one of the **three seats** at the 2016 regular election would become one for the office of mayor.” Actually, only **two seats** will be up for election in 2016. The 2016 election (if an elected mayor is approved) would be one mayor seat and one council seat. However, in future elections there would be an imbalance in the staggered terms of councilmembers. A potential election could result in a changeover of three council seats and a mayor’s seat. Obviously a large loss of experience and continuity on the Council.

Please note, California Government Code Section 34908 does provide a one-time correction for such an imbalance as follows:

“...if a city has an elected mayor and the election of the remaining members of the city council for four-year terms is not evenly staggered, the city council **may**, on a one-time basis only and prior to the first day for circulating nomination papers for the general municipal election, designate one of the city council offices appearing on the general municipal ballot... to serve a two-year term, or may provide that of the city council offices appearing on the general municipal ballot... the one which receives the least votes of those elected (or if there is a tie for such a position, as decided by lot) shall serve a two-year term...”

For Buellton, this option could mean that the Council could designate that of the three council seats at the 2018 election the one receiving the least votes would have only a 2-year term. Thereafter, two councilmember seats would be on each regular election.

This memorandum provides information in order to decide whether Resolution No. 14-01 should be brought back for re-consideration. That should be the only deliberations that should occur on this item.

CITY OF BUELLTON
City Council Agenda Staff Report

City Manager Review: MPB
Council Agenda Item No.: 5

To: The Honorable Mayor and City Council
From: Marc P. Bierdzinski, City Manager
Meeting Date: February 13, 2014
Subject: Discussion and Possible Amendment to City of Buellton Guidelines of Procedure for Council Meetings and Related Functions and Activities Regarding Public Comments on Consent Calendar Items

BACKGROUND

The City of Buellton Guidelines of Procedure for Council Meetings and Related Functions and Activities (Guidelines) was adopted in 1999 by Resolution No. 99-05. The following is the adopted wording related to Public Comments and the Consent Agenda from the Guidelines:

2.6 Public Comments

Any person may address the Council on any subject pertaining to City business. If the item is not listed on the Agenda, the person shall have an opportunity to address the Council during the Public Comment period. If the item is listed on the Agenda, the comment shall be made at the time the Agenda item is brought up for consideration by the Council; however, comments on Agenda items may be permitted by the Council during the Public Comment period if the person requests this timing for personal reasons. A limitation of three (3) minutes may be imposed upon each person so desiring to address.

2.7 Consent Agenda

*Items of a routine nature, and non-controversial, shall be placed on the Consent Agenda. All items may be approved by one blanket motion upon unanimous consent. Prior to, or following review of, the Consent Agenda by the City Manager, **any Council Member may request any item be withdrawn from the Consent Agenda for separate consideration.** However, any Council Member may abstain from voting on any Consent Agenda item without requesting its removal from the Consent Agenda, and the City Clerk shall be instructed to record such abstentions in the minutes.*

Based on the above wording for our current procedures, a member of the public may only comment on any Consent Agenda item during the Public Comment period. The public could ask that a Council Member pull a Consent Agenda item for discussion. That is the only way for a member of the public to address Consent Agenda items.

This would be an example under our existing procedures. A member of the public speaks under public comment that he/she has concerns with Consent Agenda Item #2 and requests that the City Council pull the item. Under the Consent Agenda, a Council Member may then pull the item for discussion if the Council Member feels it requires full discussion.

The following are alternative agenda procedures from neighboring City of Santa Maria's agenda regarding public comment and the consent agenda:

*Public Comment – The public comment time is reserved to accept comments from the public on **Consent Agenda items**, Closed Session items, or items within the subject matter jurisdiction of the City Council not otherwise scheduled on this agenda.*

*Consent Calendar – The following routine items are presented for City Council approval without discussion as a single agenda item in order to expedite the meeting. The Consent Calendar is approved by roll call vote with one motion. These items are discussed only on request of Council Members. **Members of the public may speak on Consent Calendar items during the Public Comment Period.***

The procedures for Santa Maria are similar to ours except that they call out the procedure for public comments on the Consent Agenda specifically in the wording of their procedures. Adding this wording to Buellton's Guidelines is a good option that would clearly show how the public may comment on the Consent Agenda.

The standard practice in most cities is to only grant the City Council the authority to pull items from the Consent Agenda. The public may speak under public comment. The rationale for this is that the Consent Agenda is used for routine and non-controversial items and helps expedite the meeting. Allowing the public to be able to pull and comment on the Consent Agenda defeats this purpose.

The wording in our procedures also applies to Business Items. However, the City Council historically has allowed public comment on Business Items and staff does not suggest or recommend changing this procedure.

RECOMMENDATION

That the City Council discuss the Guidelines and direct staff to modify the Guidelines as follows (with a Resolution to be brought back at a subsequent meeting):

1. Reword Section 2.6 (Public Comments) of the Guidelines as follows: *Any person may address the Council on any subject pertaining to City business, including all items on the Agenda not listed as a public hearing, **including the Consent Agenda and Closed Session.** If the item is listed on the Agenda as a Public Hearing, the comment shall be made at the time the Public Hearing item is brought up for consideration by the Council; however, comments on the Public Hearing item may be permitted by the Council during the Public Comment period if the person requests this timing for personal reasons. A limitation of three (3) minutes may be imposed upon each person so desiring to address.*

2. Reword Section 2.7 (Consent Agenda) of the Guidelines as follows: *Items of a routine nature, and non-controversial, shall be placed on the Consent Agenda. All items may be approved by one blanket motion upon unanimous consent. Prior to, or following review of, the Consent Agenda by the City Manager, any Council Member may request any item be withdrawn from the Consent Agenda for separate consideration. However, any Council Member may abstain from voting on any Consent Agenda item without requesting its removal from the Consent Agenda, and the City Clerk shall be instructed to record such abstentions in the minutes. **Members of the public may speak on Consent Agenda items during the Public Comment Period.***

ATTACHMENT

Resolution No. 99-05

RESOLUTION NO. 99-05

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUELLTON,
CALIFORNIA, ADOPTING GUIDELINES OF PROCEDURE FOR COUNCIL
MEETINGS AND RELATED FUNCTIONS AND ACTIVITIES**

WHEREAS, California Government Code Section 65804 requires all cities and counties to have adopted procedures for the conduct of public hearings; and

WHEREAS, Section 2.04.040 of the Buellton Municipal Code requires that the City Council adopt guidelines of procedure to govern the conduct of its meetings and any of its other functions and activities, and regulations pertaining thereto; and

WHEREAS, the City Council desires to have uniform procedures for the conduct of hearings at the City Council, Planning Commission, or other City body level so that all individuals and persons appearing before any City body are treated fairly and equally.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Buellton does hereby resolve, determine, and order as follows:

SECTION 1. The City Council hereby adopts the guidelines for the conduct of public hearings as set forth in Exhibit "A", attached hereto and incorporated herein by this reference, as the Guidelines of Procedure for Council Meetings and Related Functions and Activities.

