



CITY OF BUELLTON

CITY COUNCIL AGENDA

**Regular Meeting of September 27, 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 Ed Andrisek

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 Any Council Member, the City Attorney, or the City Manager may request that an item be withdrawn from the Consent Agenda to allow for full discussion.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 September 13, 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. 12-24 – “A Resolution of the City Council of the City of Buellton, California, Acknowledging the City Council’s Role as the Code Reviewing Body for the Successor Agency to the Redevelopment Agency of the City of Buellton and the Oversight Board of the Successor Agency”**

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)

- 4. **Discussion Regarding Community Information Inserts in the Water Bills**
 ❖ (Staff Contact: Planning Director Bierdzinski)

CITY MANAGER’S REPORT

CLOSED SESSION ITEMS

(POSSIBLE ACTION)

- 5. **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

ADJOURNMENT

The next meeting of the City Council will be held on Thursday, October 11, 2012 at 6:00 p.m.

CITY OF BUELLTON

CITY COUNCIL MEETING MINUTES
Regular Meeting of September 13, 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 John Connolly 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, Finance Director Annette Muñoz, and City Clerk Linda Reid

REORDERING OF AGENDA

None

PUBLIC COMMENTS

None

CONSENT CALENDAR

- 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”**
- 4. Approval Authorizing the Auction or Disposal Surplus of Equipment and Vehicles**

MOTION:

Motion by Vice Mayor King, seconded by Council Member Dale, approving Items 1 through 4 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

Council Member Dale requested that an informational flyer be inserted into the monthly water bills (due to discontinuance of Buellton Banner). The Council agreed by consensus to agendaize this item for further discussion.

Council Member Dale stated that she and Council Member Andrisek are working on an evaluation form for the City Manager's review and will be bringing that item forward at a future Closed Session meeting.

Council Member Andrisek announced that PAWS Park has an opening on their Board of Directors. Contact information is listed at <http://syvpaws.org>.

COUNCIL ITEMS

None

WRITTEN COMMUNICATIONS

None

COMMITTEE REPORTS

Vice Mayor King stated that he, Council Member Dale, and Mayor Sierra attended the League of California Cities (LOCC) Annual Conference in San Diego and received a lot of good information.

BUSINESS ITEMS**5. Discussion Regarding the Future of the BBQ Bonanza****RECOMMENDATION:**

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

STAFF REPORT:

City Manager Kunkel presented the staff report.

DOCUMENTS:

Staff Report with attachment (Memo regarding future of BBQ Bonanza)

SPEAKERS/DISCUSSION

Henry Alvarado, Buellton, requested that the City Council allow the Recreation Department to advertise, plan, and carry out the BBQ Bonanza as they have done effectively in years past.

Larry Bishop, Buellton, stated the BBQ Bonanza is the City’s “signature event” and requested that the City Council continue to support the event.

The City Council discussed the following issues:

- The City’s funding of the event and allowing the Recreation Department to advertise, plan, and carry out the event
- Budgeting for the event and recovering some costs of the event
- Providing the Recreation Center with a budgeted amount to conduct the BBQ Bonanza
- The cost of the BBQ Bonanza in past years

MOTION:

Motion by Council Member Dale, seconded by Vice Mayor King directing the Recreation Department, led by Recreation Coordinator Abello, to advertise, plan, and carry out the BBQ Bonanza with a City funded budget of \$4,000.

VOTE:

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

CITY MANAGER’S REPORT

City Manager Kunkel announced that he will be attending the California Joint Powers Insurance Authority (CJPIA)’s Executive Conference in South Lake Tahoe from September 17-21.

ADJOURNMENT

Mayor Sierra adjourned the regular meeting at 6:27 p.m. The next regular meeting of the City Council is scheduled for Thursday, September 27, 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 27, 2012** Council Meeting.

