



# CITY OF BUELLTON

## CITY COUNCIL AGENDA

**Regular Meeting of June 14, 2012 – 6:00 p.m.  
City Council Chambers, 140 West Highway 246  
Buellton, California**

Materials related to an item on this agenda, as well as materials submitted to the City Council after distribution of the agenda packet, are available for public inspection in the Office of the City Clerk, located at 107 West Highway 246, during normal business hours.

### **CALL TO ORDER**

Mayor Holly Sierra

### **PLEDGE OF ALLEGIANCE**

Council Member Judith Dale

### **ROLL CALL**

Council Members Ed Andrisek, Judith Dale, Leo Elovitz, Mayor Pro Tem Dave King, and Mayor Holly Sierra

### **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 Any Council Member, the City Attorney, or the City Manager may request that an item be withdrawn from the Consent Agenda to allow for full discussion.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 June 7, 2012 Special City Council Meeting**
- 2. Minutes of May 24, 2012 Regular City Council Meeting**
- 3. List of Claims to be Approved and Ratified for Payment to Date for Fiscal Year 2011-12**

- 4. **Resolution No. 12-12 – “A Resolution of the City Council of the City of Buellton, California, Acknowledging the Receipt of and Ordering the Filing of the Annual Statement of Investment Policy for Fiscal Year 2012-13 with the City Council”**  
❖ *(Staff Contact: Finance Director Muñoz)*
- 5. **Resolution No. 12-13 – “A Resolution of the City Council of the City of Buellton, California, Establishing an Appropriation Limit for Fiscal Year 2012-13 Pursuant to Article XIII-B of the California Constitution”**  
❖ *(Staff Contact: Finance Director Muñoz)*

**PRESENTATIONS**

**PUBLIC HEARINGS**

**(POSSIBLE ACTION)**

- 6. **Resolution No. 12-10 – “A Resolution of the City Council of the City of Buellton, California, Regarding the Commitments and Publishing the Report Required by Central Coast Water Authority Resolution Nos. 92-02 and 92-11”**  
❖ *(Staff Contact: Public Works Director Hess)*

**COUNCIL MEMBER COMMENTS**

**COUNCIL ITEMS**

**WRITTEN COMMUNICATIONS**

**COMMITTEE REPORTS**

**BUSINESS ITEMS**

**(POSSIBLE ACTION)**

- 7. **Fiscal Year 2012-13 Preliminary City Budget**
  - **Presentation by Santa Barbara County Sheriff’s Department Regarding their Contract**
  - **Other Budget Items**
❖ *(Staff Contact: City Manager Kunkel)*
- 8. **Consideration of Selection of Consultant for Live Internet Broadcast of Council Meetings**  
❖ *(Staff Contact: City Clerk Reid)*
- 9. **Ordinance No. 12-01 – “An Ordinance of the City Council of the City of Buellton, California, Adding Chapter 9.10 to Title 9 of the Buellton Municipal Code Regarding the Regulation of Smoking in Public Places” (Second Reading)**  
❖ *(Staff Contact: Planning Director Bierdzinski)*

10. **Resolution No. 12-17 – “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 6, 2012 for the Purpose of Submitting a Measure to the Qualified Voters of Buellton Regarding Raising the Transient Occupancy Tax Rate”**  
❖ *(Staff Contact: City Attorney Hanson)*
  
11. **Resolutions Pertaining to General Municipal Election to be Held on November 6, 2012**  
❖ *(Staff Contact: City Clerk Reid)*
  - A. **Resolution No. 12-14 – “A Resolution of the City Council of the City of Buellton, California, Calling and Giving Notice of the Holding of a General Municipal Election to be Held on Tuesday, November 6, 2012 for the Election of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities”**
  
  - B. **Resolution No. 12-15 – “A Resolution of the City Council of the City of Buellton, California, Requesting the Board of Supervisors of the County of Santa Barbara to Consolidate a General Municipal Election to be Held on Tuesday, November 6, 2012 with the General Election Pursuant to Section 10403 of the Elections Code”**
  
  - C. **Resolution No. 12-16 – “A Resolution of the City Council of the City of Buellton, California, Adopting Regulations for Candidates for Elective Office Pertaining to Candidate’s Statements, Materials Submitted to the Electorate, and the Cost Thereof, Submitted to the Voters at an Election to be Held on Tuesday, November 6, 2012”**
  
12. **Biennial Review of Conflict of Interest Code**  
❖ *(Staff Contact: City Clerk Reid)*
  
13. **Approval of Expenditures for the Rehabilitation of Well No. 9**  
❖ *(Staff Contact: Public Works Director Hess)*

## **CITY MANAGER’S REPORT**

## **ADJOURNMENT**

The next meeting of the City Council will be held on Thursday, June 28, 2012 at 6:00 p.m.

# CITY OF BUELLTON

## CITY COUNCIL MEETING MINUTES

Special Meeting of June 7, 2012

City Council Chambers, 140 West Highway 246  
Buellton, California

### CALL TO ORDER

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

### PLEDGE OF ALLEGIANCE

Mayor Pro Tem Dave King led the Pledge of Allegiance

### ROLL CALL

**Present:** Council Members Ed Andrisek, Judith Dale, Leo Elovitz, Mayor Pro Tem Dave King, and Mayor Holly Sierra

**Staff:** City Manager John Kunkel, Public Works Director Rose Hess, Planning Director Marc Bierdzinski, Finance Director Annette Muñoz, Station Commander Lt. Brad McVay, and City Clerk Linda Reid

### PUBLIC COMMENTS

Cindy Taylor, Buellton, questioned why staff scheduled a special meeting to discuss the budget as opposed to discussing it during the regular meeting next week. Ms. Taylor requested that something be done to clean up the City with regard to dead plants, broken trees, and other unsightly issues.

Ben Fitzgerald, Buellton, requested that the City Council do something to cut the budget in order to eliminate the deficit and provided newspaper articles regarding other public agencies deficits for the record.

Mike Hendrick, General Manager of the Santa Ynez Valley Marriott, complimented the City Council and staff on working hard to reduce the City's budget.

Peggy Brierton, Buellton, stated she would like the items listed in her letter of May 24<sup>th</sup> addressed by the Council.

## **BUSINESS ITEMS**

### **1. Third Review of Fiscal Year 2012-13 Preliminary City Budget**

#### **RECOMMENDATION:**

That the City Council review the Fiscal Year 2012-13 preliminary City budget and give direction to staff as to any desired changes.

#### **STAFF REPORT:**

Finance Director Muñoz presented the staff report.

#### **DOCUMENTS:**

Staff report with attachment (Proposed Fiscal Year 2012-13 Preliminary City Budget)

#### **DISCUSSION:**

The City Council discussed the preliminary Fiscal Year 2012-13 Preliminary City Budget and provided the following changes:

- City Council (Reduce Travel/Training to \$15,000; Computer Equipment to 0)
- City Clerk (Reduce Travel/Training to \$2,000)
- Non-Departmental (Eliminate Buellton Banner and Christmas Pies for staff, Council and Commissions; Employee Holiday lunch will be catered by the Senior Center with Council and Department Heads providing donations to the cover cost)
- Miscellaneous Recognition Items (Reduced to \$3,500)
- Finance (Reduce Travel/Training to \$2,000)
- Public Works (Hire part-time Grounds Maintenance employee to maintain parks, which will replace current contractor and reduce expenditure by \$114,000; Reduce Travel/Training to \$2,000)
- Planning (Pay Planning Commissioners \$50 for each meeting worked rather than a monthly stipend; Reduce Advertising to \$3,500; Reduce Publications to \$1,500; Reduce Engineering Contract Services to \$10,000; Reduce Code Enforcement to \$7,176. Planning Director Bierdzinski justified the Assistant Planner position. Council requested that some items be moved from the Planning Director to the City Manager).
- Wastewater (Hire Maintenance & Fieldworker II employee during third quarter; Reduce Fuel Cost to \$7,000)
- Water (Reduce Fuel Cost to \$7,000)
- Parks & Recreation (Remove line item for new flooring in Zone/Rec Center Office; Trips reduced to \$20,000; hourly employees reduced to \$30,000 – Planning staff to fill in as needed; change the BBQ Bonanza format to provide activities and music with residents providing their own food or purchase a BBQ meal at the event. The July 28, 2012 BBQ Bonanza will take place as usual and a BBQ meal will be provided.)
- Parks (Reduce Maintenance Repair of Parks to \$75,000)

Council Member Dale submitted a county-wide comparison police budget spreadsheet for the record.

Mike Hendrick, General Manager of Santa Ynez Valley Marriott, questioned various budget items.

Peggy Brierton, Buellton, stated that employees should not receive a cost of living pay increase this year.

Ron Anderson, Buellton, questioned reducing the Undesignated Miscellaneous Support line item.

**DIRECTION:**

The City Council directed staff to bring the Fiscal Year 2012-13 preliminary City budget back for additional review at the regular meeting scheduled for June 14, 2012.

**ADJOURNMENT**

Mayor Sierra adjourned the special meeting at 9:04 p.m. The next regular meeting of the City Council will be held on Thursday, June 14, 2012 at 6:00 p.m.

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Holly Sierra  
Mayor

ATTEST:

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Linda Reid  
City Clerk

# CITY OF BUELLTON

## CITY COUNCIL MEETING MINUTES

Regular Meeting of May 24, 2012

City Council Chambers, 140 West Highway 246  
Buellton, California

### **CALL TO ORDER**

Mayor Pro Tem King 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, Leo Elovitz, Mayor Pro Tem Dave King, and Mayor Holly Sierra (Via Teleconference)

**Staff:** City Manager John Kunkel, City Attorney Ralph Hanson, Public Works Director/City Engineer Rose Hess, Planning Director Marc Bierdzinski, Finance Director Annette Muñoz, Station Commander Lt. Brad McVay, and City Clerk Linda Reid

### **REORDERING OF AGENDA**

None

### **PUBLIC COMMENTS**

None

### **CONSENT CALENDAR**

- 1. Minutes of May 10, 2012 Regular City Council Meeting**
- 2. List of Claims to be Approved and Ratified for Payment to Date for Fiscal Year 2011-12**
- 3. Acceptance of the Highway 246 Streetscape Improvement Project**

### **MOTION:**

Motion by Mayor Sierra, seconded by Council Member Dale approving Items 1 through 3 of the consent calendar as listed.

**VOTE:**

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

**PRESENTATIONS**

None

**PUBLIC HEARINGS**

4. **Ordinance No. 12-01 – “An Ordinance of the City Council of the City of Buellton, California, Adding Chapter 9.10 to Title 9 of the Buellton Municipal Code Regarding the Regulation of Smoking in Public Places” (Introduction and First Reading)**

**RECOMMENDATION:**

That the City Council consider the introduction and first reading of Ordinance No. 12-01.

**STAFF REPORT:**

Planning Director Bierdzinski presented the staff report.

**DOCUMENTS:**

Staff Report with attachments (Ordinance No. 12-01)

**SPEAKERS/DISCUSSION:**

Mayor Pro Tem King opened the Public Hearing at 6:07 p.m.

Mary Conway, Santa Ynez Valley Youth Coalition, discussed the need for “smoke-free dining” in order to protect the health and well-being of other diners.

Trina Long, Santa Barbara County Public Health Department, thanked the City Council for updating Buellton’s Municipal Code regarding the regulation of smoking in public places. Ms. Long submitted a memorandum for the record regarding Updated Definitions for Tobacco Control Ordinances.

Mike Hendrick, General Manager of the Santa Ynez Valley Marriott asked whether the proposed ordinance would allow a facility to be 100% smoke free. City Attorney Hanson stated that a facility can maintain a completely smoke free establishment under this ordinance.

There being no further public comment, Mayor Pro Tem King closed the Public Hearing at 6:19 p.m.

The City Council discussed the following issues:

- The pros and cons of the proposed ordinance
- Modifying the ordinance to include 100% smoke free outdoor dining places
- Restricting medicinal marijuana smoking in the smoking areas
- Adding tobacco and smoking definitions to the proposed ordinance

**MOTION:**

Motion by Council Member Dale, seconded by Council Member Elovitz, approving the introduction and first reading of Ordinance No. 12-01 – “An Ordinance of the City Council of the City of Buellton, California, Adding Chapter 9.10 to Title 9 of the Buellton Municipal Code Regarding the Regulation of Smoking in Public Places” by title only and waive further reading and including the tobacco and smoking definitions.

**VOTE:**

Motion passed by a roll call vote of 4-1, with Council Member Andrisek voting no.

**COUNCIL MEMBER COMMENTS**

Mayor Sierra thanked everyone for their support of the Buellton Brew Fest held May 12 and said it was a great success.

Council Member Andrisek announced that Valley Pets hosted an “open house” on Saturday, May 19 and that it was a great success and very well attended by the community.

Council Member Andrisek announced the dedication of the Santa Ynez Valley Botanic Garden Kiosk constructed by Eagle Scout Noah Weitz is scheduled for Saturday, June 2.

**COUNCIL ITEMS**

Council Member Andrisek requested that staff contact the Executive Director of the Economic Alliance of Northern Santa Barbara County and ask them to provide the City Council with a presentation regarding the Camp 4 Chumash property at the June 28 meeting. The City Council agreed by consensus to agendaize this item.

Mayor Sierra requested that staff prepare a resolution for an initiative to increase the City’s Transient Occupancy Tax (TOT) from 10 to 12 percent for the November 6 ballot and that this item be placed on the June 14 agenda. The City Council agreed by consensus to agendaize this item.

**WRITTEN COMMUNICATIONS**

Correspondence from Peggy Brierton, Buellton submitted via email on May 23, 2012, regarding items on this agenda has been added to the record.

**COMMITTEE REPORTS**

Mayor Andrisek announced that he attended the Central Coast Water Authority Board Meeting and provided an oral report regarding the meeting.

Mayor Sierra announced that she attended the Santa Barbara County Association of Governments Board Meeting and provided an oral report regarding the meeting.