SECTION 2. The City Clerk is hereby directed to cause a copy of the Guidelines to be published at least once in a local newspaper and to cause copies thereof to be available to the public in accordance with Government Code Section 65804.

SECTION 3. Resolution No. R92-37 is hereby rescinded.

SECTION 4. The Mayor is hereby authorized to execute this Resolution on behalf of the City and the Clerk shall certify to its adoption.

PASSED, APPROVED AND ADOPTED this 25th day of February, 1999.



W. L. Traylor, Mayor

ATTEST:



Steven L. Thompson, City Manager/Clerk

EXHIBIT "A"

CITY OF BUELLTON GUIDELINES OF
PROCEDURE FOR COUNCIL MEETINGS AND
RELATED FUNCTIONS AND ACTIVITIES

PURPOSE: The purpose and intent of the City Council in adopting the within guidelines shall be to provide directory guidelines relating to the conduct of the public business by or on behalf of the City Council, Planning Commission and other City bodies, and in the event of any noncompliance with or violation of any provision herein, such will not be deemed to affect the validity of any action taken, unless otherwise specifically provided by law.

1. MEETINGS

1.1 REGULAR MEETING:

The City Council of the City of Buellton shall normally hold regular meetings in the Council Chambers on the second and fourth Thursday of each month beginning at 7:00 p.m. When the day for a regular meeting of the Council falls on a legal holiday, no meeting shall be held on such holiday, but a special meeting in lieu of said regular meeting may be called at the discretion of the City Council.

1.2 ADJOURNED MEETINGS:

Any meeting may be adjourned to a time, place, and date certain, but not beyond the next regular meeting. Once adjourned, the meeting may not be reconvened.

1.3 SPECIAL MEETINGS:

Special Meetings may be called by the Mayor or majority of Councilmembers on 24-hour notice, as set fourth in Section 54956 of the Government Code of the State of California. Only matters contained in the notice may be considered and no ordinances (other than urgency ordinances) may be adopted. Emergency Meetings may be called in emergency situations as provided in Section 54956.5 of the Government Code.

1.4 WORKSHOPS:

Members of the Council may meet in a workshop to study and obtain information concerning specific topics or issues. Such sessions may be called by the Mayor or by majority of the Councilmembers and shall be subject to the notice requirements of special meetings.

1.5 NOTICE OF MEETINGS:

Notice of regular meetings is not required. Mailed or personally delivered notice is required of special meetings. Mailed and posted notice is required of meetings adjourned by the City Clerk. Posted notice is required of all other adjourned meetings. (Section 54955 Government Code).

1.6 QUORUM:

Unless otherwise provided for in the Municipal Code, a majority of the Council shall be sufficient to do business. However, passage of motions shall require three affirmative votes.

1.6.1 Legally Required Participation:

If a majority of the Council shall be disqualified to vote on a matter by reason of actual or apparent conflict of interest, the Council shall select by lot or other means of random selection, or by such other impartial and equitable means as the Council shall determine, that number of its disqualified members which, when added to the members eligible to vote, shall constitute a quorum.

1.7 MEETINGS TO BE PUBLIC:

Workshops and all regular, adjourned or special meetings of the City Council shall be open to the public, provided, however, the Council may hold closed sessions from which the public may be excluded for the consideration of the following subjects:

1.7.1 Personnel Matters:

To consider appointment, employment, or dismissal of a public employee unless such employee requests a public hearing. The Council may exclude from any such closed session during the examination of a witness any or all other witnesses in the matter being investigated.

1.7.2 Attorney-Client Matters:

To consider possible or pending litigation in which the City is or could be a party.

1.7.3 Other:

As otherwise permitted by law.

2. ORDER OF BUSINESS

2.1 AGENDA:

2.1.1 The Order of Business of each meeting shall be as contained in the Agenda prepared by the City Clerk. The Agenda shall be a listing by topic of the subjects which shall generally be taken up for consideration in the following order:

Call to Order
Pledge of Allegiance
Roll Call
Reordering of Agenda
Public Comments On Items Not Appearing on the Agenda
Consent Calendar
Special Presentations
Public Hearings
Council Member Comments
Council Items
Written Communications
Committee Reports
City Manager Items
City Attorney Items
Closed Session Agenda
Closed Sessions
Report on Closed Session Announcements
Announcements
Time, Date and Place of Next City Council Meeting
Closing Announcements
Adjournment

2.1.2 In respect to Councilmember Comments, each Councilmember is expected to limit her/his comments thereunder to a total of three minutes.

2.1.3 Except as specifically noticed for a different time, the first public hearing on the agenda at a regular meeting of the City Council shall commence at 7:00 p.m., or as soon thereafter as the City Council may conveniently hear the matter.

2.1.4 Except with majority consent of the Council, items may not be taken out of the order prescribed above.

2.1.5 No matters other than those on the agenda shall be finally acted upon by the Council; provided, however, that the Council may take action on items of business which do not appear on the posted agenda under any of the following conditions or circumstances:

1. Upon a determination by a majority vote of the Council that an emergency situation exists, as defined in Section 54956.5 of the California Government Code;

2. Upon a determination by a two-thirds vote of the members of the Council present at the meeting or, if less than two-thirds of the members are present, a unanimous vote of those members present that an immediate need to take action arose subsequent to the agenda having been posted (Government Code Section 54954.2);
3. The item was posted for a prior meeting of the Council occurring not more than five (5) calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken (Government Code Section 54954.2).

