



CITY OF BUELLTON

CITY COUNCIL AGENDA

**Regular Meeting of September 13, 2012 at 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 John Connolly

ROLL CALL

Council Members Ed Andrisek, John Connolly, Judith Dale, Vice Mayor 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 Any Council Member, the City Attorney, or the City Manager may request that an item be withdrawn from the Consent Agenda to allow for full discussion.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 August 23, 2012 Regular City Council Meeting**
- 2. List of Claims to be Approved and Ratified for Payment to Date for Fiscal Year 2012-13**
- 3. Resolution No. 12-23 – “A Resolution of the City Council of the City of Buellton, California, Adopting a Revised Conflict of Interest Code of the City of Buellton”**
❖ (Staff Contact: City Attorney Hanson)

- 4. Approval Authorizing the Auction or Disposal Surplus of Equipment and Vehicles**
❖ *(Staff Contact: Public Works Director Hess)*

PRESENTATIONS

PUBLIC HEARINGS

COUNCIL MEMBER COMMENTS

COUNCIL ITEMS

WRITTEN COMMUNICATIONS

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

COMMITTEE REPORTS

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

BUSINESS ITEMS

(POSSIBLE ACTION)

- 5. Discussion Regarding the Future of the BBQ Bonanza**
❖ *(Staff Contact: City Manager Kunkel)*

CITY MANAGER'S REPORT

ADJOURNMENT

The next meeting of the City Council will be held on Thursday, September 27, 2012 at 6:00 p.m.

CITY OF BUELLTON

CITY COUNCIL MEETING MINUTES

Regular Meeting of August 23, 2012

**City Council Chambers, 140 West Highway 246
Buellton, California**

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Council Member Judith Dale led the Pledge of Allegiance

ROLL CALL

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

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

REORDERING OF AGENDA

Mayor Sierra requested that Closed Session Item 6 be continued to allow an Ad Hoc Committee (Council Members Andrisek and Dale) to establish a performance evaluation rating format. The City Council agreed by consensus to continue Item 6 to the meeting of September 27, 2012.

PUBLIC COMMENTS

Ron Anderson, Buellton, announced the Hearst Castle Bus Wrap unveiling trip is scheduled for Wednesday August 29 at 7:00 p.m. and invited everyone to attend the event and see the Buellton bus.

CONSENT CALENDAR

- 1. Minutes of August 9, 2012 Regular City Council Meeting**
- 2. List of Claims to be Approved and Ratified for Payment to Date for Fiscal Year 2012-13**
- 3. Consideration of Approval of Oak Valley Field Facility Use Agreement**

MOTION:

Motion by Vice Mayor King, seconded by Council Member Connolly, 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

None

COUNCIL MEMBER COMMENTS

Mayor Sierra announced that Saddlebag Saturday is scheduled for Saturday, September 8 from 12:00 to 4:00 p.m. at the Creation Station Fabric and Quilt Shop and the proceeds will benefit the Buellton Senior Center and the "Meals on Wheels" program. Mayor Sierra has tickets for anyone who wants to attend the event.

Mayor Sierra thanked the Buellton Medical Center for hosting the last Chamber of Commerce Mixer and said it was a good turnout.

COUNCIL ITEMS

Council Member Andrisek requested that staff prepare procedural guidelines for the naming of City areas and facilities and other Council procedures. The Council agreed by consensus to bring this issue back at a special meeting/workshop for further discussion.

WRITTEN COMMUNICATIONS

None

COMMITTEE REPORTS

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

4. **Consideration of Appointment to the Parks and Recreation Commission**
 - A. **Interview of Applicant**
 - B. **Consideration of Appointment**

RECOMMENDATION:

That the City Council interview the applicant and consider appointment to the Parks & Recreation Commission with term of office expiring December 2014.

STAFF REPORT:

City Manager Kunkel presented the staff report.

DOCUMENTS:

Staff Report with attachments (Application from Linda Fimlaid and Buellton Municipal Code Chapter 2.32: "Parks and Recreation Commission")

SPEAKERS/DISCUSSION

Ms. Fimlaid stated she is honored to serve on the Parks and Recreation Commission.

MOTION:

Motion by Vice Mayor King, seconded by Council Member Andrisek appointing Linda Fimlaid to the Parks and Recreation Commission with term of office expiring December 2014.