Listed below is a brief summary of the attached claims:

EXHIBIT A		<u>\$ 100,428.13</u>
EXHIBIT B		<u>\$ 59,081.15</u>
PAYROLL	9/15/12	<u>\$ 40,255.30</u>

TOTAL AMOUNT OF CLAIMS: \$ 199,764.58

	<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 18, 2012	\$ 1,694,897.01	\$ 2,070,147.16

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

Payments via Electronic Fund Transfer (EFT):

FSA-Staff	8/31/12	712.33
Rabobank svc chg	8/31/12	235.00
Health Premium	9/5/12	13,671.95
Deferred Compensation Plan	9/5/12	11,480.48
Payroll Taxes	9/5/12	71.51
Aflac Sup Ins	9/6/12	559.12
Retirement Contribution	9/7/12	20,862.42
Grp Life - Staff	9/12/12	481.85
Payroll Taxes	9/17/12	11,006.49
Total		<hr/> \$ 59,081.15

Check-Run	Seq#	Date	Vendor Name	Checking #	Obls	Discount	Net amount	Status
26919-	532	1	9/13/2012	0 MONTECITO BANK AND TRUST	1	.00	91.20	Logged
26920-	532	2	9/13/2012	0 DANIEL PACE	1	.00	42.47	Logged
26921-	532	3	9/13/2012	0 LYNETT CHEN-ESAU	1	.00	40.00	Logged
26922-	532	4	9/13/2012	0 NIK KIRCHENWITZ	1	.00	34.02	Logged
26923-	532	5	9/13/2012	5 ABALONE COAST ANALYTICAL, INC.	1	.00	469.25	Logged
26924-	532	6	9/13/2012	27 AQUA BEN CORPORATION	1	.00	1,532.21	Logged
26925-	532	7	9/13/2012	28 ARAMARK UNIFORM SERVICES	1	.00	335.56	Logged
26926-	532	8	9/13/2012	32 ARROWHEAD	3	.00	75.79	Logged
26927-	532	9	9/13/2012	43 BARBARA KNECHT	1	.00	104.00	Logged
26928-	532	10	9/13/2012	62 BUELLTON MEDICAL CENTER	1	.00	185.00	Logged
26929-	532	11	9/13/2012	83 CSD ENGINEERING	1	.00	212.00	Logged
26930-	532	12	9/13/2012	90 Ca1PERS LONG-TERM CARE PROGRAM	1	.00	84.25	Logged
26931-	532	13	9/13/2012	91 CENTRAL COAST WATER AUTHORITY	1	.00	9,921.53	Logged
26932-	532	14	9/13/2012	94 CERTIFIED LABORATORIES	1	.00	190.04	Logged
26933-	532	15	9/13/2012	101 CITY OF SOLVANG	1	.00	22,158.00	Logged
26934-	532	16	9/13/2012	105 CITY OF BUELLTON	1	.00	937.11	Logged
26935-	532	17	9/13/2012	107 CITY OF LOMPOC	1	.00	1,666.66	Logged
26936-	532	18	9/13/2012	110 CVS PHARMACY	1	.00	15.76	Logged
26937-	532	19	9/13/2012	121 COC/BBA/VISITORS INFORMATION	1	.00	9,093.61	Logged
26938-	532	20	9/13/2012	122 COMCAST CABLE	1	.00	166.53	Logged
26939-	532	21	9/13/2012	142 DANIEL FITZGERALD dba	1	.00	960.00	Logged