2.2 AVAILABILITY OF AGENDA:

Barring unreasonable difficulties, the Agenda for each regular meeting of the Council, and reports and other documentation related thereto, shall be made available to the Members of the Council and made available to the public not later than the Friday preceding the Thursday meeting to which it pertains. In respect to every regular meeting, the Agenda shall conform to Section 54954.2 of the California Government Code and shall be posted at least seventy two (72) hours prior to the time scheduled for the meeting. Agendas shall be posted on the bulletin board outside the administrative offices of the City and at such other places within the City as the Council has designated for posting notices of Council meetings.

2.3 ROLL CALL:

Before preceding with the business of the Council, the City Clerk shall call the roll of the Councilmembers and the names of those present shall be entered in the minutes. The order of roll call shall be alphabetical with the Mayor Pro Tempore called next to last and Mayor called last.

2.4 APPROVAL OF MINUTES:

Unless requested by a majority of the City Council, minutes of the previous meeting may be approved without public reading if the Clerk has previously furnished each Councilmember with a copy thereof.

2.5 PUBLIC HEARING:

2.5.1 Generally, public hearings, other than those of a quasi-judicial nature, shall be conducted in the following order:

Staff review
Questions of Staff by Council
Hearing Opened by Mayor
If desired, hearing closed

Questions by Council
Discussion by Council
Action by Council

Questions or comments from the public shall be limited to the subject under consideration. Depending upon the extent of the Agenda, and the number of persons desiring to speak on an issue, the Mayor may at the beginning of the hearing limit testimony, but in no event to less than five (5) minutes per individual. Any person may speak for a longer period of time, upon approval of the City Council, when this is deemed necessary in such cases as when a person is speaking as a representative of a group or has graphic or slide presentations requiring more time.

Quasi-judicial hearings shall be conducted in accordance with the principles of due process, and the City Attorney shall advise the City Council in this regard.

At any public hearing before the City Council, testimony of witnesses under oath may be requested by the Council.

2.5.2 Zoning Hearings Process and Procedures. The City Council, Planning Commission, and other City bodies shall conduct public zoning hearings on applications, projects and other matters as required to meet due process of law and the following steps will be taken:

1. Staff will review the application/project/matter, prepare a staff report, and may make a recommendation or propose alternatives to the City Council, Planning Commission, and other City bodies prior to the public hearing.
2. When required by law, a notice of the public hearing will be published in the local newspaper and mailed to all property owners within 300 feet of the project and to all others who so request notice. (For applications/projects involving specific properties)
3. The Members of the City Council, Planning Commission, and other City bodies will receive the staff report for the application/project/matter in their agenda packet prior to the meeting. This provides the individual Members of the Council, Commission, and other City bodies with an opportunity to study the staff report which will become part of the hearing record, and also to become familiar with the project prior to the public hearing.
4. When the public hearing is called, the City staff will summarize the application/project/matter as contained in the staff report, or request a continuance to a future meeting. Individual Members of the Council, Commission and other City bodies may ask questions of clarification during this time.

5. Once the public hearing is opened, the applicant/proponent is entitled to present his/her application/project/matter in person or through a representative.
6. Following this presentation, all other proponents/supporters of the application/project/matter are provided the opportunity to speak.
7. After the proponents finish, the Mayor/Chair will ask for any opponents of other concerned citizens to come forward to speak.
8. Once all opponents or concerned citizens have spoken, the applicant will be provided an opportunity to rebut any testimony or evidence provided by opponents or by staff.
9. Following rebuttal, the item is then before the City Council, Planning Commission, and other City bodies for discussion and clarification.
10. Any Member of the Council, Commission and other City bodies may then make a motion to:
 - A. Continue the Public Hearing to a date certain to allow for further study/discussion; or
 - B. Close the public hearing and do one of the following:
 - (1) Approve the application/project/matter as submitted.
 - (2) Conditionally approve the application/project/matter with certain revisions.
 - (3) Deny the application/project/matter.
 - (4) Deny the application/project/matter without prejudice (this action will allow applicant to refile without waiting a specified time period and will permit the waiver of the required fees).

2.6 PUBLIC COMMENTS:

Any person may address the Council on any subject pertaining to City business. If the item is not listed on the Agenda, the person shall have an opportunity to address the Council during the Public Comment period. If the item is listed on the Agenda, the comment shall be made at the time the Agenda item is brought up for consideration by the Council; however, comments on Agenda items may be permitted by the Council

during the Public Comment period if the person requests this timing for personal reasons. A limitation of three (3) minutes may be imposed upon each person so desiring to address.

2.7 CONSENT AGENDA:

Items of routine nature, and non-controversial, shall be placed on the Consent Agenda. All items may be approved by one blanket motion upon unanimous consent. Prior to, or following review of, the Consent Agenda by the City Manager, any Councilmember may request that any item be withdrawn from the Consent Agenda for separate consideration. However, any Councilmember may abstain from voting on any Consent Agenda item without requesting its removal from the Consent Agenda, and the City Clerk shall be instructed to record such abstentions in the minutes.

2.8 PRESENTATION BY MEMBERS OF THE COUNCIL:

The Mayor or any Councilmember may bring before the Council any new business under the Council Items portion of the Agenda, but formal action on such matter shall be deferred until a subsequent Council meeting unless deemed to be of an urgent nature.

No City Council additions to the Agenda shall be made after 12:00 noon on the Wednesday of the week preceding the related Council meeting.

3. PRESIDING OFFICER

3.1 PRESIDING OFFICER:

The Mayor shall be the Presiding Officer at all meetings of the Council. In the absence of the Mayor, the Mayor Pro Tempore shall preside. In the absence of both the Mayor and the Mayor Pro Tempore, the Council shall elect a temporary presiding officer to serve until the arrival of the Mayor or Mayor Pro Tempore or until adjournment.

In accordance with Government Code Section 36801, the Council shall meet on the Tuesday after each general municipal election and choose one of its members as Mayor and one as Mayor Pro Tempore. Each selection shall be by three (3) or more affirmative votes, and a failure to achieve such total of affirmative votes shall be deemed a selection of the incumbent (s) to remain in office. Each person so selected shall serve until a successor is chosen by three (3) or more affirmative votes, provided that the election shall occur at the first regular meeting following the regular municipal election and at the first regular meeting that falls no less than one (1) year after that date. Notwithstanding the selection procedure set forth above, the Council, by a vote of at least three (3) Members, may replace the Mayor and/or the Mayor Pro Tempore at any time during a regular meeting or meeting called for that purpose.