**BUSINESS ITEMS****5. Approval of Memorandum of Understanding for a Two-Year Pilot Breeze Extension Inter-Regional Transit Service****RECOMMENDATION:**

That the City Council approve and authorize the Mayor to execute a Memorandum of Understanding between the Cities of Buellton, Solvang, Santa Maria and the County of Santa Barbara, implementing a two-year pilot project to provide regular, fixed route, public transit service between Santa Maria and the Santa Ynez Valley.

**STAFF REPORT:**

Public Works Director Hess presented the staff report.

**DOCUMENTS:**

Staff Report with attachment (Breeze Pilot Memorandum of Understanding)

**SPEAKERS/DISCUSSION:**

The City Council discussed the proposed Memorandum of Understanding.

**MOTION:**

Motion by Council Member Dale, seconded by Mayor Sierra directing the Mayor to execute a Memorandum of Understanding between the Cities of Buellton, Solvang, Santa Maria and the County of Santa Barbara, implementing a two-year pilot project to provide regular, fixed route, public transit service between Santa Maria and the Santa Ynez Valley.

**VOTE:**

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

**6. Memorandum of Understanding with the City of Solvang - Cooperation in the Area of Recreation****RECOMMENDATION:**

That the City Council consider approval of a Memorandum of Understanding with the City of Solvang for cooperation in the area of recreation.

**STAFF REPORT:**

Recreation Coordinator Abello presented the staff report.

**DOCUMENTS:**

Staff Report with attachment (Memorandum of Understanding – FY 2012/13)

**MOTION:**

Motion by Council Member Andrisek, seconded by Council Member Dale approving the Memorandum of Understanding with the City of Solvang for cooperation with recreation, effective July 1, 2012.

**VOTE:**

Motion passed by a voice vote of 5-0.

## 7. **Consideration of Request for Proposal for Golf Course Patio Cover**

### **RECOMMENDATION:**

That the City Council determine what type of patio cover they want to pursue, direct staff to finalize the plans, and put the project out for bid.

### **STAFF REPORT:**

City Manager Kunkel presented the staff report.

### **DOCUMENTS:**

Staff report with attachments (Preliminary patio cover designs)

### **SPEAKERS/DISCUSSION:**

The City Council discussed the following issues:

- That staff establish an ad-hoc committee to determine what type of patio cover to construct
- Having staff issue a request for proposal (RFP) for the Golf Course Patio Cover with a project cap of \$17,000

### **MOTION:**

Motion by Mayor Sierra, seconded by Council Member Andrisek approving the redesigned patio cover, directing staff to finalize the plans, and putting the project out for bid with a project cap of \$17,000.

### **VOTE:**

Motion passed by a roll call vote of 3-2, with Council Members Dale and Elovitz voting no.

## 8. **Second Review of Fiscal Year 2012-13 Preliminary City Budget**

### **RECOMMENDATION:**

That the City Council review the Fiscal Year 2012-13 preliminary City budget and give direction to staff as to any desired changes.

### **STAFF REPORT:**

Finance Director Muñoz presented the staff report.

### **DOCUMENTS:**

Staff report with attachments (Budget Revisions and proposed Fiscal Year 2012-13 Preliminary City Budget)

### **DISCUSSION:**

Ben Fitzgerald, Buellton, requested funding in the amount of \$1,200 for a Community Emergency Response Team (CERT) trailer to be used for Ranch Club Mobile Estates residents.

John Franklin, representing the Village Project, cautioned the City Council from cutting the Planning Department staff because the department provides a very valuable service to residents and developers.

Mark Preston, Buellton, questioned the City's budget deficit.

Mike Hendrick, General Manager of the Santa Ynez Valley Marriott discussed the pitfalls of raising the TOT. Mr. Hendrick requested that staff provide information on the current budget year using a rolling twelve month comparison.

The Finance Director provided the City Council with a spreadsheet listing the City's Actuals through April 30, 2012, which has been added to the record.

The City Council discussed the following issues:

- That staff present a listing of revenue reserves during the next review of the budget
- Reconsider funding programs such as the BBQ Bonanza, Employee Holiday Luncheon, and the Buellton Banner
- Scheduling a workshop to discuss the budget

**DIRECTION:**

The Council discussed the Fiscal Year 2012-13 preliminary City budget and directed staff to bring this item back for a third review at the regular City Council meeting scheduled for June 14.

**CITY MANAGER'S REPORT**

City Manager Kunkel announced that he will be attending the Chumash Grant meeting tomorrow and will advise Council as to the grant recipients.

**ADJOURNMENT**

Mayor Pro Tem King adjourned the regular meeting at 8:00 p.m. The next regular meeting of the City Council is scheduled for Thursday, June 14, 2012 at 6:00 p.m.

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Dave King  
Mayor Pro Tem

ATTEST:

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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  
**June 14, 2012** Council Meeting.

Listed below is a brief summary of the attached claims:

EXHIBIT A		<u>\$ 288,841.30</u>
EXHIBIT B		<u>\$ 48,419.42</u>
Council Pay	5/25/12	\$ 2,326.95
Staff Payroll	5/31/12	<u>\$ 39,364.37</u>

**TOTAL AMOUNT OF CLAIMS:** \$ 378,952.04

	<u>FY 2010-11</u>	<u>FY 2011-12</u>
The total amount of claims and demands paid by the City for the Fiscal Year through June 4, 2012	\$ 7,429,048.08	\$ 8,866,327.93

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

Check-Run	Seq#	Date	Vendor Name	Checking	# Obls	Discount	Net amount	Status
26418-	517	1	5/17/2012	0 JACK IN THE BOX	1	.00	500.00	Logged
26419-	517	2	5/17/2012	0 PLATINUM PERFORMANCE	1	.00	937.75	Logged
26420-	517	3	5/17/2012	372 PETTY CASH	1	.00	204.18	Logged
26421-	517	4	5/17/2012	698 CALIFORNIA STATE DISBURSEMENT	1	.00	1,613.50	Logged
26422-	518	1	5/24/2012	0 PROCLAMATIONS FOR PROFESSIONAL	1	.00	50.00	Logged
26423-	518	2	5/24/2012	0 ELISSA SHERMAN	1	.00	70.00	Logged
26424-	518	3	5/24/2012	0 CARINA PALADINI	1	.00	75.00	Logged
26425-	518	4	5/24/2012	0 DENISE ORNALES	1	.00	75.00	Logged
26426-	518	5	5/24/2012	0 BUELLTON BUSINESS ASSOC.	1	.00	500.00	Logged
26427-	518	6	5/24/2012	27 AQUA BEN CORPORATION	1	.00	2,172.24	Logged
26428-	518	7	5/24/2012	43 BARBARA KNECHT	1	.00	30.00	Logged
26429-	518	8	5/24/2012	65 BURKE, WILLIAMS & SORENSEN, LL	5	.00	21,358.35	Logged
26430-	518	9	5/24/2012	88 CCI CENTRAL, INC.	1	.00	71.27	Logged
26431-	518	10	5/24/2012	90 CaIPERS LONG-TERM CARE PROGRAM	1	.00	84.25	Logged
26432-	518	11	5/24/2012	95 JOHN BARNETTE dba	1	.00	150.00	Logged
26433-	518	12	5/24/2012	107 CITY OF LOMPOC	1	.00	1,666.66	Logged
26434-	518	13	5/24/2012	113 CITY OF SOLVANG	1	.00	573.60	Logged
26435-	518	14	5/24/2012	113 CITY OF SOLVANG	1	.00	1,500.00	Logged
26436-	518	15	5/24/2012	119 CRAIG ADAMS	1	.00	100.00	Logged
26437-	518	16	5/24/2012	121 COC/BBA/VISITORS INFORMATION	1	.00	6,023.83	Logged
26438-	518	17	5/24/2012	193 FIRST NATIONAL BANK OF OMAHA	7	.00	4,237.97	Logged
26439-	518	18	5/24/2012	199 FOSTER D. REIF	1	.00	100.00	Logged
26440-	518	19	5/24/2012	227 HINDERLITER, DE LLAMAS & ASSOC	1	.00	2,172.29	Logged
26441-	518	20	5/24/2012	230 HPC/EAGLE ENERGY	1	.00	1,342.19	Logged
26442-	518	21	5/24/2012	242 JASON L. FUSSEL	1	.00	100.00	Logged
26443-	518	22	5/24/2012	248 JCI JONES CHEMICALS, INC.	2	.00	2,608.03	Logged
26444-	518	23	5/24/2012	285 SANTA MARIA TIMES dba	1	.00	104.47	Logged
26445-	518	24	5/24/2012	303 ART MERCADO	1	.00	100.00	Logged
26446-	518	25	5/24/2012	326 MNS ENGINEERS, INC.	12	.00	25,633.25	Logged
26447-	518	26	5/24/2012	352 P G & E	1	.00	17,958.27	Logged
26448-	518	27	5/24/2012	352 P G & E	1	.00	2,000.00	Logged
26449-	518	28	5/24/2012	379 POSTMASTER	1	.00	689.46	Logged
26450-	518	29	5/24/2012	382 PROCARE JANITORIAL SUPPLY, INC	2	.00	383.37	Logged
26451-	518	30	5/24/2012	395 RAFAEL RUIZ CLEANING	3	.00	4,934.00	Logged
26452-	518	31	5/24/2012	405 RINCON CONSULTANTS, INC.	1	.00	7,941.90	Logged
26453-	518	32	5/24/2012	448 SB CO FIRE DEPARTMENT	1	.00	48,473.00	Logged
26454-	518	33	5/24/2012	450 SB CO SHERIFF'S DEPARTMENT	3	.00	1,940.64	Logged
26455-	518	34	5/24/2012	469 STAPLES CONTRACT & COMMERCIAL,	1	.00	504.47	Logged
26456-	518	35	5/24/2012	489 STEVE'S WHEEL & TIRE	1	.00	1,712.68	Logged
26457-	518	36	5/24/2012	516 THOMAS E. FIGG, CONSULTING SVC	1	.00	300.00	Logged
26458-	518	37	5/24/2012	529 TRANSFIRST	1	.00	382.02	Logged
26459-	518	38	5/24/2012	554 VENCO WESTERN, INC.	1	.00	11,622.23	Logged
26460-	518	39	5/24/2012	556 VERIZON WIRELESS	1	.00	275.91	Logged
26461-	518	40	5/24/2012	567 WEARGUARD	1	.00	68.89	Logged
26462-	518	41	5/24/2012	582 VINTAGE WALK, LLC OWNERS ASSOC	1	.00	104.00	Logged
26463-	518	42	5/24/2012	589 GERALD T. WITCHER	1	.00	100.00	Logged
26464-	518	43	5/24/2012	629 ED ANDRISEK	2	.00	63.27	Logged
26465-	518	44	5/24/2012	655 COAST NETWORKX, INC.	1	.00	285.00	Logged
26466-	518	45	5/24/2012	663 MARC P. BIERDZINSKI	1	.00	30.60	Logged
26467-	518	46	5/24/2012	704 PAUL SMITH	1	.00	51.40	Logged
26468-	518	47	5/24/2012	706 SATCOM GLOBAL, INC.	1	.00	39.86	Logged
26469-	518	48	5/24/2012	707 FLEX ONE - AFLAC	1	.00	91.00	Logged
26470-	518	49	5/24/2012	713 COASTAL COPY, LP	1	.00	483.80	Logged

Check-Run	Seq#	Date	Vendor Name	Checking	# Obls	Discount	Net amount	Status
26471-	518	50	5/24/2012	714 SIERRA TURF, INC.	1	.00	2,000.00	Logged
26472-	518	51	5/24/2012	725 G. SOSA CONSTRUCTION, INC.	1	.00	3,781.30	Logged
26473-	518	52	5/24/2012	739 HANLY GENERAL ENGINEERING CORP	2	.00	91,822.15	Logged
26474-	518	53	5/24/2012	741 CAL POLY CORPORATION	1	.00	2,471.00	Logged
26475-	518	54	5/24/2012	747 TERRANCE S. FRAZIER dba	1	.00	45.00	Logged
26476-	518	55	5/24/2012	11105 ADRIENNE WALTER	1	.00	126.00	Logged
26477-	518	56	5/24/2012	11142 CHRISTOPHE MILLNER	1	.00	857.50	Logged
26478-	518	57	5/24/2012	11166 DIANE CURRIDEN	1	.00	161.00	Logged
26479-	518	58	5/24/2012	11170 DONELLE MARTIN	1	.00	250.00	Logged
26480-	518	59	5/24/2012	11236 GARY GENE JOHNSON dba	1	.00	518.25	Logged
26481-	518	60	5/24/2012	11268 IRENE RINTA dba	1	.00	266.00	Logged
26482-	518	61	5/24/2012	11292 JOSHUA A. GRANT	1	.00	227.50	Logged
26483-	518	62	5/24/2012	11300 KAREN PALMER	1	.00	101.50	Logged
26484-	518	63	5/24/2012	11321 LAURA COGAN	1	.00	120.00	Logged
26485-	518	64	5/24/2012	11343 MARIANNE MADSEN	1	.00	360.00	Logged
26486-	518	65	5/24/2012	11476 STEPHEN F. DUNLAP	1	.00	252.00	Logged
26487-	518	66	5/24/2012	11525 VICTORIA L. BENNETT	1	.00	119.00	Logged
26488-	519	1	5/31/2012	0 THE OLSON COMPANY	1	.00	9,160.00	Logged
26489-	519	2	5/31/2012	698 CALIFORNIA STATE DISBURSEMENT	1	.00	1,613.50	Logged
					.00			
** Total check discount **					.00			
** Total check amount **					288,841.30			
					.00			

Payments via Electronic Fund Transfer (EFT):

FSA - Staff	5/15/12	712.33
Payroll Taxes	5/18/12	11,228.63
FSA - Council	5/25/12	100.00
Payroll Taxes	5/29/12	120.80
May Bank Charges-Rabobank	5/31/12	205.00
May Bank Charges-MB&T	5/31/12	83.99
FSA - Staff	5/31/12	712.33
Payroll Taxes	6/1/12	11,047.18
Health Premium	6/4/12	13,701.54
Deferred Compensation Plan	6/4/12	10,507.62
<b>Total</b>		<hr/> <b>\$ 48,419.42</b>

**FISCAL YEAR 2011-12 REVENUE AND EXPENDITURE RECAP**

As of April 30, 2012  
83.3%  
of the year elapsed

<u>GENERAL FUND</u>	<u>Budgeted</u>	<u>Year to Date</u>	<u>% of Budget YTD</u>
Total Revenues	\$3,948,016.00	\$3,366,009.39	85%
Total Expenditures	\$4,089,459.00	\$3,085,835.22	75%
<u>SPECIAL FUNDS</u>	<u>Budgeted</u>	<u>Year to Date</u>	<u>% of Budget YTD</u>
Total Revenues	\$584,349.00	\$840,062.62	144%
Total Expenditures	\$2,240,746.00	\$2,304,852.46	103%
<u>WATER/SEWER</u>	<u>Budgeted</u>	<u>Year to Date</u>	<u>% of Budget YTD</u>
Total Revenues	\$2,044,800.00	\$1,641,587.59	80%
Total Expenditures	\$2,605,396.00	\$1,861,139.72	71%
<u>RDA</u>	<u>Budgeted</u>	<u>Year to Date</u>	<u>% of Budget YTD</u>
Total Revenues	\$825,000.00	\$426,325.60	52%
Total Expenditures	\$1,499,936.00	\$114,916.52	8%

The Revenue Status Report and Expenditure Status Report are available for your review.