VOTE:

Motion passed by a Voice vote of 5-0.

5. Review of Draft Charter City Initiative**RECOMMENDATION:**

That the City Council approve the proposed Charter and direct staff to set the matter for public hearings as required by law.

STAFF REPORT:

City Manager Kunkel presented the staff report.

DOCUMENTS:

Staff report with attachments (Proposed Charter and Charter Questions and Answers)

SPEAKERS/DISCUSSION:

Lisa Figueroa, a member of the Charter Committee, explained the Charter City Initiative.

The City Council discussed the following issues:

- Allowing the Council to discuss the Charter in more detail before approving it for Public Hearings in the first part of 2014.
- Bringing the draft Charter back for Council discussion and possible approval at the meeting of October 25.

DIRECTION:

The City Council agreed by consensus to bring this item back for further discussion and possible approval at the meeting of October 25.

CITY MANAGER'S REPORT

City Manager Kunkel announced that he will be attending the California Joint Powers Insurance Authority (CJPIA) Executive Committee meeting on August 29; he will be sitting on an interview panel for the City of Santa Maria on August 30; and there is an Oversight Board meeting scheduled for August 27 in the Council Chambers.

Planning Director Bierdzinski stated that Santa Barbara County is holding its first Wine Ordinance meeting tonight and staff will advise the Council on the outcome of the meeting.

CLOSED SESSION ITEMS

- 6. The City Council will conduct a Closed Session pursuant to California Government Code Section 54957 concerning the following:**

PUBLIC EMPLOYEE PERFORMANCE EVALUATION – CONTRACT REVIEW

Title: City Manager

The Council agreed by consensus to continue Item 6 to the meeting of September 27, 2012, to allow an Ad Hoc Committee (Council Members Andrisek and Dale) to establish a performance evaluation rating format.

ADJOURNMENT

Mayor Sierra adjourned the regular meeting at 6:39 p.m. The next regular meeting of the City Council is scheduled for Thursday, September 13, 2012 at 6:00 p.m.

Holly Sierra
Mayor

ATTEST:

Linda Reid
City Clerk

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

The following is a list of claims to be ratified and approved for payment by the City Council at the **September 13, 2012** Council Meeting.

Listed below is a brief summary of the attached claims:

	EXHIBIT A		\$ 403,989.41
	EXHIBIT B		\$ 48,443.33
	Council Pay	8/23/12	\$ 2,311.29
	PAYROLL	8/31/12	\$ 41,846.99
	TOTAL AMOUNT OF CLAIMS:		<u>\$ 496,591.02</u>

	<u>FY 2011-12</u>	<u>FY 2012-13</u>
The total amount of claims and demands paid by the City for the Fiscal Year through September 5, 2012	\$ 1,694,897.01	\$ 1,870,382.58