26940-	532	22	9/13/2012	144 INTERCALL, INC.	1	.00	73.16	Logged
26941-	532	23	9/13/2012	155 DAVID KING	1	.00	289.71	Logged
26942-	532	24	9/13/2012	172 ECHO COMMUNICATIONS	1	.00	69.24	Logged
26943-	532	25	9/13/2012	176 EXCLUSIVE ALARMS	3	.00	324.00	Logged
26944-	532	26	9/13/2012	187 FARM SUPPLY COMPANY	1	.00	501.78	Logged
26945-	532	27	9/13/2012	201 G E CAPITAL	1	.00	160.55	Logged
26946-	532	28	9/13/2012	230 HPC/EAGLE ENERGY	1	.00	1,575.09	Logged
26947-	532	29	9/13/2012	237 IRON MOUNTAIN	1	.00	40.43	Logged
26948-	532	30	9/13/2012	280 LEE CENTRAL COAST NEWSPAPERS	1	.00	572.92	Logged
26949-	532	31	9/13/2012	285 SANTA MARIA TIMES dba	2	.00	310.46	Logged
26950-	532	32	9/13/2012	353 MICHAEL J. BOGGESS dba	1	.00	225.00	Logged
26951-	532	33	9/13/2012	372 PETTY CASH	1	.00	193.76	Logged
26952-	532	34	9/13/2012	379 POSTMASTER	1	.00	595.00	Logged
26953-	532	35	9/13/2012	380 PRAXAIR DISTRIBUTION, INC.	1	.00	122.56	Logged
26954-	532	36	9/13/2012	382 PROCARE JANITORIAL SUPPLY, INC	1	.00	341.01	Logged
26955-	532	37	9/13/2012	387 PURCHASE ADVANTAGE CARD	1	.00	205.91	Logged
26956-	532	38	9/13/2012	398 RECINOS RICARDO dba	2	.00	424.01	Logged
26957-	532	39	9/13/2012	426 SAN LUIS PAPER CO.	1	.00	198.79	Logged
26958-	532	40	9/13/2012	438 SANTA YNEZ VALLEY HARDWARE	1	.00	103.57	Logged
26959-	532	41	9/13/2012	450 SB CO SHERIFF'S DEPARTMENT	2	.00	1,198.92	Logged
26960-	532	42	9/13/2012	465 SP MAINTENANCE SERVICES, INC.	1	.00	2,821.00	Logged
26961-	532	43	9/13/2012	469 STAPLES CONTRACT & COMMERCIAL,	4	.00	305.31	Logged
26962-	532	44	9/13/2012	473 SPRINT SPECTRUM, L.P. dba	1	.00	76.35	Logged
26964-	532	46	9/13/2012	507 THE GAS COMPANY	2	.00	203.63	Logged
26965-	532	47	9/13/2012	516 THOMAS E. FIGG, CONSULTING SVC	1	.00	1,200.00	Logged
26966-	532	48	9/13/2012	521 TODD PIPE & SUPPLY	1	.00	338.44	Logged
26967-	532	49	9/13/2012	529 TRANSFIRST	1	.00	788.86	Logged
26968-	532	50	9/13/2012	535 UNDERGROUND SERVICE ALERT	1	.00	10.50	Logged
26969-	532	51	9/13/2012	551 VALLEY TOOL RENTALS	1	.00	751.48	Logged
26970-	532	52	9/13/2012	555 VERIZON CALIFORNIA	1	.00	2,228.42	Logged
26971-	532	53	9/13/2012	570 WAYNE KREPS, JR. dba	1	.00	44.06	Logged
26972-	532	54	9/13/2012	587 KYLE ABELLO	1	.00	945.00	Logged