**The Cash Balances as of June 4, 2012 are as follows:**

<b>Checking</b>	<b>Balance as of:</b>	<b><u>FY 2010-11</u></b>	<b><u>FY 2011-12</u></b>
Rabobank	6/4/12	0.00	134,537.07
Montecito Bnk&Trust	6/4/12	133,327.01	34,738.71
<b>Total Checking</b>		<u>133,327.01</u>	<u>169,275.78</u>
<b>Savings/Investments</b>			
LAIF-savings	4/30/12	12,828,040.33	13,291,976.14
Rabobank-money mkt	4/30/12	201,722.05	202,811.09
Morgan Stanley-bonds	4/30/12	0.00	375,000.00
Great Pacific-treasuries	4/30/12	0.00	0.00
First Empire-bonds	4/30/12	5,096,331.59	3,235,000.00
<b>Total Savings/Investments</b>		<u>18,126,093.97</u>	<u>17,104,787.23</u>
<b>% of cash invested</b>		29.02%	22.07%
<b>Total Cash</b>		<u><u>18,259,420.98</u></u>	<u><u>17,274,063.01</u></u>

City of Buellton  
Actuals thru 4/30/12

001	General Fund	Revenues thru 4/30/12	Expenditures thru 4/30/12	Variance	Cash Bal at 4/30/12
401	City Council		98,707		
402	City Manager		138,623		
403	City Clerk		68,574		
404	City Attorney		110,572		
410	Non-Departmental		296,478		
411	Civic Complex		0		
420	Finance		129,561		
501	Public Safety-Police/Fire		1,298,033		
510	Leisure Services-Library		79,329		
550	Public Works-Street Lights		41,644		
557	Public Works-Engineering		168,221		
558	Public Works-General		335,401		
565	Planning		320,693		
	<b>Sub total General Fund Depts</b>	<b>3,366,009</b>	<b>3,085,835</b>	<b>280,174</b>	<b>8,637,972</b>
015	Storm Water	0	105,766	(105,766)	(123,140)
028	Parks	4,040	191,137	(187,097)	
	Recreation	97,419	373,247	(275,828)	(425,315)
072	Landscape Maintenance	123	70,303	(70,180)	25,900
	<b>Total General Fund</b>	<b>3,467,591</b>	<b>3,826,288</b>	<b>(358,697)</b>	<b>8,115,419</b>
	<b>Special Revenue Funds</b>	<b>Revenues</b>	<b>Expenditures</b>	<b>Variance</b>	<b>Cash Bal</b>
		<b>thru 4/30/12</b>	<b>thru 4/30/12</b>		<b>at 4/30/12</b>
005	<b>Wastewater</b>	<b>506,721</b>	<b>479,942</b>	<b>26,779</b>	<b>2,521,447</b>
020	<b>Water</b>	<b>1,134,867</b>	<b>1,381,197</b>	<b>(246,331)</b>	<b>2,973,549</b>
023	<b>Housing</b>	<b>604</b>	<b>0</b>	<b>604</b>	<b>281,648</b>
024	<b>Traffic Mitigation</b>	<b>37</b>	<b>0</b>	<b>37</b>	<b>17,918</b>
025	<b>Gas Tax</b>	<b>458,152</b>	<b>1,015,316</b>	<b>(557,164)</b>	<b>979,127</b>
026	<b>Measure D</b>	<b>177</b>	<b>133,109</b>	<b>(132,932)</b>	<b>0</b>
027	<b>Local Transportation Fund</b>	<b>3,877</b>	<b>59,750</b>	<b>(55,873)</b>	<b>125,620</b>
029	<b>Transportation Planning</b>	<b>0</b>	<b>33,695</b>	<b>(33,695)</b>	<b>(39,935)</b>
031	<b>Measure A</b>	<b>229,854</b>	<b>293,112</b>	<b>(63,258)</b>	<b>215,798</b>
	<b>Total Special Revenue Funds</b>	<b>2,334,288</b>	<b>3,396,121</b>	<b>(1,061,833)</b>	<b>7,075,173</b>
	<b>Total-All Funds</b>	<b>5,801,879</b>	<b>7,222,409</b>	<b>(1,420,530)</b>	<b>15,190,592</b>

**CITY OF BUELLTON**  
City Council Agenda Staff Report

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

To: The Honorable Mayor and City Council

From: Annette Muñoz, Finance Director

Meeting Date: June 14, 2012

Subject: Resolution No. 12-12 – “A Resolution of the City Council of the City of Buellton, California, Acknowledging the Receipt of and Ordering the Filing of the Annual Statement of Investment Policy for Fiscal Year 2012-13 with the City Council”

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**BACKGROUND**

California Government Code Section 53646(a)(2) previously required the annual filing of a Statement of Investment Policy with the State Controller’s Office. The law has now been revised to state that the policy “may” be filed annually.

Staff is of the opinion that it would be appropriate to continue the practice of filing a Statement of Investment Policy with the City Council even though not required to be filed with the State Controller’s Office. Accordingly, Resolution No. 12-12 and its Exhibit “A”, setting forth the City’s Investment Policy, are provided for your review and recommended approval.

The objective of this Policy is designed to accurately monitor and forecast expenditures and revenues, thus enabling the City to invest funds to the fullest extent possible. The City strives to maintain the level of investment of all funds as near 100% as possible, through daily and projected cash flow determinations.

The basic premise underlying the City’s investment philosophy is, and will continue to be, to insure that money is always safe and available when needed.

**FISCAL IMPACT**

The listing of the agenda item will not have any fiscal impact on the City.

**RECOMMENDATION**

That the City Council adopt Resolution No. 12-12 – “A Resolution of the City Council of the City of Buellton, California, Acknowledging the Receipt of and Ordering the Filing of the Annual Statement of Investment Policy for Fiscal Year 2012-13 with the City Council”.

**ATTACHMENT**

Resolution No. 12-12

**RESOLUTION NO. 12-12**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUELLTON, CALIFORNIA, ACKNOWLEDGING THE RECEIPT OF AND ORDERING THE FILING OF THE ANNUAL STATEMENT OF INVESTMENT POLICY FOR FISCAL YEAR 2012-13 WITH THE CITY COUNCIL**

**I. THE CITY COUNCIL OF THE CITY OF BUELLTON DOES HEREBY FIND AND DETERMINE AS FOLLOWS:**

- A. **WHEREAS**, Section 53646(a)(2) of the California Government Code states that an annual Statement of Investment Policy may be filed by local agencies; and,
- B. **WHEREAS**, the Finance Director of the City of Buellton declares the annual Statement of Investment Policy to be as set forth in Exhibit "A" attached hereto.

**II. NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BUELLTON DOES HEREBY RESOLVE AS FOLLOWS:**

- A. The annual Statement of Investment Policy for the City of Buellton has been prepared and filed by the City Finance Director and presented to the City Council for the Fiscal Year 2012-13 in compliance with Section 53646(a)(2) of the California Government Code.
- B. The City Clerk shall certify to the adoption of this Resolution.

**PASSED, APPROVED and ADOPTED** this 14th day of June, 2012.

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Holly Sierra  
Mayor

ATTEST:

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Linda Reid  
City Clerk

## CITY OF BUELLTON

### STATEMENT OF INVESTMENT POLICY

#### **PURPOSE**

This Statement is intended to provide guidelines for the prudent investment of the City's temporary idle cash, and outlines the policies for maximizing the efficiency of the City's cash management system. The ultimate goal is to enhance the economic status of the City while protecting its pooled cash.

#### **OBJECTIVE**

The City's cash management system is designed to accurately monitor and forecast expenditures and revenues, thus enabling the City to invest funds to the fullest extent possible. The City attempts to obtain the highest yield obtainable as long as investments meet the criteria established for safety and liquidity. Yield shall become a consideration only after the basic requirements of safety and liquidity have been met.

#### **POLICY**

The City of Buellton operates its temporary pooled idle cash investments under the "Prudent Investor Standard" (Government Code Section 53600.3). The Prudent Investor Standard states, in essence, that in investing or managing property for the benefit of another, a trustee shall exercise the judgment and care, under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency. This affords the City a broad spectrum of investment opportunities as long as the investment is deemed prudent and permissible under applicable law including Government Code Section 53600 et seq.

Investments may be made in the following media:

- Securities of the United States Government, or its agencies
  
- Certificate of Deposit (or time deposits) placed with commercial banks and/or savings and loan companies
  
- Negotiable Certificates of Deposit

- Commercial Paper
- Money Market funds rated “AAAm” or AAAM-G” or better by Standard & Poor’s Corporation
- Local Agency Investment Fund (State Pool) Demand and Deposits
- Repurchase Agreements (Repos)

Criteria for selecting investments and the order of priority are:

1. Safety: The safety and risk associated with an investment refer to the potential loss of principal, interest or a combination of these amounts. The City only operates in those investments that are considered very safe.
2. Liquidity: This refers to the ability to “cash in” at any moment in time with a minimal chance of losing some portion of principal or interest. Liquidity is an important investment quality especially when the unexpected need for funds occurs.
3. Yield: Yield is the potential dollar earnings an investment can provide, and sometimes is described as the rate of return.

## **SAFEKEEPING**

Securities purchased from brokers/dealers will be held in third party safekeeping by the trust department of Valley Oaks Bank or other designated third party trust, in the name of the City of Buellton.

## **INVESTMENT OBJECTIVE**

The cash management system of the City of Buellton is designed to accurately monitor and forecast expenditures and revenues, thus insuring the investment of monies to the fullest extent possible. Attempts are made to obtain the highest interest yields possible as long as investments meet the criteria required for safety and liquidity.

## **MONTHLY REPORTS**

The City Finance Director, as the investment officer, is to submit monthly reports to the local governing body to demonstrate that sufficient cash flow liquidity is available to meet the succeeding month's estimated expenditures. In addition, a monthly report of investments with a maturity greater than one year from the date of purchase will be submitted to the local governing body.

## **CITY CONSTRAINTS**

Buellton strives to maintain the level of investment of all idle funds, as near 100 percent as possible, through daily and projected cash flow determinations. Idle cash management and investment transactions are the responsibility of the City Finance Director. The basic premise underlying the City's investment philosophy is, and will continue to be, to insure that money is always safe and available when needed.

## **DEPOSITORIES**

The Finance Director will establish selection criteria for pre-approval of institutions with which to do business. To qualify for selection, an institution must have an office in California. A written listing of approved institutions will be maintained by the Finance Director.

## **BROKER/DEALERS**

To provide for the optimum yield in the investment of the City's funds, the City's investment procedures shall be designed to encourage competitive bidding on transactions from approved brokers/dealers. In order to be approved by the City, the dealer must be a primary dealer reporting to the New York Federal Reserve, unless a comprehensive credit and capitalization analysis reveals that the firm is adequately financed to conduct public business; the dealer must be experienced in institutional trading practices and familiar with the California Government Code as related to investments; and other criteria as may be established in the investment procedures.

The Finance Director will periodically conduct a credit analysis of each financial institution and securities broker/dealer to determine the financial condition of such agency and reduce the risk of default.

### **LIMIT ON TERM TO MATURITY**

The City Finance Director or his/her representative is not to invest any City monies in investments allowed under this policy that have a term remaining to maturity in excess of five years from the date of investment, unless the City Council has granted express authority to make such investment. The City Finance Director must request authority from the legislative body three months prior to the date of investment.

### **SAFEKEEPING AND CUSTODY**

To protect against potential fraud and embezzlement, the assets of the City shall be secured through third-party custody and safekeeping procedures. The Finance Director shall be bonded to protect the public against possible embezzlement and malfeasance. Safekeeping procedures shall be reviewed annually by the independent auditor and any irregularities noted should be reported promptly to the City Manager and the City Council.

### **PERFORMANCE EVALUATION AND OPERATIONS AUDIT**

The monthly investment reports submitted to the City Council shall contain sufficient information to permit an independent organization to evaluate the performance of the investment program.

### **ETHICS**

All persons authorized to place or approve investments shall report annually on Form 721 of the Fair Political Practices Commission all required economic interests for that year.

### **ANNUAL REVIEW**

This Statement of Investment Policy is to be submitted to the City Council annually for review and approval. It is to continue to serve as the basis for the responsibilities and actions taken by the City Finance Director relative to the investment of the City's idle funds.

(End)

**CITY OF BUELLTON**  
City Council Agenda Staff Report

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

To: The Honorable Mayor and City Council

From: Annette Muñoz, Finance Director

Meeting Date: June 14, 2012

Subject: Resolution No. 12-13 – “A Resolution of the City Council of the City of Buellton, California, Establishing an Appropriation Limit for Fiscal Year 2012-13 Pursuant to Article XIII-B of the California Constitution”

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**BACKGROUND**

In 1979, the voters of the State of California passed Proposition 4, the “Gann Initiative”, which added Article XIII-B to the State Constitution. This Article provides that the total annual appropriation of California cities shall be limited based upon budgeted appropriations for Fiscal Year 1978-79 adjusted annually for changes in population and cost of living or personal income.