3.2 CALL TO ORDER:

The meeting of the Council shall be called to order by the Mayor or, in his absence, by the Mayor Pro Tempore. In the absence of both the Mayor and the Mayor Pro Tempore, the meeting shall be called to order by the City Clerk, whereupon the City Clerk shall immediately call for the selection of a temporary Presiding Officer.

3.3 PARTICIPATION OF PRESIDING OFFICER:

The Presiding Officer may move, second, and debate from the Chair, subject only to such limitations of debate as are imposed on all Councilmembers, and he/she shall not be deprived of any of the rights and privileges of a Councilmember by reason of his/her acting as Presiding Officer. However, the Presiding Officer is primarily responsible for the conduct of the meeting. If he/she desires to personally engage in extended debate on questions before the Council, he/she should consider turning the Chair over to another Member.

3.4 QUESTIONS TO BE STATED:

The Presiding Officer shall verbally restate each question immediately prior to calling for the vote. Following the vote, the Presiding Officer shall verbally announce whether the question carried or was defeated. The Presiding Officer may also publicly state the effect of the vote for the benefit of the audience before proceeding to the next item of business.

3.5 SIGNING OF DOCUMENTS:

The Mayor, or Mayor Pro Tempore, in the absence of the Mayor, shall sign Ordinances adopted by the City Council. The City Clerk, or Deputy City Clerk, shall attest to the signature of the Mayor or Mayor Pro Tempore.

3.6 MAINTENANCE OF ORDER:

The Mayor or Presiding Officer is responsible for the maintenance of order and decorum at all times. No person is allowed to speak who has not first been recognized by the Chair. All questions and remarks shall be addressed to the Chair.

4. RULES, DECORUM, AND ORDER:

4.1 POINTS OF ORDER:

The Presiding Officer shall determine all Points of Order subject to the right of any Member to appeal to the Council. If any appeal is taken, the question shall be, "Shall the decision of the Presiding Officer be sustained?," in which event a majority vote shall govern and conclusively determine such question of order.

4.2 DECORUM AND ORDER - COUNCILMEMBERS:

1. Any Councilmember desiring to speak shall address the Chair and, upon recognition by the Presiding Officer, shall confine himself/herself to the question under debate.
2. A Councilmember desiring to question the staff shall address his/her question to the City Manager or City Attorney, in appropriate cases, who shall be entitled either to answer the inquiry himself/herself or designate some member of his/her staff for that purpose.
3. A Councilmember, once recognized, shall not be interrupted while speaking unless called to order by the Presiding Officer; unless a Point of Order is raised by another Councilmember; or unless the speaker chooses to yield to questions from another Councilmember.
4. Any Councilmember called to order while he/she is speaking shall cease speaking immediately until the question of order is determined. If ruled to be in order, he/she shall be permitted to proceed. If ruled to be not in order, he/she shall remain silent or shall alter his/her remarks so as to comply with the guidelines of the Council.
5. Councilmembers shall accord the utmost courtesy to each other, to City employees, and to the public appearing before the Council and shall refrain at all times from rude and derogatory remarks, reflections as to integrity, abusive comments and statements as to motives and personalities.
6. Any Councilmember may move to require the Presiding Officer to enforce the guidelines and the affirmative vote of a majority of the Council shall require him/her to so act.

4.3 DECORUM AND ORDER - EMPLOYEES:

Members of the administrative staff and employees of the City shall observe the same rules of procedure and decorum applicable to Members of the Council. The City Manager shall insure that all City employees observe such decorum. Any staff members, including the City Manager, desiring to address the Council or members of the public shall first be recognized by the Chair. All remarks shall be addressed to the Chair and not to any one individual Councilmember or member of the public.

4.4 DECORUM AND ORDER - PUBLIC:

Members of the public attending Council meetings shall observe the same rules of order and decorum applicable to the Council. Any person making impertinent and slanderous remarks or who becomes boisterous while addressing the Council or while attending the

Council meeting shall be removed from the room if the sergeant at arms is so directed by the Presiding Officer, and such person may be barred from further audience before the Council. Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations shall not be permitted by the Presiding Officer, who may direct the sergeant at arms to remove such offenders from the room. Aggravated cases shall be prosecuted on appropriate complaint signed by the Presiding Officer.

4.5 ENFORCEMENT OF DECORUM:

The head of the City's police agency or his/her designee shall be ex-officio sergeant at arms of the Council. He/she shall carry out all orders and instructions given to him/her by the Presiding Officer for the purpose of maintaining order and decorum in the Council Chambers. Upon instructions from the Presiding Officer, it shall be the duty of the sergeant at arms or his/her representative to eject any person from the Council Chambers or place him/her under arrest or both.

As set forth in Government Code Section 54957.9, in the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the Members of the Council may order the meeting room cleared and continue in session. Only matters appearing on the Agenda may be considered in such a session. Duly accredited representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this Section. Nothing in this Section shall prohibit the Council from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

4.6 PERSONAL PRIVILEGE:

The right of a member to address the Council on a question of personal privilege shall be limited to cases in which his/her integrity, character, or motives are assailed, questioned, or impugned.

4.7 CONFLICT OF INTEREST:

All Councilmembers are subject to the provisions of California law, including, but not limited to, Chapter 7, Title 9, of the California Government Code, relative to conflicts of interest, and to conflicts of interest codes adopted by the Council. Any Councilmember prevented from voting because of a conflict of interest shall refrain from debate and voting. Such Councilmember may choose to leave the Council Chambers during debate and voting on the issue.

4.8 LIMITATION OF DEBATE:

A Councilmember normally should speak no more than once upon any one subject until every other Member choosing to speak thereon has spoken. No Member shall speak for

longer time than five (5) minutes each time he has the floor, without the approval of a majority vote of the Council.