Run date: 09/19/2012 @ 08:30
 Bus date: 09/19/2012

City of Buellton
 Check Summary Report

EXHIBIT A
 Page 2 of 2

Check-Run	Seq#	Date	Vendor Name	Checking	# Obls	Discount	Net amount	Status
26973-	532	55	9/13/2012	649 FLUID RESOURCE MANAGEMENT, INC	1	.00	450.00	Logged
26974-	532	56	9/13/2012	663 MARC P. BIERDZINSKI	1	.00	33.50	Logged
26975-	532	57	9/13/2012	664 ESRI	1	.00	1,511.74	Logged
26976-	532	58	9/13/2012	668 ONE STOP AUTO PARTS	1	.00	196.62	Logged
26977-	532	59	9/13/2012	669 HYDREX PEST CONTROL	2	.00	280.00	Logged
26978-	532	60	9/13/2012	679 COURIER SYSTEMS	1	.00	204.43	Logged
26979-	532	61	9/13/2012	681 STATEWIDE SAFEY & SIGNS, INC,	1	.00	21,502.25	Logged
26980-	532	62	9/13/2012	701 JUDITH DALE	1	.00	357.48	Logged
26981-	532	63	9/13/2012	718 AUTOSYS, INC.	1	.00	293.00	Logged
26982-	532	64	9/13/2012	744 GE CAPITAL INFO TECH SOLUTIONS	1	.00	498.89	Logged
26983-	532	65	9/13/2012	748 MEYERS,NAVE,RIBACK,SILVER & WI	1	.00	2,145.00	Logged
26984-	532	66	9/13/2012	763 RIO VISTA CHEVROLET, INC.	1	.00	113.14	Logged
26985-	532	67	9/13/2012	766 SYV FRUIT & VEGETABLE RESCUE	1	.00	5,000.00	Logged
26986-	533	1	9/17/2012	698 CALIFORNIA STATE DISBURSEMENT	1	.00	706.50	Logged
26987-	533	2	9/17/2012	724 BUELLTON SENIOR CENTER	1	.00	1,581.67	Logged
						.00		
** Total check discount **						.00		
** Total check amount **						100,428.13		
						.00		

FISCAL YEAR 2012-13 REVENUE AND EXPENDITURE RECAP

As of August 31, 2012
16.7%
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	\$246,750.40	6%
Total Expenditures	\$5,017,791.00	\$827,016.97	16%

<u>SPECIAL FUNDS</u>	<u>Budgeted</u>	<u>Year to Date</u>	<u>% of Budget YTD</u>
Total Revenues	\$501,419.00	\$61,930.27	12%
Total Expenditures	\$1,164,304.00	\$186,173.19	16%

<u>WATER/SEWER</u>	<u>Budgeted</u>	<u>Year to Date</u>	<u>% of Budget YTD</u>
Total Revenues	\$2,051,250.00	\$399,034.61	19%
Total Expenditures	\$2,698,458.00	\$411,695.32	15%

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

The Cash Balances as of September 18, 2012 are as follows:

Checking	Balance as of:	<u>FY 2011-12</u>	<u>FY 2012-13</u>
Rabobank	9/18/12	107,139.15	211,028.58
Montecito Bnk&Trust	9/18/12	113,327.87	0.00
Total Checking		<u>220,467.02</u>	<u>211,028.58</u>
Savings/Investments			
LAIF-savings	8/31/12	13,105,130.06	12,103,409.04
Rabobank-money mkt	8/31/12	202,044.99	203,129.12
Morgan Stanley-bonds	8/31/12	250,000.00	375,000.00
Great Pacific-treasuries	8/31/12	0.00	500,000.00
First Empire-bonds	8/31/12	4,173,480.40	3,231,010.19
Total Savings/Investments		<u>17,730,655.45</u>	<u>16,412,548.35</u>
% of cash invested		25.77%	25.92%
Total Cash		<u><u>17,951,122.47</u></u>	<u><u>16,623,576.93</u></u>

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

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: Stephen McEwen, Assistant City Attorney

Meeting Date: September 27, 2012

Subject: Resolution No. 12-24 – “A Resolution of the City Council of the City of Buellton, California, Acknowledging the City Council’s Role as the Code Reviewing Body for the Successor Agency to the Redevelopment Agency of the City of Buellton and the Oversight Board of the Successor Agency”

BACKGROUND

At the City Council meeting of September 13, 2012, the City Council approved Resolution No. 12-23 adopting a revised Conflict of Interest Code of the City of Buellton that reflects the creation of the Successor Agency to the Buellton Redevelopment Agency. Pursuant to Government Code Section 82011(c), the City Council is the code reviewing body for the City of Buellton as Successor Agency *and* the Oversight Board of the Successor Agency (“Oversight Board”). The purpose of Resolution No. 12-24 is to acknowledge this arrangement. Previously adopted Resolution No. 12-23 is attached for reference as Attachment 1.