For the Fiscal Year 2012-13 appropriation limit, the 2011-12 limit was factored with the allowable increase in the California per capita income and the fiscal year-to-date change in the City population, i.e., 3.77% was used as the inflation adjustment and .08% for the change in population. Using these values, the appropriation limit for Fiscal Year 2012-13 was determined to be \$8,830,393.

The proposed Fiscal Year 2012-13 revenue was allocated to “proceeds of taxes” and “non-proceeds of taxes” and then compared to the appropriation limit noted above as required by Proposition 4. Using the aforementioned appropriation limit, the City of Buellton is below its maximum limit for Fiscal Year 2012-13 by \$6,031,393.

**FISCAL IMPACT**

The listing of this agenda item in itself will not have any fiscal impact to the City.

**RECOMMENDATION**

That the City Council adopt Resolution No. 12-13 – “A Resolution of the City Council of the City of Buellton, California, Establishing an Appropriation Limit for Fiscal Year 2012-13 Pursuant to Article XIII-B of the California Constitution”.

**ATTACHMENTS**

Resolution No. 12-13

Attachment 1 - Proposition 4 Limitations for Fiscal Year 2012-13

Attachment 2 - Revenue Recap for Proposition 4 Limitations Based on Fiscal Year 2012-13 Budget

Attachment 3 - Letter dated May 2012 from California Department of Finance

**RESOLUTION NO. 12-13**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
BUELLTON, CALIFORNIA, ESTABLISHING AN  
APPROPRIATION LIMIT FOR FISCAL YEAR 2012-13  
PURSUANT TO ARTICLE XIII-B OF THE CALIFORNIA  
CONSTITUTION**

**I. THE CITY COUNCIL OF THE CITY OF BUELLTON DOES HEREBY FIND  
AND DETERMINE AS FOLLOWS:**

- A. Article XIII-B of the California Constitution provides that the total annual appropriations limit of this City shall not exceed the appropriations limit for the prior year, except as adjusted for changes in the cost of living or personal income and population, or as otherwise provided for in said Article XIII-B and implementing State statutes; and,
- B. Pursuant to said Article XIII-B of said California Constitution, the City is required to set its appropriation limit for each fiscal year, and has made available to the public the documentation used in the determination of said appropriation limit.

**II. NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BUELLTON  
DOES HEREBY RESOLVE AS FOLLOWS:**

- A. The appropriation limit is amended for Fiscal Year 2012-13 and is set in the amount of \$8,830,393.
- B. The City Clerk shall certify to the adoption of this Resolution.

**PASSED, APPROVED and ADOPTED** this 14th day of June, 2012

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Holly Sierra  
Mayor

ATTEST:

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Linda Reid  
City Clerk

**CITY OF BUELLTON  
PROPOSITION 4 LIMITATIONS  
FISCAL YEAR 2012-13**

**ATTACHMENT 1**

	Proceeds of Taxes	Non-Proceeds of Taxes	Total
<u>TAXES</u>			
Property Tax - Secured	800,000		
Property Tax - Unsecured	40,000		
Sales Tax	1,500,000		
Property Transfer Tax	11,000		
Education-ERAF	0		
	<hr/>		<hr/>
Sub-total:	2,351,000		2,351,000
	<hr/>		<hr/>

STATE OF CALIFORNIA REVENUES

Homeowners Exemption	6,500		
Motor Vehicle in Lieu	355,000		
Off Highway License Fee	0		
Surface Transportation Program	65,000		
CalTrans STIP Funding	0		
Traffic Congestion Relief	0		
Gas Tax 2105		23,360	
Gas Tax 2106		20,424	
Gas Tax 2107		33,525	
Gas Tax 2107.5		1,000	
CA Proposition 1B Funding		0	
Rev & Tax 7360		52,460	
CA Indian Gaming Grant		165,000	
	<hr/>		<hr/>
Sub-total:	426,500	295,769	722,269
	<hr/>		<hr/>

OTHER REVENUES

Transient Occupancy Tax		1,100,000	
Franchises		205,000	
Law Enforcement Recovery Fees		0	
Rent		66,365	
Planning Fees		1,000	
Special Event Fees		500	
Miscellaneous Permits		0	
Engineering Fees		3,000	
Miscellaneous Income		3,500	
Miscellaneous Fines		31,000	
Housing Fees		0	
Traffic Mitigation Fees		0	
Measure D		0	
TDA Grant		2,500	
Recreation Program Revenue		95,000	
Park Reservation Fees		3,000	
Parks/Recreation Miscellaneous		250	
Measure A		300,000	
Interests - General Fund	26,500	23,500	
Interests - Storm Water Fund		0	
Interests - Housing Fund		500	
Interests - Traffic Mitigation		0	
Interests - Gas Tax		2,000	
Interests - Measure D		0	
Interests - TDA Grant		200	
Interests - Parks/Recreation		0	
Interests - Measure A		450	
Interests - Landscape Maintenance Fund		250	
	<hr/>		<hr/>
Sub-total:	26,500	1,838,015	1,864,515
	<hr/>		<hr/>

<b>GRAND TOTAL:</b>	<hr/>	<hr/>	<hr/>
	2,804,000	2,133,784	4,937,784
	<hr/>	<hr/>	<hr/>

**CITY OF BUELLTON  
REVENUE RECAP FOR PROPOSITION 4 LIMITATIONS  
BASED ON FISCAL YEAR 2012-13 BUDGET**

Appropriations Limit - LAFCO Amount per condition No. 18 - Case No. 90 R-1	3,147,324
Adjustments (1992-1993)	157,366
Adjustments (1993-1994)	165,235
Adjustments (1994-1995)	156,494
Adjustments (1995-1996)	26,473
Adjustments (1996-1997)	288,213
Adjustments (1997-1998)	301,100
Adjustments (1998-1999)	256,229
Adjustments (1999-2000)	282,052
Adjustments (2000-2001)	321,249
Adjustments (2001-2002)	498,518
Adjustments (2002-2003)	25,084
Adjustments (2003-2004)	227,264
Adjustments (2004-2005)	558,870
Adjustments (2005-2006)	475,090
Adjustments (2006-2007)	287,170
Adjustments (2007-2008)	544,050
Adjustments (2008-2009)	412,386
Adjustments (2009-2010)	143,091
Adjustments (2010-2011)	(33,093)
Adjustments (2011-2012)	262,861
Balance 6/30/11	<u>8,503,026</u>

Adjustments (2012-13)	
California per capita personal income growth factor	3.77%
Population Increase (Actual)	0.08%

1.0377 x 1.0008 = 1.0385	
\$8,,503,026 (Bal 6/30/11) x 1.0385 = Current Yr. Limit (6/30/12)	<u>8,830,393</u>

Total Revenue:	
Proceeds of Taxes - Schedule I	2,804,000

Exclusions:	
Employee Retirement Fund - Prior Year Service Cost Expenditures (Estimate)	(5,000) 2,799,000
Under Limit 2012-13	<u>6,031,393</u>



May 2012

Dear Fiscal Officer:

**Subject: Price and Population Information**

**Appropriations Limit**

The California Revenue and Taxation Code, Section 2227, mandates the Department of Finance (Finance) to transmit an estimate of the percentage change in population to local governments. Each local jurisdiction must use their percentage change in population factor for January 1, 2012, in conjunction with a change in the cost of living, or price factor, to calculate their appropriations limit for fiscal year 2012-2013. Enclosure I provides the change in California's per capita personal income and an example for utilizing the price factor and population percentage change factor to calculate the 2012-2013 appropriations limit. Enclosure II provides city and unincorporated county population percentage changes, and Enclosure IIA provides county and incorporated areas' summed population percentage change. The population percentage change data excludes federal and state institutionalized populations and military populations.

**Population Percent Change for Special Districts**

Some special districts must establish an annual appropriations limit. Consult the Revenue and Taxation Code, Section 2228 for further information regarding the appropriations limit. You can access the Code from the following website: "<http://www.leginfo.ca.gov/calaw.html>" check box: "Revenue and Taxation Code" and enter 2228 for the search term to learn more about the various population change factors available to special districts to calculate their appropriations limit. Article XIII B, Section 9(C), of the State Constitution exempts certain special districts from the appropriations limit calculation mandate. Consult the following website: "[http://www.leginfo.ca.gov/const/article\\_13B](http://www.leginfo.ca.gov/const/article_13B)" for additional information. Special districts required by law to calculate their appropriations limit must present the calculation as part of their annual audit. Any questions special districts have on this issue should be referred to their respective county for clarification, or to their legal representation, or to the law itself. No State agency reviews the local appropriations limits.

**Population Certification**

The population certification program applies only to cities and counties. Revenue and Taxation Code Section 11005.6 mandates Finance to automatically certify any population estimate that exceeds the current certified population with the State Controller's Office. **Finance will certify the higher estimate to the State Controller by June 1, 2012.**

**Please Note:** Prior year's city population estimates may be revised.

If you have any questions regarding this data, please contact the Demographic Research Unit at (916) 323-4086.

ANA J. MATOSANTOS

Director

By:

MICHAEL COHEN

Chief Deputy Director

Enclosures

May 2012

Enclosure I

- A. **Price Factor:** Article XIII B specifies that local jurisdictions select their cost-of-living factor to compute their appropriation limit by a vote of their governing body. The cost-of-living factor provided here is per capita personal income. If the percentage change in per capita personal income is selected, the percentage change to be used in setting the 2012-2013 appropriation limit is:

Per Capita Personal Income

Fiscal Year (FY)	Percentage change over prior year
2012-2013	3.77

- B. Following is an example using sample population change and the change in California per capita personal income as growth factors in computing a 2012-2013 appropriation limit.

**2012-2013:**

Per Capita Cost of Living Change = 3.77 percent  
 Population Change = 0.68 percent

Per Capita Cost of Living converted to a ratio:  $\frac{3.77 + 100}{100} = 1.0377$

Population converted to a ratio:  $\frac{0.68 + 100}{100} = 1.0068$

Calculation of factor for FY 2012-2013:  $1.0377 \times 1.0068 = 1.0448$

**Enclosure II**  
**Annual Percent Change in Population Minus Exclusions**  
**January 1, 2011 to January 1, 2012 and Total Population, January 1, 2012**

County City	<u>Percent Change</u>	<u>--- Population Minus Exclusions ---</u>		<u>Total</u>
	2011-2012	1-1-11	1-1-12	1-1-2012
<b>Santa Barbara</b>				
Buellton	0.08	4,854	4,858	4,858
Carpinteria	0.27	13,041	13,076	13,076
Goleta	0.14	29,887	29,930	29,930
Guadalupe	0.24	7,080	7,097	7,097
Lompoc	0.24	39,059	39,151	42,854
Santa Barbara	0.29	88,807	89,062	89,082
Santa Maria	0.62	99,582	100,199	100,199
Solvang	0.32	5,264	5,281	5,281
Unincorporated	0.63	130,660	131,482	134,890
<b>County Total</b>	<b>0.45</b>	<b>418,234</b>	<b>420,136</b>	<b>427,267</b>

(\*) Exclusions include residents on federal military installations and group quarters residents in state mental institutions, state and federal correctional institutions and veteran homes.

**CITY OF BUELLTON**  
City Council Agenda Staff Report

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

To: The Honorable Mayor and City Council

From: Rose Hess, Public Works Director

Meeting Date: June 14, 2012

Subject: Resolution No. 12-10 – “A Resolution of the City Council of the City of Buellton, California, Regarding the Commitments and Publishing the Report Required by Central Coast Water Authority Resolution Nos. 92-02 and 92-11”

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**BACKGROUND**

On January 23, 1992, the Central Coast Water Authority (CCWA) Board of Directors approved CCWA Resolution No. 92-2, which formally approved construction of the Mission Hills and Santa Ynez Extensions and associated facilities. Resolution No. 92-2 included the following:

“CCWA adopts the following conditions of approval for the project. With the adoption of these conditions, CCWA finds that the environmental impacts of the project associated with the potential for growth inducement are insignificant:

1. The Santa Ynez Extension and Mission Hills Extension Mitigation Monitoring Program shall be implemented and enforced throughout the project construction and operation, unless modified after appropriate California Environmental Quality Act (CEQA) review and approval by CCWA.
2. The Santa Maria Valley Water Treatment Plant Mitigation Monitoring Program shall be implemented and enforced through the project construction and operation, unless modified after appropriate CEQA review and approval by CCWA.
3. CCWA shall require each Water Supply Agreement contractor to commit, prior to the contractor’s use of project water, that the water supplied to the contractor by the project will be used first to offset the contractor’s proportionate share of groundwater basin overdraft, if any, and to improve water quality for its customers, if appropriate, before being made available for other purposes. Such a commitment can be manifested in a number of different ways, including but not limited to adoption of an ordinance or resolution or adoption of a water management plan or program which brings groundwater supply and demand into balance.”

On February 27, 1992, the CCWA Board of Directors adopted Resolution No. 92-11, which complied with the terms of a Settlement Agreement between CCWA and two local organizations, which had threatened to institute litigation concerning the CCWA's compliance with CEQA in connection with the project. Resolution No. 92-11 added a new Condition #4 to the above-stated three conditions of approval:

4. "Each contractor shall commit to prepare and shall publish a report on its annual and long term water supply, beginning in the year that State Water Project (SWP) water first is delivered and annually thereafter for so long as the contractor continues to receive SWP water. This report shall include a calculation which quantifies, over the time period of the contractor's water management plan or the report, whichever is longer: (1) the obligation to offset groundwater overdraft and improve water quality, if any, set forth in the prior condition; and (2) reasonable estimates of total supplies available to the contractor, including but not limited to local supplies and the contractor's prediction regarding SWP urban delivery capacity, determined from State Department of Water Resources (DWR) operations studies. The report shall also include a calculation of the available water supply for the ensuing year and the amount of SWP water necessary to fulfill the contractor's obligations as set forth in Condition 3. The report shall contain sufficient information to monitor compliance with Condition No. 3 above. This report shall be presented for adoption to the contractor's Board of Directors at a public hearing. The report shall be distributed at local libraries and at each contractor's office and shall be available for public review at least 30 days prior to the Board hearing".