4.9 DISSENTS, PROTESTS, AND COMMENTS:

Any Member shall have the right to express dissent from or protest to or comment upon any action of the Council and have the reason entered in the minutes. If such dissent, protest or comment is desired to be entered in the minutes, this should be made clear by language such as, "I would like the minutes to show that I am opposed to this action for the following reasons...."

4.10 PROCEDURES IN ABSENCE OF GUIDELINES:

In the absence of a guideline herein to govern a point or procedure, Robert's Rules of Order, Newly Revised, shall be used as a guide.

4.11 RULING OF CHAIR FINAL UNLESS OVERRULED:

In presiding over Council meetings, the Mayor, Mayor Pro Tempore or temporary Presiding Officer shall decide all questions of interpretation of these guidelines, points of order or other questions of procedure requiring rulings. Any such decision or ruling shall be final unless overridden or suspended by a majority vote of the Councilmembers present and voting, and shall be binding and legally effective (even though clearly erroneous) for purposes of the matter under consideration.

4.12 ACTIONS NOT INVALIDATED:

Failure to strictly comply with these Guidelines of Procedure shall not necessarily invalidate any action taken by the City Council.

5. ADDRESSING THE COUNCIL

5.1 MANNER OF ADDRESSING THE COUNCIL:

Any member of the public desiring to address the Council shall proceed to the podium and wait to be recognized by the Presiding Officer. After being recognized he/she shall state his/her name and address for the record.

All remarks and questions shall be addressed to the Chair and not to any individual Councilmember, staff member or other person. During a public hearing, all remarks shall be limited to the subject under consideration. No person shall enter into any discussion without being recognized by the Presiding Officer.

5.2 TIME LIMITATION:

Any member of the public desiring to address the Council shall limit his/her address to five (5) minutes unless further time has been granted by the Presiding Officer in the individual case, or in accordance with Section 2.5.

5.2.1 Exception:

A limit of three (3) minutes may be imposed during the Public Comments portion of the Agenda (see Section 2.6).

5.3 ADDRESSING THE COUNCIL AFTER THE MOTION IS MADE:

After a motion has been made, or after a public hearing has been closed, no member of the public shall address the Council without first securing permission by a majority vote of the Council.

5.4 LIMITATIONS REGARDING PUBLIC COMMENTS AND REPORTS:

The making of oral communications to the Council by any member of the public during the "Public Comments" portion of the Agenda shall be subject to the following limitations:

5.4.1 At any time, before or after the oral communication is commenced, the Presiding Officer may, if he/she deems it preferable, direct that the communications be made instead either to the City Manager or other appropriate staff member during regular business hours, or in writing for subsequent submittal to Councilmembers, pursuant to Section 5.5.

5.4.2 No speaker shall be permitted to address the Council on a topic which is currently before or about to be submitted for consideration by a City commission, board or other agency before which the speaker should make his presentation, until that latter body has completed its deliberations and taken its final action. In case the speaker should have followed an otherwise available appeal procedure, the Presiding Officer shall not allow oral communication to the Council outside that procedure.

5.4.3 The Presiding Officer may limit the number of speakers heard on non-agenda topics at any single meeting. Those whose presentations are postponed shall be given priority at the next meeting (during the "Public Comments" portion of the Agenda).

5.4.4 If it appears that several speakers desire to speak regarding a single topic, the Presiding Officer may reasonably limit the number speaking as to each side of an issue. In this regard, preference may be given to speakers who represent groups or persons who have designated a spokesperson.

5.4.5 No oral communication shall be allowed to include charges or complaints against any employee of the City, regardless of whether such employee is identified in the presentation by name or by any other reference which tends to identify him/her. All charges or complaints against employees shall be submitted to the City Manager for appropriate action, and may also be submitted to Members of the Council by written communication.

5.5 WRITTEN CORRESPONDENCE:

The City Manager is authorized to receive and open all mail addressed to the Council as a whole and give it immediate attention to the end that all administrative business referred to in said communications, and not necessarily requiring Council action, may be disposed of between Council meetings. A copy of such communication shall be sent to each Councilmember.

Any communication relating to a matter pending, or to be brought before the City Council shall be included in the Agenda packet for the meeting at which such item is to be considered.

Letters of appeal from administrative or commission decisions shall be processed under applicable provisions of the Municipal Code, or other Ordinances.

Copies of all other communications sent to the Council will be transmitted to them.

5.6 PERSONS AUTHORIZED TO BE WITHIN PLATFORM:

No person except City officials shall be permitted within the platform area in front of the Council table without the invitation or consent of the Presiding Officer.

6. MOTIONS

6.1 PROCESSING OF MOTIONS:

When a motion is made and seconded, it shall be stated by the Presiding Officer before debate. A motion so stated shall not be withdrawn by the mover without the consent of the person seconding it.

6.2 MOTIONS OUT OF ORDER:

The Presiding Officer may at any time, by majority consent of the Council, permit a Member to introduce an Ordinance, Resolution, or motion out of the regular Agenda order.

6.3 DIVISION OF QUESTION:

If the question contains two or more divisionable propositions, the Presiding Officer may, and upon request of a Member shall, divide the same.

6.4 PRECEDENCE OF MOTIONS:

When a motion is before the Council, no motion shall be entertained except the following, which shall have precedence in the following order:

1. Adjourn
2. Fix hour of adjournment
3. Table
4. Limit or terminate discussion
5. Amend
6. Postpone

6.5 MOTION AND ADJOURN: (not debatable)

A motion to adjourn shall be in order at any time except as follows:

1. When repeated without intervening business or discussion.
2. When made as an interruption of a Member while speaking.
3. When discussion has been ended, and vote on motion is pending, and
4. While a vote is being taken.

A motion to adjourn "to another time" shall be debatable only as to the time to which the meeting is adjourned.

6.6 MOTION TO FIX HOUR OF ADJOURNMENT:

Such a motion shall be to set a definite time at which to adjourn and shall be undebatable and shall be unamendable except by unanimous vote.

6.7 MOTION TO TABLE:

A motion to table shall be used to temporarily by-pass the subject. A motion to table shall be undebatable and shall preclude all amendments or debate of the subject under consideration. If the motion shall prevail, the matter may be "taken from the table" at any time prior to the end of the next regular meeting.