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
26855-	529	1	8/14/2012	698 CALIFORNIA STATE DISBURSEMENT	1	.00	706.50	Logged
26856-	529	2	8/14/2012	763 RIO VISTA CHEVROLET	1	.00	61,409.97	Logged
26857-	530	1	8/23/2012	0 DIANA JOHNSTON	1	.00	15.00	Logged
26858-	530	2	8/23/2012	0 AIFBF	1	.00	970.00	Logged
26859-	530	3	8/23/2012	6 SOUTHERN CALIFORNIA DRILLING,	1	.00	90.00	Logged
26860-	530	4	8/23/2012	27 AQUA BEN CORPORATION	1	.00	1,532.21	Logged
26861-	530	5	8/23/2012	28 ARAMARK UNIFORM SERVICES	1	.00	335.56	Logged
26862-	530	6	8/23/2012	43 BARBARA KNECHT	1	.00	119.00	Logged
26863-	530	7	8/23/2012	60 BUELLTON CHAMBER OF COMMERCE	1	.00	1,722.24	Logged
26864-	530	8	8/23/2012	65 BURKE, WILLIAMS & SORENSEN, LL	3	.00	11,438.00	Logged
26865-	530	9	8/23/2012	79 CALIF. RURAL WATER ASSOCIATION	1	.00	564.00	Logged
26866-	530	10	8/23/2012	90 Ca1PERS LONG-TERM CARE PROGRAM	1	.00	84.25	Logged
26867-	530	11	8/23/2012	113 CITY OF SOLVANG	1	.00	18,283.65	Logged
26868-	530	12	8/23/2012	118 COASTAL COPY, LP	1	.00	270.11	Logged
26869-	530	13	8/23/2012	121 COC/BBA/VISITORS INFORMATION	1	.00	10,979.51	Logged
26870-	530	14	8/23/2012	153 STATE OF CA - HCD	2	.00	90.00	Logged
26871-	530	15	8/23/2012	189 FISHER PUMP & WELL SERVICE, IN	1	.00	30,955.00	Logged
26872-	530	16	8/23/2012	193 FIRST NATIONAL BANK OF OMAHA	8	.00	6,106.20	Logged
26873-	530	17	8/23/2012	199 FOSTER D. REIF	1	.00	50.00	Logged
26874-	530	18	8/23/2012	203 GARY BROWN dba	1	.00	237.78	Logged
26875-	530	19	8/23/2012	230 HPC/EAGLE ENERGY	1	.00	1,675.15	Logged
26876-	530	20	8/23/2012	242 JASON L. FUSSEL	1	.00	50.00	Logged
26877-	530	21	8/23/2012	248 JCI JONES CHEMICALS, INC.	2	.00	2,928.70	Logged
26878-	530	22	8/23/2012	252 JIM VREELAND FORD	1	.00	524.85	Logged
26879-	530	23	8/23/2012	280 LEE CENTRAL COAST NEWSPAPERS	1	.00	1,087.50	Logged
26880-	530	24	8/23/2012	303 ART MERCADO	1	.00	50.00	Logged
26881-	530	25	8/23/2012	322 MJ PLUMBING, INC dba	1	.00	1,371.63	Logged
26882-	530	26	8/23/2012	326 MNS ENGINEERS, INC.	13	.00	51,022.50	Logged
26883-	530	27	8/23/2012	327 MONIOT ELECTRIC, INC.	1	.00	1,029.11	Logged
26884-	530	28	8/23/2012	342 NIELSEN BUILDING MATERIALS, INC	1	.00	16.79	Logged
26885-	530	29	8/23/2012	352 P G & E	1	.00	25,642.80	Logged
26886-	530	30	8/23/2012	372 PETTY CASH	1	.00	163.66	Logged
26887-	530	31	8/23/2012	395 RAFAEL RUIZ CLEANING	3	.00	5,134.00	Logged
26888-	530	32	8/23/2012	445 SB CO AUDITOR CONTROLLER	1	.00	1,243.00	Logged
26889-	530	33	8/23/2012	450 SB CO SHERIFF'S DEPARTMENT	2	.00	139,055.26	Logged
26890-	530	34	8/23/2012	469 STAPLES CONTRACT & COMMERCIAL,	1	.00	245.68	Logged
26891-	530	35	8/23/2012	551 VALLEY TOOL RENTALS	1	.00	213.35	Logged
26892-	530	36	8/23/2012	554 VENCO WESTERN, INC.	4	.00	12,531.23	Logged
26893-	530	37	8/23/2012	556 VERIZON WIRELESS	1	.00	275.82	Logged
26894-	530	38	8/23/2012	570 WAYNE KREPS, JR. dba	2	.00	92.92	Logged
26895-	530	39	8/23/2012	582 VINTAGE WALK, LLC OWNERS ASSOC	1	.00	104.00	Logged
26896-	530	40	8/23/2012	589 GERALD T. WITCHER	1	.00	50.00	Logged
26897-	530	41	8/23/2012	598 ENGEL & GRAY, INC.	1	.00	4,512.55	Logged
26898-	530	42	8/23/2012	655 COAST NETWORKX, INC.	1	.00	190.00	Logged
26899-	530	43	8/23/2012	677 WALLACE GROUP	1	.00	1,155.16	Logged
26900-	530	44	8/23/2012	706 SATCOM GLOBAL, INC.	3	.00	123.52	Logged
26901-	530	45	8/23/2012	707 FLEX ONE - AFLAC	1	.00	91.00	Logged
26902-	530	46	8/23/2012	713 COASTAL COPY, LP	1	.00	483.80	Logged
26903-	530	47	8/23/2012	746 LANDS END, INC	1	.00	92.81	Logged
26904-	530	48	8/23/2012	757 PRO TECH WATER, INC. dba	2	.00	3,700.75	Logged
26905-	530	49	8/23/2012	764 STATE OF CALIFORNIA	1	.00	115.00	Logged
26906-	530	50	8/23/2012	765 2 AMIGOS AUTO REPAIR	1	.00	259.19	Logged
26907-	530	51	8/23/2012	11142 CHRISTOPHE MILLNER	1	.00	480.90	Logged