Condition No. 3 requires that a commitment be made with regard to use of SWP water. Condition No. 4 requires that annual reports be prepared concerning certain matters relating to water supply and demand, beginning with the year that SWP water first is delivered and thereafter for so long as SWP water is received.

In view of the above requirements, we have prepared the appropriate Resolution, which complies with the requirements of said Condition Nos. 3 and No. 4. The proposed Resolution adopts the annual report, attached hereto as Exhibit "A", regarding the City's long term water supply.

### **FISCAL IMPACT**

The fiscal impact to the City will be the publication costs of the annual report and the staff time required to prepare said report.

### **RECOMMENDATION**

That the City Council conduct a public hearing and consider the adoption of Resolution No. 12-10 - "A Resolution of the City Council of the City of Buellton, California, Regarding the Commitments and Publishing the Report Required by Central Coast Water Authority Resolution Nos. 92-02 and 92-11".

### **ATTACHMENT**

Resolution No. 12-10

## RESOLUTION NO. 12-10

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUELLTON, CALIFORNIA, REGARDING THE COMMITMENTS AND PUBLISHING THE REPORT REQUIRED BY CENTRAL COAST WATER AUTHORITY RESOLUTION NOS. 92-02 AND 92-11

I. THE CITY COUNCIL OF THE CITY OF BUELLTON DOES HEREBY FIND AND DETERMINE AS FOLLOWS:

- A. The City of Buellton (“City”) has a Water Supply Agreement with the Central Coast Water Authority (“Authority”); and
- B. One of the conditions of approval of the Santa Ynez and Mission Hills Extensions to the Coastal Branch Phase II of the State Water Project as found in Central Coast Water Authority Resolutions 92-2 and 92-11 requires the following commitments:
  - 1. Prior to the City’s use of State Water Project water, the City will commit that the use of that water will be used first to offset the contractor’s proportionate share of groundwater basin overdraft, if any, and to improve water quality for its customers, if appropriate, before being made available for other purposes.
  - 2. Beginning in the year that State Water Project water is first delivered and annually thereafter, the City will commit to prepare and publish an annual report on its long-term water supply. This report shall include a calculation which quantifies:
    - (a) the obligation to offset groundwater overdraft and improve water quality, if any, set forth in the prior condition; and
    - (b) reasonable estimates of total supplies available to the City, including but not limited to local supplies and the contractor’s prediction regarding State Water Project urban delivery capacity, determined from State Department of Water Resources (DWR) operations studies; and
    - (c) the available water supply for the ensuing year and the amount of State Water Project water necessary to fulfill the contractor’s obligations; and
    - (d) sufficient information to monitor compliance; and

- C. This resolution has been presented for adoption to the City Council of the City of Buellton at a public hearing and the Annual Long-Term Water Supply Report (“Report”) attached as Exhibit “A” to this Resolution has been distributed to local libraries and City Hall for public review for a period of time in excess of 30 days prior to the hearing.

II. NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BUELLTON DOES HEREBY RESOLVE AS FOLLOWS:

- A. The City Council of the City of Buellton (“City”) hereby commits to using State Water Project water, which it receives to first offset the City’s proportionate share of groundwater basin overdraft, if any, and to improve water quality for its consumers, if appropriate, before making such water available for other purposes.
- B. The City Council of the City hereby adopts the Annual Long-Term Water Supply Report (“Report”) attached as Exhibit “A” to this Resolution.
- C. The City Clerk shall certify to the adoption of this Resolution.

**PASSED, APPROVED, and ADOPTED** this 14th day of June 2012.

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Holly Sierra  
Mayor

ATTEST:

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Linda Reid  
City Clerk

**EXHIBIT “A”**

**CITY OF BUELLTON  
ANNUAL LONG-TERM WATER SUPPLY REPORT**

The City’s proportionate share of groundwater basin overdraft is zero based on its calculation of the City’s existing prescriptive right to appropriate and use Santa Ynez River Underflow water.

If a determination was made that the City has no existing prescriptive rights, the City’s proportionate share of the Santa Ynez River Underflow overdraft would be 540 acre feet per year based on:

- A. The proportionate amount of the City’s pumping estimated to be 180 acre feet in 2012, compared with
- B. The estimated total gross pumping of 360 acre feet, and
- C. The estimated annual overdraft in the basin is 0 (zero) acre feet.

The use of State Water Project water within the City in lieu of pumping by the City from the Santa Ynez River will result in current conditions that are essentially in supply/demand balance and the amount of reduced pumping as a result of using State Water Project water will equal or exceed the amount set forth in B or C above.

Based upon authority reports, there is no evidence at this time of any need to improve water quality for the benefit of City consumers. However, utilization of up to 578 acre feet of treated State Water Project water within the City in any given year will have a positive effect on both the City’s consumers given the higher quality of State Water Project water and the groundwater basin users as a result of return flow of significantly higher quality.

The water supplies reasonably available to the City during Fiscal Year 2012 and for the long term (five years) is estimated to be (in acre feet):

	<u>2012</u>	<u>Long Term</u>
1. Buellton Uplands Basin	1,000	5,000
2. Santa Ynez River Underflow	1,385	6,925
3. State Water Project	578	2,890
Total Available Supplies	2,963	14,815

The amount of water estimated to be required to meet demands within the City during fiscal year 2012 and over the long term (five years) is estimated to be (in acre feet):

	<u>2012</u>	<u>Long Term</u>
1. Estimated water demand Santa Ynez River	180	900
2. Estimated water demand Groundwater Basin	180	900
Total Demand	360	1,800

**CITY OF BUELLTON**  
City Council Agenda Staff Report

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

To: The Honorable Mayor and City Council

From: John Kunkel, City Manager

Meeting Date: June 14, 2012

Subject: Fiscal Year 2012-13 Preliminary City Budget

- Presentation by Santa Barbara County Sheriff's Department Regarding their Contract
- Other Budget Items

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**BACKGROUND**

The Santa Barbara County Sheriff's Department will provide a presentation regarding their contract.

The City Council may discuss other issues related to the Fiscal Year 2012-13 Preliminary City Budget. The final budget will be presented for adoption on June 28, 2012.

**CITY OF BUELLTON**  
City Council Agenda Staff Report

City Manager Review: JHK  
Council Agenda Item No.: 8

To: The Honorable Mayor and City Council

From: Linda Reid, City Clerk

Meeting Date: June 14, 2012

Subject: Consideration of Selection of Consultant for Live Internet Broadcast of Council Meetings

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**BACKGROUND**

At the City Council meeting of April 26, 2012, the City Council directed staff to prepare and issue a request for proposals (RFP) for live internet broadcast of Council meetings. Staff issued and advertised the RFP for the purchase, installation, and ongoing operation of the internet broadcast equipment. Staff received one proposal from Silvio Motta totaling \$7,900 for a single camera (no operator required), with an additional monthly cost of \$150 for internet streaming service. Mr. Motta will be available at the June 14<sup>th</sup> meeting to answer any questions and/or provide more information.

**FISCAL IMPACT**

The fiscal impact would be \$7,900 for equipment and installation and \$150 per month (\$1,800 annually) for internet streaming service.

**RECOMMENDATION**

That the City Council determine whether to provide live internet broadcast of Council meetings and if so, award the contract to Silvio Motta in the amount of \$7,900, plus \$150 per month for internet streaming service.

**ATTACHMENT**

Attachment 1 – Consultant Proposal

# ATTACHMENT 1

May 31, 2012

City of Buellton  
107 W. Highway 246  
Buellton, CA 93427

ATTN: Linda Reid, City Clerk

I would like to submit this proposal in response to the City of Buellton's request for proposal for live internet broadcast of council meetings.

I have over 25 years of television production experience and have managed a cable television station for local government for over 20 years. During my professional career, I was responsible for all aspects of the television station production and operation, including;

- a. Live Television coverage of public hearings
- b. 24 hour TV Station programming and video production
- c. Technical equipment specification, installation and maintenance requirements

A few months ago, I was at your council meeting to discuss the possibility of video streaming the council meetings on the Internet. At that time, staff was directed to survey the community to assess the interest of the public. Staff received positive responses and returned to the council for direction, at which time, the council directed staff to procure streaming video capability via a RFP.

I received the RFP, which has specific mandatory equipment requirements and after further research concluded that such a system would cost significantly more than my initial cost estimate. If you recall, I suggested a streaming video system with an estimated cost of \$12,000 to 15,000 for a basic system, which did not include the additional cost of a video operator for each meeting. Therefore, I am responding to the RFP, with an alternative solution for streaming City council meetings online.

I am respectfully submitting that a basic live streaming video system with a single camera, which would not need an operator, can be installed for \$7,900 with an additional monthly cost of \$150 for the streaming service. This system also would allow room for expansion in the future including additional cameras and other video production equipment.

Thank you for the opportunity and I look forward to bringing government to the people of Buellton for an affordable cost and an effective way.

Sincerely,

**Silvio Motta**  
4126 Casey Ave.  
Santa Ynez, CA 93460  
(805) 451-8985  
[silvio@motta.sbcoxmail.com](mailto:silvio@motta.sbcoxmail.com)

**Please note on this proposal that I reserve the right to substitute any equipment or services of equal specification.**

# City of Buellton

## LIVE INTERNET BROADCAST OF COUNCIL MEETINGS

### Proposal

May 31, 2012



## Equipment Description

### **Video Encoder to Broadcast Live online** \$1,300

The Video Encoder Broadcaster is a live broadcasting device that works seamlessly with the video stream service provider to deliver the industry's first affordable unlimited ad-free live streaming end-to-end solution.

Attached specifications **page # 4**

### **Video Camera** \$3,500

The new ultra compact Canon XA10HD Professional Camcorder is designed for all situations. This feature-rich, professional model records Full HD 1080p using an AVCHD codec. The compact XA10 includes a detachable handle for low-angle shooting and portability.

Attached specifications **page # 5**

### **Video and audio accessories including cables, connectors, and brackets** \$ 600

### **Equipment installation and verification of the system operation.** \$2,500

### **Total** **\$7,900**

### **Monthly streaming video service provider** (Monthly \$150 x 12) **\$1,800**

This is the basic service which allows the City to stream live from a link at the city's web site and record the meeting. The city may opt to purchase additional services in the future, such as statistical data, and recorded content management. The following features are included in this service level: Unlimited live streaming; Highest Quality Video; iPhone App; Unlimited e-mail support; Trim videos and recordings.

#### **References:**

- Tony Ruggieri, City of Santa Barbara Television Supervisor.  
Phone: 805 564-5311 Email: [truggieri@SantaBarbaraCA.gov](mailto:truggieri@SantaBarbaraCA.gov)
- Alan Sutterfield, Santa Maria Community TV, Station Manager  
Phone: 805 925-0951 ext. 501 Email: [asutterfield@ci.santa-maria.ca.us](mailto:asutterfield@ci.santa-maria.ca.us)

#### **Insurance:**

Consultant will comply with the City's liability requirements, and will provide insurance certificate upon award of the proposal.

#### **Sub-consultant:**

This proposal includes a video streaming service provider with basic service level, and as indicated additional service and support may be purchased at a cost of \$350 a month on an annual contract.

#### **High Definition:**

The proposed equipment will be capable of High Definition (HD). HD will require a premium service level at a cost of \$1,000 a month on an annual contract. The City will also need to provide a dedicated data connectivity with high bandwidth at an estimated monthly cost of \$500, if the City chooses to provide HD quality.

## Video Encoder Specifications



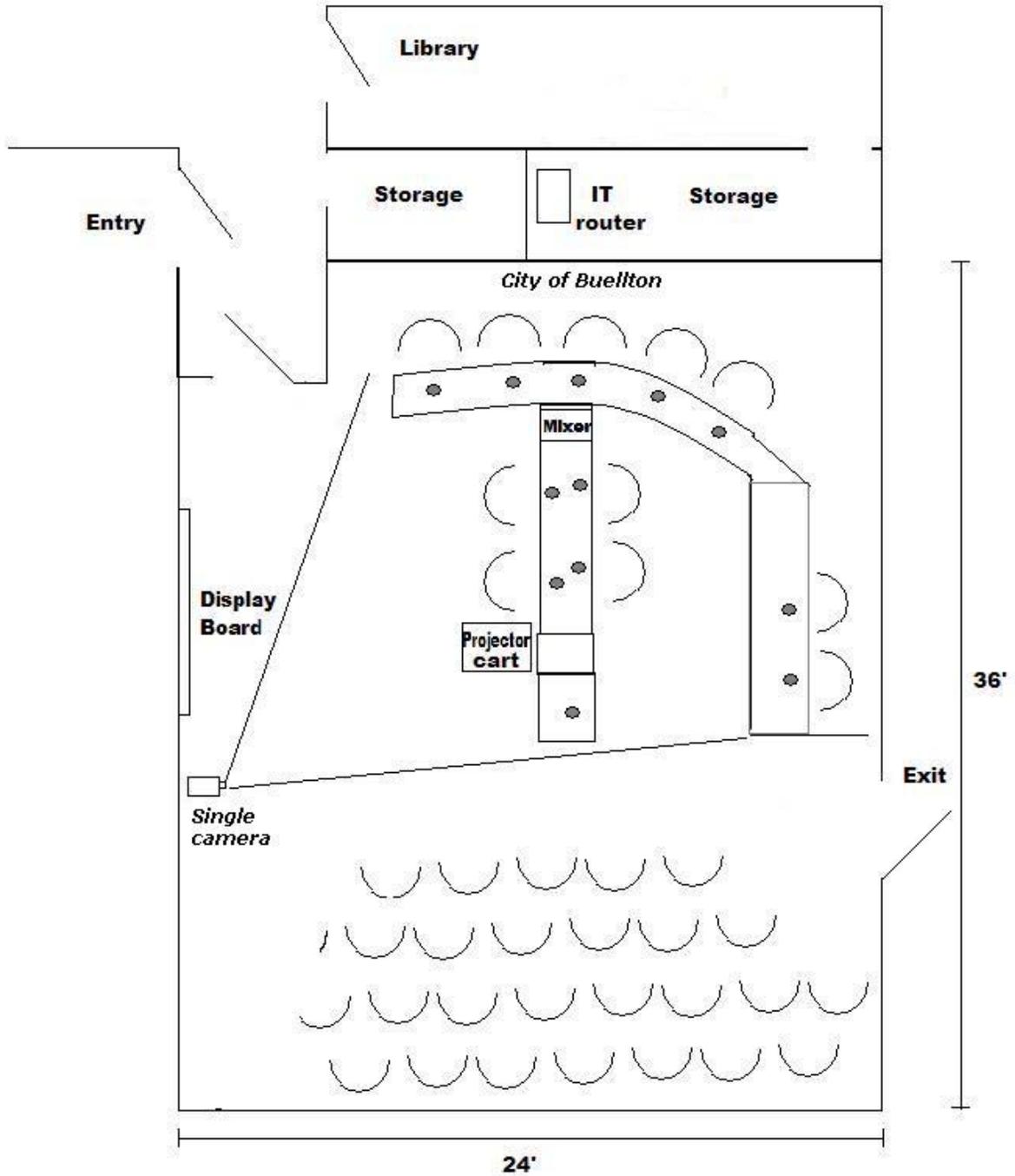
- Broadcaster Encoder
- Quick start guide
- 12" HDMI to Mini HDMI cable
- 12" Ethernet cable
- 3 AA batteries
- 12V DC power adapter with international attachments
- Cable pouch
- Flash shoe mount