6.8 MOTION TO LIMIT OR TERMINATE DISCUSSION:

Such a motion shall be used to limit or close debate on, or further amendment to, the main motion and shall be undebatable. If the motion fails, debate shall be reopened; if the motion passes, a vote shall be taken on the main motion.

6.9 MOTION TO AMEND:

A motion to amend shall be debatable only as to the amendment. A motion to amend an amendment shall be in order, but a motion to amend an amendment to an amendment shall not be in order. An amendment modifying the intention of a motion shall be in order, but an amendment relating to a different matter shall not be in order. A substitute motion on the same subject shall be acceptable, and voted on before a vote on the amendment. Amendments shall be voted first, then the main motion as amended.

6.10 MOTION TO CONTINUE:

Motions to continue to a definite time shall be amendable and debatable as to propriety of postponement and time set.

7. VOTING PROCEDURE:

7.1 VOTING PROCEDURE:

In acting upon every motion, the vote shall be taken by voice or roll call or any other method by which the vote of each Councilmember present can be clearly ascertained. The vote on each motion shall then be entered in full upon the record. The order of voting shall be alphabetical with the Councilmember making the motion voting first, the Councilmember seconding the motion voting next; and, unless he/she has made or seconded the motion, the Mayor Pro Tempore shall vote next to last, and the Mayor voting last. The City Clerk shall call the names of all Members seated when a roll call vote is ordered or required. Members shall respond "aye," "no" or "abstain" provided that when a vote is collectively taken by voice or roll call is used, any Councilmember not audibly and clearly responding "no" or "abstain" or otherwise registering an objection shall have his vote recorded as "aye."

7.2 ROLL CALL VOTING:

Every Ordinance, Resolution, and Motion or orders for franchises or payments of money shall require (3) affirmative votes. A roll call vote shall be used for these changes. Any other question before the Council shall not require a roll call vote unless demanded by any member. It shall not be in order for Members to explain their vote during roll call. Any Member may change his/her vote before the next order of business.

7.3 FAILURE TO VOTE:

Every Councilmember should vote unless disqualified for cause. A Councilmember who abstains shall, for purpose of the time under consideration, be considered as if absent.

7.4 RECONSIDERATION:

Any Councilmember who voted with the majority may move a reconsideration of any action at the same or next meeting. After a motion for reconsideration has once been

acted upon, no other motion for a reconsideration thereof shall be made without unanimous consent of the Council.

7.5 TIE VOTES:

Tie votes shall be lost motions. When all Councilmembers are present, a tie vote on whether to grant an appeal from official action shall be considered a denial of such appeal, unless the Council takes other action to further consider the matter. If a tie vote results at a time when less than all Members of the Council are present, the matter shall automatically be continued to the Agenda of the next regular meeting of the Council, unless otherwise ordered by the Council.

8. RESOLUTIONS

8.1 DEFINITIONS:

As a rule of thumb, it can be said the legislative acts of the City Council (usually a rule of public conduct for long-term application) are taken by ordinance, whereas, more routine business and administrative matters (usually more temporary and transitory in nature) are accomplished by "resolution." The term "resolution" in its general sense will denote any action taken affirmatively via a vote of the Council, other than one taken by ordinance. As used in this City, however, three (3) terms are in general use to denote such (non-ordinance) actions: "resolution," "minute order," and "motion" (thereafter recorded by minute entry). Technically, all three are equally as legally effective and binding; they just vary in the formality of respective memorialization. The most formal is referred to locally as a "resolution." This, in addition to being referenced in the minutes, will be recorded by a separate document, numbered in sequence and preserved in a separate set of books. Such "resolutions" are used in this City for various reasons, such as when specifically required by law, when needed as a separate evidentiary document to be transmitted to another governmental agency, or where the frequency of future reference back to its contents warrants a separate document (with the additional "whereas" explanatory material it often recites) to facilitate such future reference and research.

A "minute order" as used locally denotes a separate document which is also maintained in a separate set of books, under a system of sequential numbering, and is referenced in the minutes; however, the "minute order" is drafted far more briefly than a "resolution" and is distinguished from a mere minute entry only by the need, in general, to have a separate document to facilitate certain administrative processes to which it pertains.

The "motion" (assuming it was one which passed) is a Council action which is recorded simply by an item entry in the minutes of the meeting at which it was accomplished, and no separate document is made to memorialize it.

8.2 RESOLUTIONS PREPARED IN ADVANCE:

Where a Resolution has been prepared in advance, the procedure shall be: Motion, second, discussion, vote pursuant to methods prescribed in Section 7.1, and result declared. It shall not be necessary to read a resolution in full or by title except to identify it. Any Member may require that the Resolution be read in full.

8.3 RESOLUTIONS NOT PREPARED IN ADVANCE:

Where a Resolution has not been prepared in advance, the procedure shall be to instruct the City Manager or City Attorney to prepare a Resolution for presentation at the next Council meeting.

8.4 URGENCY RESOLUTIONS:

In matters of urgency, a Resolution may be presented verbally in motion form together with instructions for written preparation for later execution. After the Resolution has been verbally stated, the voting procedure in 8.2 above shall be followed.

Urgency Resolutions shall be avoided except when absolutely necessary; and shall be avoided entirely when Resolutions are required by law, in improvement acts, zoning matters, or force account work on public projects. Where the Resolution has been drafted in written form, either before or during the meeting, this paragraph shall not be deemed applicable.

9. ORDINANCES

9.1 INTRODUCTION AND ADOPTION OF ORDINANCES:

Ordinances shall not be passed within five (5) days of their introduction, nor at other than a regular meeting or at an adjourned regular meeting. However, an urgency ordinance may be passed immediately upon introduction and either at a regular or special meeting. Except when, after reading the title, further reading is waived by regular motion adopted by unanimous vote of the Councilmembers present, all ordinances shall be read in full either at the time of introduction of passage. When ordinances, other than urgency ordinances, are altered after introduction, they shall be passed only at a regular or at an adjourned regular meeting held at least five (5) days after alteration.

Corrections of typographical or clerical errors are not alterations within the meaning of this Section.

9.2 EFFECTIVE DATE:

All ordinances, except as provided in Section 36937 of the Government Code, shall take effect thirty (30) days after adoption, but may be made operative at such later date as may be designated in the ordinance.