Run date: 09/05/2012 @ 11:17
Bus date: 08/31/2012

City of Buellton
Check Summary Report

EXHIBIT A
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Check-Run	Seq#	Date	Vendor Name	Checking	# Obls	Discount	Net amount	Status	
26908-	530	52	8/23/2012	11170	DONELLE MARTIN	1	.00	400.00	Logged
26909-	530	53	8/23/2012	11177	DUNN SCHOOL	1	.00	147.00	Logged
26910-	530	54	8/23/2012	11244	HERMILA SANCHEZ	1	.00	170.80	Logged
26911-	530	55	8/23/2012	11292	JOSHUA A. GRANT	1	.00	45.50	Logged
26912-	530	56	8/23/2012	11300	KAREN PALMER	1	.00	49.00	Logged
26913-	530	57	8/23/2012	11321	LAURA COGAN	1	.00	135.00	Logged
26914-	530	58	8/23/2012	11343	MARIANNE MADSEN	1	.00	216.00	Logged
26915-	530	59	8/23/2012	11467	SHIRLEY F. WALLACE	1	.00	49.00	Logged
26916-	530	60	8/23/2012	11476	STEPHEN F. DUNLAP	1	.00	315.00	Logged
26917-	530	61	8/23/2012	11525	VICTORIA L. BENNETT	1	.00	84.00	Logged
26918-	531	1	8/31/2012	698	CALIFORNIA STATE DISBURSEMENT	1	.00	706.50	Logged
						.00			
** Total check discount **						.00			
** Total check amount **						403,989.41			
						.00			

Payments via Electronic Fund Transfer (EFT):

Dental/Vision Self Ins Dep	8/15/12	25,000.00
FSA-Staff	8/16/12	712.33
Payroll Taxes	8/17/12	11,358.96
FSA-Council	8/23/12	100.00
Payroll Taxes	8/24/12	120.80
Payroll Taxes	8/31/12	11,151.24
Total		<hr/> \$ 48,443.33

FISCAL YEAR 2012-13 REVENUE AND EXPENDITURE RECAP

**As of July 31, 2012
8.3%
of the year elapsed**

<u>GENERAL FUND</u>	<u>Budgeted</u>	<u>Year to Date</u>	<u>% of Budget YTD</u>
Total Revenues	\$4,296,365.00	\$32,328.14	1%
Total Expenditures	\$5,017,791.00	\$430,755.01	9%

<u>SPECIAL FUNDS</u>	<u>Budgeted</u>	<u>Year to Date</u>	<u>% of Budget YTD</u>
Total Revenues	\$501,419.00	\$14,249.08	3%
Total Expenditures	\$1,164,304.00	\$71,018.44	6%

<u>WATER/SEWER</u>	<u>Budgeted</u>	<u>Year to Date</u>	<u>% of Budget YTD</u>
Total Revenues	\$2,051,250.00	\$194,180.41	9%
Total Expenditures	\$2,698,458.00	\$244,460.38	9%

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

The Cash Balances as of September 5, 2012 are as follows:

Checking	Balance as of:	<u>FY 2011-12</u>	<u>FY 2012-13</u>
Rabobank	9/5/12	107,139.15	236,158.65
Montecito Bnk&Trust	9/5/12	113,327.87	0.00
Total Checking		<u>220,467.02</u>	<u>236,158.65</u>
 Savings/Investments			
LAIF-savings	7/31/12	13,105,130.06	12,891,976.14
Rabobank-money mkt	7/31/12	202,044.99	203,049.67
Morgan Stanley-bonds	7/31/12	250,000.00	375,000.00
Great Pacific-treasuries	7/31/12	0.00	0.00
First Empire-bonds	7/31/12	4,173,480.40	3,231,010.19
Total Savings/Investments		<u>17,730,655.45</u>	<u>16,701,036.00</u>
 % of cash invested		25.77%	22.49%
 Total Cash		<u><u>17,951,122.47</u></u>	<u><u>16,937,194.65</u></u>