<b>Display</b>	<ul style="list-style-type: none"> <li>• Blue OLED display</li> <li>• 1 button</li> <li>• 1 joystick control</li> <li>• 4 blue status indicator LEDs</li> <li>• Remote control via web interface on the New Livestream or the <a href="#">Livestream for Producers</a> iPhone app.</li> </ul>
<b>A/V Input</b>	<ul style="list-style-type: none"> <li>• HDMI input supports HD 1080i/720p and SD 480p</li> <li>• 3.5mm line-in audio input</li> </ul>
<b>Encoder</b>	<ul style="list-style-type: none"> <li>• High Profile (L4.1) H.264 and AAC audio codec</li> <li>• H.264/AAC encoding up to 720p 2.3Mbps</li> </ul>
<b>Network</b>	<ul style="list-style-type: none"> <li>• Ethernet 10/100Mbps</li> <li>• Built-in wireless 802.11 b/g/n 2.4Ghz</li> <li>• USB 3G/4G connectivity (USB 3G/4G modem not included)</li> </ul>
<b>Power</b>	<ul style="list-style-type: none"> <li>• 6-18V DC</li> <li>• 3x AA Batteries</li> </ul>
<b>Size</b>	<ul style="list-style-type: none"> <li>• 4.8in (122mm)</li> <li>• 3in (75mm)</li> <li>• 1.25 (32mm)</li> </ul>
<b>Weight</b>	<ul style="list-style-type: none"> <li>• 5 oz without batteries. 7.8oz with batteries</li> </ul>

## Video Camera Specifications - Canon XA10HD

Standard Definition or High Definition	High Definition
Power Supply (rated)	7.4 V DC (battery pack), 8.4 V DC (DC IN)
Television System	NTSC
Video Recording system	MPEG4-AVC / H.264
Audio Recording system	2-Channel, Dolby Digital (AC-3)
Image Sensor	1/3-inch CMOS, RGB Primary Color Filter
Total Pixels	Approx. 2.37-megapixels
Effective Pixels	Video: Approx. 2.07-megapixels (1920 x 1080) Photo: 16:9 Approx. 2.07-megapixels (1920 x 1080)
Maximum recording Time	64GB internal flash drive* LP (5Mbps) 24 hours 30 minutes SP (7Mbps) 19 hours 10 minutes XP+ (12Mbps) 11 hours 30 minutes FXP (17Mbps) 8 hours 20 minutes - Allows 1920 x 1080 Full HD Recording MXP (24Mbps) 5 hours 55 minutes - Allows 1920 x 1080 Full HD Recording Zoom Ratio: 10x Optical/40x/200x Digital (Movie) Focal Length: f-4.25-42.5mm (35mm equivalent 30.4-305 35mm) Zoom Speed: Variable, Constant: Fast, Normal, Slow (16 steps in each mode) Max. F/Stop: f/1.8-2.8
Lens	TVAF plus External Phase Difference Metering Sensor, Autofocus (Instant AF, Medium AF, Normal AF, Face Priority AF, Manual)
Focusing System	TVAF plus External Phase Difference Metering Sensor, Autofocus (Instant AF, Medium AF, Normal AF, Face Priority AF, Manual)
Manual Exposure	Yes
Programmed AE	Smart Auto, P, Tv, Av, M (Manual exposure), Portrait, Sports, Snow, Beach, Sunset, Night Scene, Low Light, Spotlight, Fireworks
Max Shutter Speed	1/2000
Minimum Focusing Distance	20mm (wide macro) / 60cm (entire zoom range)
White Balance	Auto, Set 1, Set 2, Custom (2,000K to 15,000K in 100K increments), Daylight, Shade, Cloudy, Tungsten, Fluorescent, Fluorescent H, Manual
Frame Rate	60i, Native 24p (records at 24p), 24p Progressive (records at 60i), 30p Progressive (records at 60i)
Minimum Illumination	Auto mode 1.5 lux (with auto slow shutter selected - shutter speed 1/30) Low Light mode: 0.1 lux (shutter speed 1/2 sec.)
Image Stabilization	SuperRange Optical (Lens Shift): 4 modes: Standard, Powered, Dynamic, Off
Filter Diameter	58mm
Viewfinder	.24-inch, color widescreen, Approx. 260,000 dots, Approx. 100% field of view
LCD Screen	3.5-inch High Resolution Touch Panel Widescreen Color LCD, Approx. 922,000 dots, Approx. 100% field of view
Recording Media	Internal flash drive (64GB) or SD / SDHC / SDXC memory cards (2 slots) **
USB Terminal	Mini-B USB 2.0 Hi-Speed
Video Terminal	Component: Output only; Composite: A/V terminal 3.5mm mini-jack, output only
Audio Terminal	XLR 3-pin jack (2), Switchable between MIC/LINE, 3.5mm stereo mini-jack
Accessory Shoe	Cold
HDMI Terminal	HDMI Mini Connector (output), CEC, x.v.Color, and 1080p output supported
Microphone Terminal	3.5 mm stereo mini-jack
AV Mini Terminal/Headphone Terminal	3.5 mm 4 pole mini-jack (video/audio output only)
Remote Control Terminal	Yes (compatible with LANC protocol)
Operating Temperature range	Approx. -5° to 45° C, 60% relative humidity / Approx. 0° to 40° C, 85% relative humidity (performance)
Dimensions	(W x H x D) 3.0 x 3.0 x 6.3-inch (77 x 77 x 161mm) (excludes lens hood, mic holder unit, handle, and grip strap, but includes eyecup; 5.1 x 7.0 x 8.0-inch (130 x 177 x 205mm) (including lens hood, mic holder unit, handle, and eyecup but excludes grip strap)

City of Buellton  
Council Chambers  
Diagram



**CITY OF BUELLTON**  
City Council Agenda Staff Report

City Manager Review: JHK  
Council Agenda Item No.: 9

To: The Honorable Mayor and City Council

From: Marc Bierdzinski, Planning Director

Meeting Date: June 14, 2012

Subject: Ordinance No. 12-01 – “An Ordinance of the City Council of the City of Buellton, California, Adding Chapter 9.10 to Title 9 of the Buellton Municipal Code Regarding the Regulation of Smoking in Public Places” (Second Reading)

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**BACKGROUND**

At the meeting of May 24, 2012, the City Council introduced and held the first reading of Ordinance No. 12-10, an ordinance adding Chapter 9.10 to Title 9 of the Buellton Municipal Code regarding the regulation of smoking in public places. Ordinance No. 12-01 is now ready for its second reading and adoption. The Ordinance includes the definitions added at the May 24<sup>th</sup> Council meeting.

**RECOMMENDATION**

Staff recommends that the City Council consider the adoption of Ordinance No. 12-01 – “An Ordinance of the City Council of the City of Buellton, California, Adding Chapter 9.10 to Title 9 of the Buellton Municipal Code Regarding the Regulation of Smoking in Public Places” by title only and waive further reading.

**ATTACHMENT**

Ordinance No. 12-01

## ORDINANCE NO. 12-01

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BUELLTON, CALIFORNIA, ADDING CHAPTER 9.10 TO TITLE 9 OF THE BUELLTON MUNICIPAL CODE REGARDING THE REGULATION OF SMOKING IN PUBLIC PLACES

THE CITY COUNCIL OF THE CITY OF BUELLTON DOES HEREBY ORDAIN AS FOLLOWS

**SECTION 1:** The City Council reviewed draft wording regarding the regulation of smoking in public places at their April 26, 2012, meeting, and directed staff to bring back an ordinance for adoption.

**SECTION 2:** 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 any aspect of the proposed zoning ordinance amendments, 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 May 24, 2012 (“Public Hearing”).
  2. All oral, written and visual materials presented by City staff in conjunction with the Public Hearing.
  3. The following informational documents which, by this reference, are incorporated herein.
    - a. That certain written report submitted to the City Council dated May 24, 2012 (the “Staff Report”).
- B. Public Review.** On the basis of evidence hereinafter listed, all administrative procedures and public participation requirements prescribed in the Buellton Zoning Ordinance have been lawfully satisfied:
1. A notice was published in a legal section of a newspaper of general circulation on May 10, 2012 (the “Public Notice”), a minimum of ten (10) days in advance of the Public Hearing conducted on May 24, 2012.
  2. The Public Notice was posted in three public locations on May 10, 2012, a minimum of 10 days in advance of the Public Hearing.

- C. **Environmental Clearance.** The City Council hereby finds that the action to adopt this addition to the Buellton Municipal Code is exempt from the provisions of the California Environmental Quality since the action can be found exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3). The activity is covered by the general rule which exempts activities that can be seen with certainty to have no possibility for causing a significant effect on the environment. The action is being taken to protect the public from the health hazards of second-hand smoke.

**SECTION 3. ADOPTION:** Title 9 of the Buellton Municipal Code is hereby amended by adding a new Chapter 9.10, to be read as follows:

### **“Chapter 09.10**

#### **REGULATION OF SMOKING IN PUBLIC PLACES**

**Sections:**

- 9.10.010 Smoking and Use of Tobacco Products in Public Places.**
- 9.10.020 Smoking and Use of Tobacco Products in City Parks.**
- 9.10.030 Other Provisions.**
- 9.10.040 Posting of Signs.**
- 9.10.050 Enforcement.**

**Section 9.10.010 Smoking and Use of Tobacco Products in Public Places.**

In addition to the smoking prohibitions enacted pursuant to State Law, smoking shall be prohibited in the following public places within the City of Buellton.

A. Smoking shall be prohibited within 20 feet of any entrance to an area or building where smoking is prohibited. Ashtrays or any receptacle used to dispose of burning tobacco products shall also be prohibited within 20 feet of any entrance to an area or building where smoking is prohibited. Exception: 25 percent of the outdoor seating sections of restaurants and 100 percent of the outdoor seating sections of bars may allow smoking with the following conditions:

1. In the case of restaurants, smoking sections must be designated, the entire smoking section must be in the same area, and must be located the furthest distance from the restaurant entrance so as to minimize the chance of smoke entering the restaurant.
2. Smoking in the outdoor seating sections of restaurants or bars may only take place provided that smoke does not enter adjacent work sites or residences. The smoking section of these outdoor areas must be clearly marked with signs.

B. Buses or other means of public transit, enclosed or not, including ticket, boarding, and waiting areas of public transit stops, enclosed or not.

C. Areas of the lobby in a motel, hotel, or other similar transient lodging establishment.

D. Meeting and banquet rooms in a hotel, motel, or other transient lodging establishment, restaurants, and public meeting halls, including the corridors and pre-function areas adjacent to and serving the meeting or banquet rooms.

E. Polling places, enclosed or not.

**Section 9.10.020 Smoking and Use of Tobacco Products in City Parks.**

No person shall smoke or use tobacco products anywhere in the following City parks: Riverview Park, Oak Park, and Paws Park.

**Section 9.10.030 Other Provisions.**

A. Nothing in this section shall be construed to prohibit smoking or use of tobacco products in any area in which such smoking or use of tobacco products is already prohibited by state or federal law unless the applicable state or federal law does not preempt additional local regulation.

B. Other requirements and prohibitions.

1. No ash can, ashtray, or other smoking or tobacco product waste receptacle shall be placed in any area in which smoking and the use of tobacco products are prohibited by this section.

2. No person shall knowingly permit smoking or use of tobacco products in an area under the person's legal or de facto control in which smoking and use of tobacco products are prohibited by this section.

3. The presence of smoking or tobacco product waste receptacles in violation of subsection (1) above and the absence of signs shall not be a defense to a violation of any provision of this section.

4. No person shall intimidate, threaten any reprisal, or effect any reprisal, for the purpose of retaliating against another person who seeks to attain compliance with this section.

5. Each instance of smoking or use of tobacco products in violation of this section shall constitute a separate violation. Each day of a continuing violation of this section shall constitute a separate violation.

C. Definitions.

1. "Smoke" means the gases, particles, or vapors released into the air as a result of combustion, electrical ignition or vaporization, when the apparent or usual purpose of the combustion, electrical ignition or vaporization is human inhalation of the bi-products, except when the combusting material contains no tobacco or nicotine and the purpose of inhalation is solely olfactory, such as, for example, smoke from incense. The term "smoke" includes, but is not limited to, tobacco smoke, electronic cigarette vapors, and marijuana smoke.

2. "Smoking" means engaging in an act that generates smoke, such as, for example: possessing a lighted pipe, a lighted hookah pipe, an operating electronic cigarette, a lighted cigar, or a lighted cigarette of any kind; or lighting or igniting a pipe, a hookah pipe, a cigar, or a cigarette of any kind.