9.3 PUBLISHING:

It shall be the duty of the City Clerk to post or publish all ordinances in accordance with Government Code Section 36933 within fifteen (15) days after adoption.

9.4 URGENCY ORDINANCES:

All urgency ordinances must receive four (4) affirmative votes to be adopted and to become effective immediately. If such an ordinance fails to receive a four-fifths (4/5ths) majority, it may thereafter be considered and passed in the same manner as regular ordinances.

CITY OF BUELLTON
City Council Agenda Staff Report

City Manager Review: MPB
Council Agenda Item No.: 6

To: The Honorable Mayor and City Council

From: Marc Bierdzinski, City Manager

Meeting Date: February 13, 2014

Subject: Discussion of Sustainability – Goal 7 from Vision Plan

BACKGROUND

In September, the City Council reviewed the status of the Buellton Vision Plan. The City Council decided to move forward by individually reviewing each goal separately at future City Council meetings. Goal 8, Economic Development, was the first goal reviewed in November 2013. At that meeting, the City Council also decided that Goal 7, Sustainability, should be the next goal that is reviewed.

Attachment 1 is a summary of the action items associated with sustainability. As shown on Attachment 1, many items are operational or in progress. A summary of the significant items being worked on include:

- Providing an adequate water supply and encouraging water conservation
- Use of energy efficient lighting for City facilities as well as requiring them in private developments
- Mandatory Green Building standards and implementation of Tier 1 standards where appropriate through the planning process
- Requiring permeable paving on projects
- Installation of Tesla SuperChargers at the Marriott
- The City is applying for grants to install additional Level 2 chargers at City Hall and possibly at Rabobank
- Working to obtain trail easements along the river trail area
- Working on bike lanes along the Avenue of Flags
- Working on grants for installation of bike lanes and trails

Staff would suggest that Goal 5, Create a Vibrant Downtown, be the next Vision Goal reviewed. The Corridor Study would be used during review of this goal. It would also tie the review of Goal 5 with the Fiscal Year 2014-15 budget cycle in case improvements to the Avenue are desired, such as a paved median, striping, and bike lanes.

RECOMMENDATION

That the City Council provide direction on Action Items for sustainability and identify the next goal from the Vision Plan to review.

ATTACHMENT

Attachment 1 – Summary of Sustainability Objectives and Action Items

GOAL 7

BE A LEADER IN ENVIRONMENTAL SUSTAINABILITY AND STEWARDSHIP

Operational Items

Objective 7.2 Maintain a Compact City Form Bounded by Natural and Rural Areas

Action 7.2.1 Direct Growth into Undeveloped and Underutilized Areas within the Urban Growth Boundary

Priority 1, no cost. All development occurs within the urban growth boundary of the City.

Action 7.2.2 Identify and Protect Agricultural Areas Surrounding the City to Maintain an Urban-Rural Boundary

Priority 2, no cost. The City honors the greenbelt area between Buellton and Solvang. No other incursions to agricultural areas have occurred.

Action 7.2.7 Identify and Protect Key Viewsheds throughout the City

Priority 3, no cost. Viewshed analysis is part of the city's development review process.

Objective 7.3 Promote Citywide Resource Conservation and Efficiency

Action 7.3.2 Ensure that Buellton has Adequate Clean Water even during Prolonged Drought through Wise Management of Water Resources

Priority 1, low to moderate cost. The City maintains an adequate and safe water supply, with a drought buffer, for support of build-out of the City in accordance with the General Plan. We do not rely on State Water as heavily as do other jurisdictions. The City will continue to monitor the water situation in this drought year.

Action 7.3.3 Use the Most Effective Methods Available to Limit Waste and Promote the Re-use of Materials

Priority 2, low to moderate cost. The city recycles and uses energy efficient surge protectors. Energy efficient lighting is being installed in City buildings and in City street lights and is a requirement on development projects.

City also has promoted recycling through various programs such as Used Oil Recycling (partnered with County of Santa Barbara), Waste Recycling (partnered with MarBorg), and Treecycle.

Objective 7.4 Adopt Green Building Standards and Create Incentives for Green Building Practices

Action 7.4.1 Vigorously Support Implementation of CalGreen Standards in Buellton and Consider Extending these Standards to Building Expansions and Remodels

Priority 1, low cost. The City follows the mandatory requirements of the Cal Green Building Code. Projects are also conditioned to provide green features above and beyond the code requirements as the project dictates.

Action 7.4.5 Identify and Specify Materials and Insulation Techniques for Repaving Roadways and Parking Lots that Reduce Water Runoff and Heat Generation

Priority 3, low cost. The City has adopted a Stormwater Ordinance, which requires development to incorporate low impact design into the projects such as permeable paving and other techniques that reduce runoff.

In Progress

Objective 7.1 Demonstrate Leadership in Environmental Sustainability through a Signature Program

Action 7.1.2 Identify and Consider other Signature Programs

Priority 2, annual cost of vehicle chargers is in the range of \$1,100 per year per charger. Tesla SuperChargers have been installed at the Marriott. The City has applied for grants from the Air Pollution Control District and the California Energy Commission for installation of Level 2 chargers at City Hall and possibly at Rabobank. If chargers are installed at City Hall, the City can then consider purchasing an electric vehicle at some point in the future.

We could consider establishing a City Green Award program.

Objective 7.2 Maintain a Compact City Form Bounded by Natural and Rural Areas

Action 7.2.4 Promote the Establishment of a River Trail with Multiple Access Points

Priority 2, moderate cost. This Action Item is on the “to do” list of the Parks and Recreation Commission as authorized by the City Council.

The Bikeway and Pedestrian Master Plan includes the river trail and the City has acquired some easements in this area. Other easements will be obtained as properties develop. The Economic Development Task Force is working with property owners to find ways to complete the acquisition of the easements.

Staff is also actively seeking grants that can fund implementation (concept, design and construction) of trails.

Staff is working on the Avenue of Flags bike lane implementation plan that should be ready in the next few months.

Objective 7.5 Promote Green Technology Businesses and Green Tourism

Action 7.5.1 Address Ways to Grow and Recruit Green Businesses as Part of the Economic Development Strategy

Priority 1, unknown cost. Will be included as part of the Kosmont Companies prepared economic study.