Note: General Fund includes Storm Water, Parks and Rec and Landscape Maintenance

FISCAL YEAR 2011-12 REVENUE AND EXPENDITURE RECAP

As of June 30, 2012 2nd Close
100.0%
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	\$4,867,886.93	123%
Total Expenditures	\$4,089,459.00	\$3,530,402.77	86%
<u>SPECIAL FUNDS</u>	<u>Budgeted</u>	<u>Year to Date</u>	<u>% of Budget YTD</u>
Total Revenues	\$584,349.00	\$1,305,640.79	223%
Total Expenditures	\$2,240,746.00	\$3,009,529.12	134%
<u>WATER/SEWER</u>	<u>Budgeted</u>	<u>Year to Date</u>	<u>% of Budget YTD</u>
Total Revenues	\$2,044,800.00	\$2,001,757.57	98%
Total Expenditures	\$2,605,396.00	\$2,475,874.64	95%
<u>SUCCESSOR AGENCY</u>	<u>Budgeted</u>	<u>Year to Date</u>	<u>% of Budget YTD</u>
Total Revenues	\$825,000.00	\$522,794.10	63%
Total Expenditures	\$1,499,936.00	\$495,110.48	33%

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

Note: General Fund figures above DO NOT include Storm Water, Parks and Rec or Landscape Maintenance. These funds are included in Special Funds for FY 11-12
See below for the revised General Fund and Special Fund calculations:

	<u>FY 11-12 Actual Revenues</u>	<u>FY 11-12 Actual Expenditures</u>	<u>Variance</u>
General Fund	\$4,867,886.93	\$3,530,402.77	
Storm Water	\$0.00	\$146,743.16	
Parks & Recreation	\$158,058.93	\$728,282.90	
Landscape Maintenance	\$135.00	\$103,045.30	
Revised General Fund Total	<u>\$5,026,080.86</u>	<u>\$4,508,474.13</u>	\$517,606.73
Special Funds	\$1,305,640.79	\$3,009,529.12	
Storm Water	\$0.00	(\$146,743.16)	
Parks & Recreation	(\$158,058.93)	(\$728,282.90)	
Landscape Maintenance	(\$135.00)	(\$103,045.30)	
Revised Special Fund Total	<u>\$1,147,446.86</u>	<u>\$2,031,457.76</u>	(\$884,010.90)

CITY OF BUELLTON
City Council Agenda Staff Report

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

To: The Honorable Mayor and City Council

From: Ralph D. Hanson, City Attorney

Meeting Date: September 13, 2012

Subject: Resolution No. 12-23 – “A Resolution of the City Council of the City of Buellton, California, Adopting a Revised Conflict of Interest Code of the City of Buellton”

BACKGROUND

The Political Reform Act, Government Code Section 81000, *et seq.*, and the Guidelines of the Fair Political Practices Commission, requires that cities to adopt local conflict of interest codes. On September 10, 1998, in conformance with the requirements of the Political Reform Act, the City Council adopted its Resolution No. 98-29, as the Buellton Conflict of Interest Code.

Since the last update of the Buellton Conflict of Interest Code the City has added and deleted certain City positions which should be included or deleted in the list of positions required to report in the Conflict of Interest Code. Additionally, with the dissolution of the Buellton RDA, the City Council has elected to serve as the Successor Agency to the former Buellton RDA.

The attached resolution will update the Buellton Conflict of Interest Code and include the Successor Agency within the terms of the Buellton Conflict of Interest Code.