3. "Tobacco Product" means any substance containing tobacco leaf, and any product or formulation of matter containing biologically active amounts of nicotine that is manufactured, sold, offered for sale, or otherwise distributed with the expectation that the product or matter will be introduced into a human body, but does not include any cessation product specifically approved by the United States Food and Drug Administration for use in treating nicotine or tobacco dependence.

**Section 9.10.040 Posting of Signs.**

A. Signs. "Smoking" or "No Smoking" signs, whichever are appropriate, with letters not less than one inch in height, or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette in a red circle with a red bar across it) shall be clearly, sufficiently, and conspicuously posted at each entrance to every building or other place where smoking is regulated by this section, by the owner, operator, or manager or other person having control of such building or other location.

B. Signs-Hotels and Motels. Every hotel and motel located within the City shall have signs posted conspicuously in the registration and lobby areas which state that nonsmoking rooms are maintained and may be available; rooms designated as being nonsmoking shall have signs announcing such restriction conspicuously placed within the room.

**Section 9.10.050 Enforcement.**

A. The City Manager or his/her designee shall enforce and implement the ordinance codified in this Section with the assistance of the County Health Officer.

B. Any citizen who desires to register a complaint under this section may request the City Manager to initiate enforcement.

C. Violations of this section will result in the penalties for an infraction as described in Section 1.28 of the Municipal Code."

**SECTION 4:** If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance irrespective of the fact that any one or more sections, subsections, subdivision, sentences, clauses, phrases or portions thereof be declared invalid or unconstitutional.

**SECTION 5:** The City Clerk: (i) shall certify as to the passage of this Ordinance and shall cause the same to be published as required by law; (ii) is hereby authorized and directed to make typographical, grammatical and similar corrections in the final text of the Ordinance so long as such corrections do not constitute substantive changes in context; and (iii) cause the Buellton Municipal Code to be reprinted by deleting language contained within Section 3 of this Ordinance that is stricken and adding language that is underlined.

**PASSED, APPROVED, AND ADOPTED** this 14<sup>th</sup> day of June 2012.

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Holly Sierra  
Mayor

**ATTEST:**

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Linda Reid  
City Clerk

**CITY OF BUELLTON**  
City Council Agenda Staff Report

City Manager Review: JHK  
Council Agenda Item No.: 10

To: The Honorable Mayor and City Council

From: Ralph D. Hanson, City Attorney

Meeting Date: June 14, 2012

Subject: Resolution No. 12-17 – “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 6, 2012 for the Purpose of Submitting a Measure to the Qualified Voters of Buellton Regarding Raising the Transient Occupancy Tax Rate”

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**BACKGROUND**

At the last City Council meeting, the City Council requested a resolution be returned for Council consideration to add a ballot measure to the November 6, 2012 General Election to increase the Transient Occupancy Tax (TOT) rate to twelve percent (12%).

Additionally, at the last Council meeting there was some discussion to have the proceeds of any TOT increase specifically directed to a particular account. Staff does not recommend any specific designation of funds since this would make this measure a special tax that would be much more difficult to adopt. That is, under current California Law, a general tax increase (revenue that goes to the General Fund for uses determined by the City Council) only requires a greater than 50% vote to pass. However, a special tax (revenue restricted to a particular fund) requires a two-thirds majority to pass. The attached proposed language is a general tax; however if the Council desires to designate a particular expenditure, language may be added.

Attached are two versions of Resolution No. 12-17:

Version 1 – A simple amendment to the tax rate in the Buellton Municipal Code to reflect the TOT rate at twelve percent (12%). If adopted, the rate will go into effect without any City Council discretion.

Version 2 – An amendment to the tax rate in the Buellton Municipal Code to provide that the City Council may, in its discretion, increase the TOT rate to a maximum twelve percent (12%). As the Council is aware, neighboring jurisdictions are considering an increase in the TOT. However, if Buellton voters adopt the increase, but the neighboring jurisdictions do not, it could place Buellton hotels at a competitive disadvantage. This language would allow the City Council the discretion to determine the timing of the increase to the TOT.

### **FISCAL IMPACT**

Minimal impact to consolidate the ballot measure on the November 6, 2012 General Election ballot. If approved by the voters, the result could be an increase in annual TOT revenue.

### **RECOMMENDATION**

That the City Council determine which version of the increase method is appropriate and approve and adopt Resolution No. 12-17 – “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 6, 2012 for the purpose of submitting a Measure to the Qualified Voters of Buellton regarding raising the Transient Occupancy Tax Rate”.

### **ATTACHMENTS**

Resolution No. 12-17 (Version 1 and Version 2)

**RESOLUTION NO. 12-17**

**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 6, 2012 FOR THE PURPOSE OF SUBMITTING A MEASURE TO THE QUALIFIED VOTERS OF BUELLTON REGARDING RAISING THE TRANSIENT OCCUPANCY TAX RATE**

**WHEREAS**, Chapter 3.28 of the Buellton Municipal Code provides the provisions for the Buellton Transient Occupancy Tax (TOT), a charge for transient occupancy in hotels, motels, etc. (as defined in Section 3.28.020); and

**WHEREAS**, Section 3.28.030 sets the TOT rate to be charged at ten percent (10%); and

**WHEREAS**, it is the desire of the City Council to place before the voters of the City of Buellton an amendment to the Buellton Municipal Code to increase the amount of the TOT rate from ten percent (10%) to a maximum twelve percent (12%); and

**WHEREAS**, pursuant to existing California Law, the establishment or increase of general or special municipal taxes must be submitted to the voters for approval; and

**WHEREAS**, under the provisions of the law relating to General Law cities in the State of California, a General Municipal Election shall be held on November 6, 2012; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Buellton as follows:

**SECTION 1.** That pursuant to the requirements of the laws of the State of California there is called and ordered to be held in the City of Buellton, California on Tuesday, November 6, 2012 an Election for the purpose of submitting to the voters the following Measure:

Shall Section 3.28.030 of the Buellton Municipal Code be amended to increase the Transient Occupancy Tax rate, which applies only to transient occupants of hotels (as defined in Section 3.28.020), from ten percent (10%) to twelve percent (12%)?	<b>YES</b>
	<b>NO</b>

**SECTION 2.** That the text of the ordinance submitted to the voters is attached as Exhibit “A”.

**SECTION 3.** That the ballots to be used at the election shall be in form and content as required by law.

**SECTION 4.** The City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election. Pursuant to the requirements of Section 10403 of the Elections Code, the Board of Supervisors of the County of Santa Barbara is requested to place the Buellton Transient Occupancy Tax Measure on the ballot to be consolidated with the General Election scheduled for November 6, 2012.

**SECTION 5.** That the polls for the election shall be open at 7:00 a.m. of the day of the election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed except as provided in Section 14301 of the Elections Code of the State of California.

**SECTION 6.** That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

**SECTION 7.** That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

**SECTION 8.** The City Clerk shall certify the passage and adoption of this Resolution.

**PASSED, APPROVED and ADOPTED** this 14<sup>th</sup> day of June, 2012.

\_\_\_\_\_  
Holly Sierra  
Mayor

ATTEST:

\_\_\_\_\_  
Linda Reid  
City Clerk

## **EXHIBIT A**

**The Full Text of the Measure is as Follows:**

### **TRANSIENT OCCUPANCY TAX RATE INCREASE**

**To Be Submitted to the Voters of the City of Buellton**

**THE PEOPLE OF THE CITY OF BUELLTON DO ORDAIN AS FOLLOWS:**

Section 3.28.030 of Chapter 3.28 of the Buellton Municipal Code is hereby amended to read, as follows:

**“3.28.030 Rate.**

For the privilege of occupancy in any hotel, each transient is subject to and shall pay a tax in the amount of twelve percent (12%) of the rent actually charged or customarily charged by the operator for the rooms and/or facilities occupied by the transient. This tax constitutes a debt owed by the transient to the city which is extinguished only by payment to the operator of the hotel at the time the rent is paid. The unpaid tax is due upon the transient’s ceasing to occupy space in the hotel. If, for any reason, the tax due is not paid to the operator of the hotel, the tax administrator may require that such tax be paid directly to the tax administrator.”

**RESOLUTION NO. 12-17**

**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 6, 2012 FOR THE PURPOSE OF SUBMITTING A MEASURE TO THE QUALIFIED VOTERS OF BUELLTON REGARDING RAISING THE TRANSIENT OCCUPANCY TAX RATE**

**WHEREAS**, Chapter 3.28 of the Buellton Municipal Code provides the provisions for the Buellton Transient Occupancy Tax (TOT), a charge for transient occupancy in hotels, motels, etc. (as defined in Section 3.28.020); and

**WHEREAS**, Section 3.28.030 sets the TOT rate to be charged at ten percent (10%); and

**WHEREAS**, it is the desire of the City Council to place before the voters of the City of Buellton an amendment to the Buellton Municipal Code to increase the amount of the TOT rate from ten percent (10%) to a maximum twelve percent (12%); and

**WHEREAS**, pursuant to existing California Law, the establishment or increase of general or special municipal taxes must be submitted to the voters for approval; and

**WHEREAS**, under the provisions of the law relating to General Law cities in the State of California, a General Municipal Election shall be held on November 6, 2012; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Buellton as follows:

**SECTION 1.** That pursuant to the requirements of the laws of the State of California there is called and ordered to be held in the City of Buellton, California on Tuesday, November 6, 2012 an Election for the purpose of submitting to the voters the following Measure:

Shall Section 3.28.030 of the Buellton Municipal Code be amended to increase the Transient Occupancy Tax rate, which applies only to transient occupants of hotels (as defined in Section 3.28.020), from ten percent (10%) to twelve percent (12%)?	<b>YES</b>
	<b>NO</b>

**SECTION 2.** That the text of the ordinance submitted to the voters is attached as Exhibit “A”.

**SECTION 3.** That the ballots to be used at the election shall be in form and content as required by law.

**SECTION 4.** The City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election. Pursuant to the requirements of Section 10403 of the Elections Code, the Board of Supervisors of the County of Santa Barbara is requested to place the Buellton Transient Occupancy Tax Measure on the ballot to be consolidated with the General Election scheduled for November 6, 2012.

**SECTION 5.** That the polls for the election shall be open at 7:00 a.m. of the day of the election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed except as provided in Section 14301 of the Elections Code of the State of California.

**SECTION 6.** That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

**SECTION 7.** That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

**SECTION 8.** The City Clerk shall certify the passage and adoption of this Resolution.

**PASSED, APPROVED and ADOPTED** this 14<sup>th</sup> day of June, 2012.

\_\_\_\_\_  
Holly Sierra  
Mayor

ATTEST:

\_\_\_\_\_  
Linda Reid  
City Clerk

## **EXHIBIT A**

**The Full Text of the Measure is as Follows:**

### **TRANSIENT OCCUPANCY TAX RATE INCREASE**

**To Be Submitted to the Voters of the City of Buellton**

**THE PEOPLE OF THE CITY OF BUELLTON DO ORDAIN AS FOLLOWS:**

Section 3.28.030 of Chapter 3.28 of the Buellton Municipal Code is hereby amended to read, as follows:

**“3.28.030 Rate.**

For the privilege of occupancy in any hotel, the City Council may, by ordinance, establish a tax rate at no greater than twelve percent (12%) of the rent actually charged or customarily charged by the operator for the rooms and/or facilities occupied by the transient. Each transient is subject to and shall pay the tax in the amount in the amount set by the City Council. This tax constitutes a debt owed by the transient to the city which is extinguished only by payment to the operator of the hotel at the time the rent is paid. The unpaid tax is due upon the transient’s ceasing to occupy space in the hotel. If, for any reason, the tax due is not paid to the operator of the hotel, the tax administrator may require that such tax be paid directly to the tax administrator.”

**CITY OF BUELLTON**  
City Council Agenda Staff Report

City Manager Review: JHK  
Council Agenda Item No.: 11

To: The Honorable Mayor and City Council

From: Linda Reid, City Clerk

Meeting Date: June 14, 2012

Subject: Resolutions Pertaining to General Municipal Election to be Held on November 6, 2012

- A. Resolution No. 12-14 – “A Resolution of the City Council of the City of Buellton, California, Calling and Giving Notice of the Holding of a General Municipal Election to be Held on Tuesday, November 6, 2012 for the Election of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities”
- B. Resolution No. 12-15 – “A Resolution of the City Council of the City of Buellton, California, Requesting the Board of Supervisors of the County of Santa Barbara to Consolidate a General Municipal Election to be Held on Tuesday, November 6, 2012 with the General Election Pursuant to Section 10403 of the Elections Code”
- C. Resolution No. 12-16 – “A Resolution of the City Council of the City of Buellton, California, Adopting Regulations for Candidates for Elective Office Pertaining to Candidate’s Statements, Materials Submitted to the Electorate, and the Cost Thereof, Submitted to the Voters at an Election to be Held on Tuesday, November 6, 2012”

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**BACKGROUND**

In the past, the City has requested that the Board of Supervisors of the County of Santa Barbara consolidate the City of Buellton’s Municipal Election with the General Election. This consolidation has been shown to be an economic and efficient method to conduct the election. The election in Buellton will involve two City Council seats.

In order to consolidate the election and to implement the election process, several procedural resolutions need to be adopted and approved by the City Council. These resolutions will request the County Board of Supervisors to consolidate the City’s election with other elections conducted by the County, will officially give notice of the election for the City Council seats, and will set regulations pertaining to candidates’ statements.