Pending

Objective 7.1 Demonstrate Leadership in Environmental Sustainability through a Signature Program

Action 7.1.1 Explore Options for a Trikke and Bike Program Promoting Greater Use of these Vehicles

Priority 1, low cost. This Action Item is on the “to do” list of the Parks and Recreation Commission as authorized by the City Council.

No alternative transportation programs have been developed.

Objective 7.2 Maintain a Compact City Form Bounded by Natural and Rural Areas

Action 7.2.3 Promote Local Businesses that can be Accessed by Foot, Bike, and Transit as Opposed to Auto Trips

Priority 2, no cost. Action item has not been implemented.

Action 7.2.5 The Parks Master Plan should Provide a Network of Accessible Parks and Open Space

Priority 2, unknown cost. The revisions to the Master Plan have not been scheduled at this time.

Action 7.2.6 Promote the Creation of Nature Preserves along the Santa Ynez River with Permission of Property Owners

| Priority 3, unknown cost. Has not been initiated at this time

Objective 7.3 Promote Citywide Resource Conservation and Efficiency

Action 7.3.1 Work Towards becoming a Net Zero City by Matching Energy Demands to what can be Produced Locally.

Priority 1, unknown cost. The City would have to work with the energy companies to make this action item a reality. Probably not feasible in the short term.

Objective 7.4 Adopt Green Building Standards and Creative Incentives for Green Building Practices

Action 7.4.2 Establish Incentives to Encourage Green Retrofitting of Existing Buildings

Priority 1, unknown cost. No program has been established at this time.

Action 7.4.3 Consider making Cal Green Tier 1 Standards Mandatory or Adopting Comparable Rating Systems

Priority 2, unknown cost. City has adopted the mandatory measures green building requirements. Tier 1 features are added on a case-by-case basis. No plans at this time to make Tier 1 mandatory.

Action 7.4.4 Adopt Building Standards and Design Guidelines that Encourage or Mandate On-site Solar or Wind Power Generation

Priority 2, unknown cost. The City encourages the use of alternative energy and follows the standards of the California Building Code. Making these mandatory would be cost prohibitive.

Objective 7.5 Promote Green Technology Businesses and Green Tourism

Action 7.5.2 Create a Green Economic Development Zone Committee

Priority 1, unknown cost. Committee has not been authorized or created.

Objective 7.6 Create a Plan and Structure for Implementation of Sustainability Efforts

Action 7.6.1 Assign Staff or Create a Sustainability Staff Person Position

Priority 1, high cost. No new positions have been budgeted.

Action 7.6.2 Form a Sustainability Advisory Committee

Priority 2, low cost. Formation of the committee has not been authorized.

Action 7.6.3 Create a Green Team of City Staff to Work on Sustainability Efforts

Priority 2, unknown cost. A formal “green team” has not been created.

Action 7.6.4 Develop and Implement a Sustainability Plan

Priority 3, unknown cost. Development of a plan has not been initiated at this time.

CITY OF BUELLTON
City Council Agenda Staff Report

City Manager Review: MPB
Council Agenda Item No.: 7

To: The Honorable Mayor and City Council

From: Marc Bierdzinski, City Manager

Meeting Date: February 13, 2014

Subject: Discussion of a Board of Architectural Review (BAR) or Other Similar Options

BACKGROUND

Action Item 4.1.2 from the Vision Plan states the following:

Establish a Board of Architectural Review which acts in an advisory capacity to the Planning Commission and reviews development proposals for conformance with the Community Design Guidelines.

The City Council agreed by consensus for this action item to be brought forward ahead of the full discussion of Goal 4 (Promote Desired Change through Planning and Design) later this year.

The Vision Plan provided the following possible options for the BAR: creating a new committee of local professionals or utilizing the County of Santa Barbara’s Central Board of Architectural Review. Staff has been informed that the County has no desire to take over this function within the City of Buellton.

Staff would not support a dedicated BAR for the following reasons:

- It would add a layer of bureaucracy to the City’s very efficient development review process and would duplicate the Planning Commission review process
- It would add time to the process to go through another hearing board. It has been a goal of the City Council for many years to project a “developer friendly” environment, but the added time and expense of multiple levels of architectural review (with potentially several contradictory changes to project plans) would frustrate this goal.
- This would reduce the authority of the Planning Commission and could lead to disagreements between the two review boards on architecture – the Planning Commission has been doing a good job and this would just dilute their review abilities

- Staff is not aware of any architecturally trained persons living within the City Limits. Creating a BAR with laypersons would then be a duplication of the Planning Commission. Selecting persons from outside the City Limits defeats the purpose of being a City and having local control over planning and architectural items

Staff would like to keep the review of architecture in the purview of the Planning Commission. The architectural design of the upcoming bowling alley, and the approved Village Crossroads and Meritage projects are very good examples of the Planning Commission working with applicants to make changes to the architecture to conform with the Community Design Guidelines. Architecture is subjective and what one person likes another may not. The Planning Commission balances these concerns during their deliberations. However, that being said, additional architectural training for the Planning Commission is something that should be considered.

Two options are available to assist the Planning Commission with architectural review that are more workable than a dedicated BAR.

- Have a training session for the Planning Commission on architectural review through the local chapter of the American Institute of Architects. I believe this would be a low or no cost solution. The training could be on the Community Design Guidelines and how to view a project from an architectural standpoint.
- The City could hire a contract architect through the Request for Proposals (RFP) process. This person would then review the architecture of a project and make suggestions to the Planning Commission. The Planning Commission would still have final authority on the project. Applicants on projects would pay for the architects review time.

The latter two options keep control of projects with the Planning Commission and avoids duplication of effort. The City's Planning Commission does an excellent job and they can only become better with either the training option or the contract architect option.

RECOMMENDATION

That the City Council provide direction to staff regarding the architectural review of projects. Staff recommends against the formation of a BAR for the reasons noted above. If the City Council thinks additional architectural training is warranted, then staff recommends either of the following options:

- Have the local Chapter of the AIA provide a training session to the Planning Commission on architecture, specifically the architectural requirements of the City's Community Design Guidelines
- Go through the RFP process to hire a contract architect that would review project architecture and provide recommendations to staff and the Planning Commission