FISCAL IMPACT

None

RECOMMENDATION

That the City Council adopt Resolution No. 12-23 – “A Resolution of the City Council of the City of Buellton, California, Adopting a Revised Conflict of Interest Code of the City of Buellton”

ATTACHMENT

Resolution No. 12-23

RESOLUTION NO. 12-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUELLTON, CALIFORNIA, ADOPTING A REVISED CONFLICT OF INTEREST CODE OF THE CITY OF BUELLTON

WHEREAS, the Political Reform Act, Government Code Section 81000, *et seq.*, requires state and local government agencies to adopt and promulgate conflict of interest codes; and

WHEREAS, the Fair Political Practices Commission has adopted a regulation, 2 California Code of Regulations Section 18730, which contains the terms of a standard conflict of interest code; and

WHEREAS, 2 California Code of Regulations Section 18730 was adopted by reference by the Buellton City Council on September 10, 1998, in Resolution No. 98-29, as the Buellton Conflict of Interest Code; and

WHEREAS, since the adoption of Resolution No. 98-29, the City Council has elected to serve as the successor agency ("Successor Agency") to the former Buellton Redevelopment Agency and will require compliance with the Political Reform Act; and

WHEREAS, since the last update of the Buellton Conflict of Interest Code the City has added and deleted certain City positions which should be included or deleted in the list of positions in Attachment B of the Conflict of Interest Code; and

WHEREAS, based upon such changes, and desiring to avoid confusion by multiple amended versions of the Conflict of Interest Code, the Council desires to adopt a consolidated Buellton Conflict of Interest Code, including, a Successor Agency Conflict of Interest Code, and repealing all prior versions.

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

SECTION 1. The City Council hereby finds that the above recitations are true and correct and, accordingly, are incorporated as a material part of this Resolution.

SECTION 2. Resolution No. 98-29 is hereby repealed.

SECTION 3. The provisions of this Resolution shall apply as the Conflict of Interest Code of the Successor Agency of the City of Buellton and all terms herein shall be read as applicable to the appropriate officers and employees of the Successor Agency. At the time that the Successor Agency is dissolved pursuant to the requirements of State Law, this Section 3 shall be repealed and be of no further force or effect.

SECTION 4. The terms of 2 California Code of Regulations, Section 18730, a copy of which is attached hereto as Attachment A, and any amendments to it duly adopted by the Fair Political Practices Commission are hereby adopted and incorporated by reference as the Conflict of Interest Code for the City of Buellton. This Regulation and Attachments B, C, and D to this Resolution, in which members and employees are designated and disclosure categories are set forth and explained, shall constitute the Conflict of Interest Code of the City of Buellton.

SECTION 5. Employees designated in Attachment B hereto shall file statements of economic interests (Form 700) with the City Clerk of the City of Buellton pursuant to this Resolution. The City Clerk shall retain a copy of all statements of economic interests and make them available for public inspection and reproduction.

SECTION 6. The City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED and ADOPTED this 13th day of September, 2012.

Holly Sierra
Mayor

ATTEST:

Linda Reid
City Clerk

ATTACHMENT A**Incorporation of FPPC Regulation 18730 (2 California Code of Regulations, Section 18730) by Reference**

The Political Reform Act (Government Code Section 81000, *et seq.*) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. 18730), which contains the terms of a standard conflict of interest code. After public notice and hearing, it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission, are hereby incorporated into the Buellton Conflict of Interest Code by this reference.

ATTACHMENT B

DESIGNATED EMPLOYEES AND DISCLOSURE CATEGORIES

The following positions are held by individuals involved in the making or participation in the making of decisions which may foreseeably have a material effect on financial interests:

<u>Designated Position</u>	<u>Disclosure Categories</u>
Director of Public Works/City Engineer.....	1, 2, 3
Assistant City Attorney.....	1
City Clerk.....	1, 2
Consultant *	1
Exempt Officials **	0
Members of all City Commissions, Boards, and Committees Not Otherwise Required to File Conflict of Interest Statements.....	1
Planning Director.....	1, 2, 3

*See Attachment C for explanation of Consultant filing.

**The Mayor, City Council, Members of the Planning Commission, City Manager, City Attorney, City Treasurer, and officials who manage public investments are all required to file disclosure statements pursuant to state law and thus are not included herein.

ATTACHMENT C**CONSULTANTS**

2 Cal. Code of Regulations Section 18701 (b) defines "consultant" as an individual who, pursuant to a contract with a state or local government agency:

- (A) Makes a governmental decision whether to:
- (i) Approve a rate, rule, or regulation;
 - (ii) Adopt or enforce a law;
 - (iii) Issue, deny, suspend, or revoke any permit license, application, certificate, approval, order, or similar authorization or entitlement;
 - (iv) Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract which requires agency approval;
 - (v) Grant agency approval to a contract which requires agency approval and in which the agency is a party or to the specifications for such a contract;
 - (vi) Grant agency approval to a plan, design, report, study, or similar item;
 - (vii) Adopt, or grant agency approval of policies, standards, or guidelines for the agency, or for any subdivision thereof; or
- (B) Serves in a staff capacity with the agency and in that capacity performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency's Conflict of Interest Code.