Attached herewith for your review and consideration are the necessary resolutions to initiate the election process:

- A. Resolution No. 12-14 officially gives notice of the municipal election and the purpose thereof. The official title is Resolution No. 12-14 – “A Resolution of the City Council of the City of Buellton, California, Calling and Giving Notice of the Holding of a General Municipal Election to be Held on Tuesday, November 6, 2012 for the Election of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities”
- B. Resolution No. 12-15 requests the County Board of Supervisors to consolidate the City’s general election with other State, County, School District and Special District elections. The official title is Resolution No. 12-15 – “A Resolution of the City Council of the City of Buellton, California, Requesting the Board of Supervisors of the County of Santa Barbara to Consolidate a General Municipal Election to be Held on November 6, 2012 With the General Election Pursuant to Section 10403 of the Elections Code”
- C. Resolution No. 12-16 adopts regulations pertaining to candidates’ statements submitted to the voters. The official title is Resolution No. 12-16 – “A Resolution of the City Council of the City of Buellton, California, Adopting Regulations for Candidates for Elective Office Pertaining to Candidates’ Statements Submitted to the Voters at an Election to be Held on Tuesday, November 6, 2012”

### **FISCAL IMPACT**

Included in the Fiscal Year 2012-13 City Clerk’s budget is an appropriation of \$5,000 to cover the expenses of the General Municipal Election. As the final cost accounting of the City’s share of the election expenses will not be determined until after the election date, it may be necessary to appropriate an additional amount at that time.

### **RECOMMENDATION**

That the City Council adopt Resolution Nos. 12-14, 12-15, 12-16, all pertaining to the General Municipal Election scheduled for November 6, 2012.

### **ATTACHMENTS**

Resolution No. 12-14  
Resolution No. 12-15  
Resolution No. 12-16

**RESOLUTION NO. 12-14**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUELLTON, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2012 FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES**

**WHEREAS**, under the provisions of the laws relating to General Law Cities in the State of California, a General Election shall be held on November 6, 2012 for the election of Municipal Officers; and

**NOW, THEREFORE, THE CITY COUNCIL DOES RESOLVE, DECLARE, DETERMINE, AND REQUEST AS FOLLOWS:**

**SECTION 1.** That pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of Buellton, California, on Tuesday, November 6, 2012, a General Municipal Election for the purpose of electing two Members of the City Council for the full term of four years.

**SECTION 2.** That the ballots to be used at the election shall be in form and content as required by law.

**SECTION 3.** That the polls for the election shall be open at 7:00 a.m. of the day of the election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed, except as provided in Section 14401 of the Elections Code of the State of California.

**SECTION 4.** That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

**SECTION 5.** That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed, and directed to give further or additional notice of the election, in time, form, and manner as required by law.

**SECTION 6.** That the City Clerk shall certify to the passage and adoption of this resolution.

**PASSED, APPROVED, and ADOPTED** this 14th day of June 2012.

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Holly Sierra  
Mayor

ATTEST:

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Linda Reid  
City Clerk

**RESOLUTION NO. 12-15**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUELLTON, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2012 WITH THE GENERAL ELECTION PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE**

**WHEREAS**, under the provisions of the laws relating to General Law Cities in the State of California, a General Municipal Election shall be held on November 6, 2012 for the election of Municipal Officers.

**NOW, THEREFORE, THE CITY COUNCIL DOES RESOLVE, DECLARE, DETERMINE, AND REQUEST AS FOLLOWS:**

**SECTION 1.** That pursuant to the requirements of Section 10403 of the Elections code, the Board of Supervisors of the County of Santa Barbara is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Statewide General Election on Tuesday, November 6, 2012 for the purpose of electing two Members of the City Council.

**SECTION 2.** That pursuant to the requirements of the laws of the State of California relating to General Law Cities there is called and ordered to be held in the City of Buellton, California, on Tuesday, November 6, 2012, a General Municipal Election for the purposes of electing two Members of the City Council for the full term of four years.

**SECTION 3.** That the Board of Supervisors is requested to direct the County Elections Division to take any and all steps necessary for the conducting of the consolidated election.

**SECTION 4.** That the City Council recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees pursuant to Section 10002 of the Elections Code to reimburse the County in full for the cost of services performed upon presentation of a bill.

**SECTION 5.** That the City will be providing the following services:

- (a) Notice of election will be published, in time, form and manner required by law.
- (b) Accept and process official candidate nomination papers, which include verification as to whether candidate statements and ballot designations meet all legal requirements.
- (c) Upon certification by the Elections Division, issue certificates of election.

- (d) Take any other action necessary that is not the responsibility of the County Elections Official.

**SECTION 6.** That the City Council recognizes that the County Elections Official will be providing the following services:

- (a) Verify nomination petitions as requested.
- (b) Designate polling places and provide supplies and equipment.
- (c) Appoint and train election officers.
- (d) Furnish any and all official ballots, sample ballots, notices, and printed material.
- (e) Provide and process absentee voter requests.
- (f) Provide polling places for the election, which shall be open at 7:00 a.m. of the day of the election and shall remain open continuously until 8:00 p.m. of the same day when the polls shall be closed, except as provided in Section 14401 of the Elections Code.
- (g) Ensure that the ballots used at the election are in the proper form and content required by law.
- (h) Count ballots and canvass the returns.
- (i) Declare results and certify election.
- (j) Take any other action necessary in order to properly and lawfully conduct the election.
- (k) Prepare and mail all invoices regarding election costs.

**PASSED, APPROVED, and ADOPTED** this 14<sup>th</sup> day of June 2012.

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Holly Sierra  
Mayor

ATTEST:

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Linda Reid  
City Clerk

**RESOLUTION NO. 12-16**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUELLTON, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES' STATEMENTS, MATERIALS SUBMITTED TO THE ELECTORATE AND THE COST THEREOF, REGARDING AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2012**

**WHEREAS**, Section 13307 of the Elections Code of the State of California provides that the governing body of any local agency adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidate's statement.

**NOW, THEREFORE, THE CITY COUNCIL DOES RESOLVE, DECLARE, DETERMINE, AND REQUEST AS FOLLOWS:**

**SECTION 1.** That pursuant to Section 13307 of the Elections Code of the State of California, each candidate for elective office to be voted for at an election to be held in the City of Buellton on November 6, 2012 may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age, and occupation of the candidate and a brief description of no more than 200 words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed in the office of the City Clerk at the time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

**SECTION 2.** That the candidate shall be required to pay for the cost of printing the candidate's statement in English and any other language requested by the candidate.

**SECTION 3.** That the City Clerk shall provide each candidate or the candidate's representative a copy of this resolution at the time nominating petitions are issued.

**SECTION 4.** That all previous resolutions establishing council policy of payment for candidate's statements are repealed.

**SECTION 5.** That this resolution shall apply only to the election to be held on November 6, 2012 and shall then be repealed.

**SECTION 6.** That the City Clerk shall certify to the passage and adoption of this resolution.

**PASSED, APPROVED, and ADOPTED** this 14th day of June 2012.

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Holly Sierra  
Mayor

ATTEST:

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Linda Reid  
City Clerk

**CITY OF BUELLTON**  
City Council Agenda Staff Report

City Manager Review: JHK  
Council Agenda Item No.: 12

To: The Honorable Mayor and City Council

From: Linda Reid, City Clerk

Meeting Date: June 14, 2012

Subject: Biennial Review of Conflict of Interest Code

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**BACKGROUND**

The Political Reform Act requires every local government agency to review its conflict of interest code biennially to determine if it is accurate or, alternatively, that the code must be amended. Once the determination has been made, a notice must be submitted to the code reviewing body no later than October 1 of even-numbered years.

The City Council is the code reviewing body for City agencies. Therefore, the City Council must notify each City agency to review its code and submit a notice to the City Council that either amendments are required or that no amendments are necessary. Notices must be submitted to the City Council by October 1, 2012.

To facilitate this process, I have prepared the attached memorandum to the affected City agencies indicating the requirement for the review.

**FISCAL IMPACT**

This agenda item in itself will not have any fiscal impact on the City.

**RECOMMENDATION**

That the City Council direct the City Manager on its behalf to notify each City agency of the requirement to review its Conflict of Interest Code and submit the 2012 Local Agency Biennial Notice to the City Council that either amendments are required or that no amendments are necessary.

**ATTACHMENT**

Attachment 1 - Memorandum dated June 14, 2012 to Affected Agencies

## CITY OF BUELLTON

### MEMORANDUM

To: The Honorable Mayor and City Council

From: Linda Reid, City Clerk

Date: June 14, 2012

RE: Conflict of Interest Code – Local Agency Biennial Report

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In accordance with requirements of the Political Reform Act, you are hereby directed to perform the biennial review of the Conflict of Interest Code for your respective agency and to submit to the City Council no later than October 1, 2012, a notice that either amendments are required or that no amendments are necessary.

cc: City Attorney

**CITY OF BUELLTON**  
City Council Agenda Staff Report

City Manager Review: JHK  
Council Agenda Item No.: 13

To: The Honorable Mayor and City Council

From: Rose Hess, Public Works Director/City Engineer

Meeting Date: June 14, 2012

Subject: Approval of Expenditures for the Rehabilitation of Well No. 9

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**BACKGROUND**

In 1991, the City of Buellton drilled Well 9 (behind the Post Office) to support the City's water supply system. With the public water supply primarily drawn from local groundwater, Well 9 has been used as the primary source of supply. Wells, 3, 7 and 8 at McMurray were traditionally used to supplement and provide a back-up.

During the past few months, Well 9 has been offline due to emergency repairs for the Chlorine gas system and valve replacements. In addition, during the monthly monitoring and sampling, Bac-T tests have been returning as positive. After two attempts of chlorination, the results continue to be positive and the number of total coliforms increasing. Staff has consulted with Fisher Pump & Well Services, the on-call maintenance and repair pump service for the City, to remove the inner casings and video the well to determine the cause. The video showed the original well casings to be in poor condition, deteriorating in areas (~150' depth), build-up of iron and manganese (~170'), and heavy build-up and plugged louvers (~235 through 943'). Poor quality water was being pulled from the shallow depths due to the deterioration and is drawing down into our primary aquifer.

The last service to this well was performed in 2006, when the well was plugged and no water was being drawn. The rehabilitation work to be performed at this time includes the chemical treatment of the well, addition of a liner and gravel pack and the replacement of the pumping equipment. This work is anticipated to extend the life of the well approximately 6-10 years. Well 9, however, will have reduced production capability by approximately 50%.

Staff has investigated the cost of a new well, which ranges from \$600,000 - \$1,000,000. While not feasible at this time, a new well will be planned for.

**FISCAL IMPACT**

The cost to perform the rehabilitation of Well 9 approximately \$175,000. This work will be funded from the Water Enterprise Fund.

**RECOMMENDATION**

That the City Council approve the Expenditures for the Rehabilitation of Well 9 in an amount of \$175,000.

**ATTACHMENT**

Attachment 1 - Fisher Pump & Well Cost Estimate.

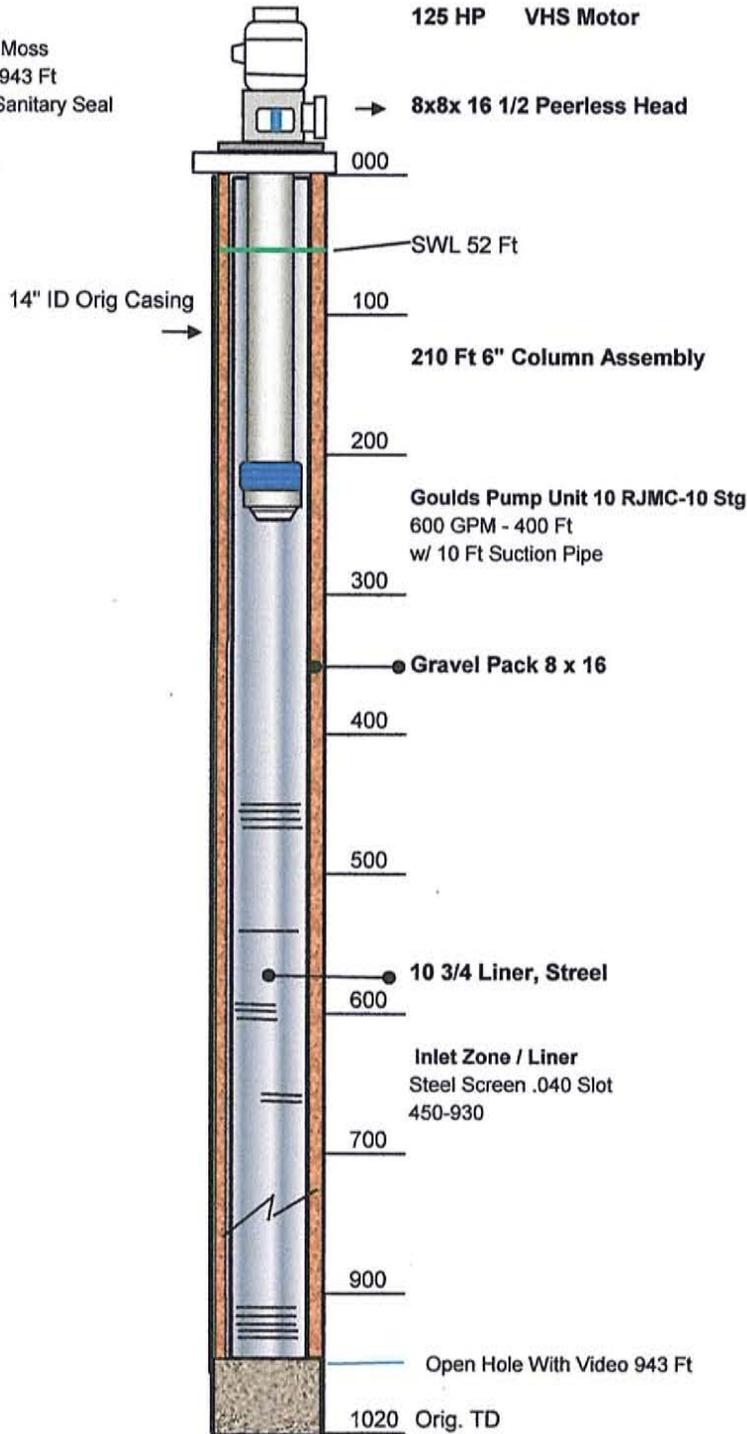




City Of Buellton  
Well 9 Sketch

14" ID Well Dia

.312 Wall Pipe, Roscoe Moss  
1020 Ft TD, Open Hole 943 Ft  
30" Conductor / 100 Ft Sanitary Seal  
Drilled 1991  
Louvered Section - Inlet  
450 Ft To 1000 Ft



6/3/12 rt