Consultant*

Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The City Manager may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in the section. Such written determination shall include a description of the consultant's duties and, based upon the description, a statement of the extent of disclosure requirements. The City Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

ATTACHMENT D

CATEGORIES OF REPORTABLE ECONOMIC INTERESTS

Designated Persons in Category "1" Must Report:

All investments, interests in real property, income, and any business entity in which the person is a director, officer, partner, trustee, employee, or holds any position of management. These financial interests are reportable only if located within and subject to the jurisdiction of the City, or if the business entity is doing business or planning to do business in an area subject to the jurisdiction of the City, or has done business within an area subject to the jurisdiction of the City at any time during the two (2) years prior to the filing of the statement.

Designated Persons in Category "2" Must Report:

All investments and business positions in business entities and income from sources that provide materials, equipment or services of the type used by the City.

Designated Persons in Category "3" Must Report:

Investments, business positions, and sources of income of the type which:

- (1) engage in land development, construction or the acquisition or sale of real property;
and
- (2) interest in real property located within the jurisdiction, including property located within a two mile radius of any property owned or used by the agency/authority.

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: Rose Hess, Public Works Director

Meeting Date: September 13, 2012

Subject: Approval Authorizing the Auction or Disposal Surplus of Equipment and Vehicles

BACKGROUND

The City has accumulated equipment and vehicles which has been stored at City Hall and at the Waste Water Treatment Plant which are obsolete or broken and have no potential use now or in the future. Staff has prepared an inventory of these items (Attachment 1). These items declared surplus will be sold on a public auction site, www.publicsurplus.com. This online auction site is utilized by many public agencies across the country as a means to sell surplus items. There is no cost to the City to auction surplus items. The items will be listed for a period of 20 days. Any items not sold will then be offered to non-profit organizations 501(c)(3) and the remaining items will be recycled or disposed of after all other methods fail.

FISCAL IMPACT

Any revenue generated from the surplus will be deposited in the General Fund.

RECOMMENDATION

That the City Council declare surplus of the items noted on Attachment 1, as the items are no longer of any value or use to the City and these items be sold through public auction or donated/recycled/discarded.

ATTACHMENT

Attachment 1 – List of surplus items



Sewer cleanout trailer (non-operable)
City of Buellton Inventory Control Number 000146



Fairbanks Morse well pump (non-operable)
Baldor Industrial Motor Three Phase



Old orange fencing and cones (worn beyond)



Fuel container/sprayer (non-operable)

City of Buellton Equipment and Vehicle Surplus Inventory (9-5-12)



Asphalt, concrete, and wood/tree limbs (dumped)



Spare tires and axles (dumped)



Table (dumped)



Pond liner (dumped)



Old light poles and heads (non-operable)



Two tires and a piece of pipe (dumped)



Drill/auger (dumped)



Kitchen sink (dumped)

City of Buellton Equipment and Vehicle Surplus Inventory (9-5-12)



Trash bin container (broken)



Wooden posts (broken)



Two automobile seats (dumped)



Dump truck – Chevy C-50

License Plate Number E096773

(non-operable)



Child car seat (dumped)



Light poles (non-operable)



Street signs and poles (broken)



Trash can and two trash bin containers
(broken)

City of Buellton Equipment and Vehicle Surplus Inventory (9-5-12)



Utility truck – Chevy Custom/20
License Plate Number E595933
(non-operable)



Miscellaneous engine parts (broken)



Three benches (broken)



Miscellaneous street signs (worn)



Chicken wire (dumped)



Street signs and poles (broken)



Concrete water meter covers (broken)



Miscellaneous wood beams (dumped)



Pickup truck bed liner (dumped)



Metal wire and poles (dumped)



Two pieces of metal (scrapped)



Tree stand and firewood (dumped)

City of Buellton Equipment and Vehicle Surplus Inventory (9-5-12)



Street sign (broken)



Firewood (dumped)



Benches and trash cans (broken)



Miscellaneous street signs (broken)



Valves (broken)



Valves (broken)



Body of a trailer (non-operable)



Industrial control panel

Myers Custom Products

Model Number MEUG20A-M100-C1224-MOD

(non-operable)

City of Buellton Equipment and Vehicle Surplus Inventory (9-5-12)



Shopping cart and misc items (dumped)



Tires, plastic pipe, black pipe, metal valves, and pump equipment (broken)



Pots (dumped)



Miscellaneous tubing (worn)



Wheel barrow (broken)



Miscellaneous buckets and containers (dumped)



Tubing (worn)



Electric controller box (General Electric-Model Number 9T58847) (non-operable)



Shopping cart (dumped)



Tubing (worn)



Bronco 2 XL

License Plate Number E378305

(non-operable)



Water Heater (dumped)



Miscellaneous pallets (dumped)



Miscellaneous plastic (dumped)



Pump (non-operable)



Street sign (broken)



Gaskets and belts (worn)



Miscellaneous metal parts (scrap)



Miscellaneous tubing (worn)



Gaskets and belts (worn)



Chlorinator parts (broken)



Chlorinator parts (broken)



Office chair (obsolete)



Six office chairs (obsolete)

City of Buellton Equipment and Vehicle Surplus Inventory (9-5-12)



Valves and switches (broken)



Pump (non-operable)



Desk (obsolete)



Ford Explorer

License Plate Number 1065877

(repair not practical)

City of Buellton Equipment and Vehicle Surplus Inventory (9-5-12)



Miscellaneous wire (dumped)



Ford Crown Victoria

License Plate Number 035177

(repair not practical)



Misc Office Equipment (non-operable)

- 5 Dell Keyboards
- 1 Microsoft Keyboard
- 3 Logitech Keyboard
- 1 Acer Monitor
- 1 Viewsonic Monitor (547)
- 1 Gateway Monitor (442)
- 1 Scanpartner Scanner
- 1 HP Scanner
- 1 Casio Register
- 5 HP Printers
- 1 Lexmark Printer
- 5 APC back-up batteries
- 1 HP Fax Machine (312)
- 1 Eclipse Projector
- 1 Powerstrip
- 1 Portable heater
- 1 Dell Inspiron Laptop (shell only) w/case
- 1 Gateway Laptop (shell only) w/case

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: John Kunkel, City Manager

Meeting Date: September 13, 2012

Subject: Discussion Regarding the Future of the BBQ Bonanza

BACKGROUND

Over the past year and a half the Council has had several discussions regarding the annual BBQ Bonanza. The variety of discussions has led to some confusion. Please refer to the attached memo (Attachment 1). This year's attendance was down due to a variety of factors, mainly the lack of notice. Staff is requesting that Council make a decision on the nature and type of event it wishes to host, so that clear direction and attention can be given to ensure a successful event.

FISCAL IMPACT

Fiscal impact is undetermined depending on Council's decision.

RECOMMENDATION

That the Council determine the nature and type of event it wants to host and provide clear direction to staff.

ATTACHMENT

Attachment 1 – Memo regarding future of BBQ Bonanza

Memo

To: The Honorable City Council
From: City Manager Kunkel and Recreation Coordinator Abello
Date: 8/3/12
Re: Request for Direction on Future Production of the BBQ Bonanza

Honorable Mayor and City Council members:

Staff would like to request specific direction on the future production of the Buellton BBQ Bonanza, an annual community event that has been organized by the Recreation Department for the last 10 years.

Over the course of the last year and a half, Staff has received multiple directions to discontinue the postcard mailer to City residents, utilize the Senior Center for catering services for the BBQ with participants donating canned food or money, and to reduce advertising costs and any other extraneous expenditures for the event. Most recently, at the June 7, 2012, Special Council Meeting, there was discussion of changing the format of the event to charge for food, or to have participants provide their own food, or to have a concessionaire sell the food at the event and have the City simply coordinate activities and booths. Due to this uncertainty and to avoid conflicting directions, Staff would like clarification on how the Council would like to see the BBQ Bonanza unfold in the future.

In order to allow adequate time to plan and execute this event well, and to avoid any confusion in carrying out the will of the Council, Staff requests that the Council consider placing this item on a meeting agenda for discussion as soon as possible.