FISCAL IMPACT

None

RECOMMENDATION

That the City Council adopt Resolution No. 12-24 – “A Resolution of the City Council of the City of Buellton, California, Acknowledging the City Council’s Role as the Code Reviewing Body for the Successor Agency to the Redevelopment Agency of the City of Buellton and the Oversight Board of the Successor Agency”

ATTACHMENTS

Resolution No. 12-24
Attachment 1 - Resolution No. 12-23

RESOLUTION NO. 12-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUELLTON, CALIFORNIA, ACKNOWLEDGING THE CITY COUNCIL'S ROLE AS THE CODE REVIEWING BODY FOR THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF BUELLTON AND THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY

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, in Resolution No. 12-23, the Council adopted a consolidated Buellton Conflict of Interest Code, including, a Successor Agency Conflict of Interest Code, and repealed all prior versions; and,

WHEREAS, pursuant to Government Code Section 82011(c), the City Council is the code reviewing body for the City of Buellton as Successor Agency and the Oversight Board of the Successor Agency ("Oversight Board").

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. Statement of Economic Interests. Those members of the Successor Agency and Oversight Board shall file any required statements of economic interests (Form 700) with the City Clerk. The City Clerk shall retain a copy of all statements of economic interests and make them available for public inspection and reproduction in accordance with Government Code Section 81008.

SECTION 3. Maintenance of Conflict of Interest Code. The City Clerk shall maintain at all times one copy of the Successor Agency and Oversight Board's Conflict of Interest Code for examination by the public and shall cause the filing of such code in the manner required by law.

SECTION 4. The City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED and ADOPTED this 27th day of September, 2012.

Holly Sierra
Mayor

ATTEST:

Linda Reid
City Clerk

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: Marc Bierdzinski, Planning Director

Date: September 27, 2012

Subject: Discussion Regarding Community Information Inserts in the Water Bills

BACKGROUND

At the September 13, 2012 Council meeting, the Council agreed by consensus to agendaize discussion regarding community information inserts in the water bills for all Buellton residents and businesses. Several citizens have indicated that they miss the information contained in the Buellton Banner. Inserts into the water bills was suggested as a lower cost method of providing information to the public.

During the last budget adoption, publication of the Buellton Banner was eliminated with an associated cost savings of \$7,000 per year. The costs associated with adding an insert in the water bill include printing costs and additional postage along with additional staff time. The postage for the current single page water bill is \$600 per month. Adding a one page insert would not increase the postage. Three or more pages would increase the postage to \$650 per month (some water bills are 3-5 pages).

It takes staff approximately two hours to fold and stuff the water bills in preparation for mailing. It is anticipated that it would take approximately 2 additional hours to process the bills with inserts.

The paper cost per insert would be \$10 per month.

The Public Works Department recently added a public information insert to the water bill. The insert is included as Attachment 1.

In order to minimize the cost and not overwhelm the public with inserts every month, the public information flyer could be added every other month or quarterly.

FISCAL IMPACT

The fiscal impact depends on the frequency of adding inserts to the water bills. Adding one page to the water bill would not cost any additional postage. Adding a second page would cost an additional \$50. Staff time in either case would be an additional two hours.

RECOMMENDATION

That the City Council provide direction to staff regarding adding community information inserts in the monthly water bills.

ATTACHMENT

Attachment 1 – Current Water Bill Insert from Public Works



ATTACHMENT 1

A Public Service Announcement *from your Department of Public Works*

Did you know.....?

...that dumping oil and grease down your sinks/drains is not just bad practice, but a violation of the municipal code? *Section 14.24.030 identifies specific items that are prohibited from being put into the sewer system. Why is this important?* Prohibited items can upset the balance of

wastes treated at the City's Wastewater Treatment Plant, chemicals may have reactions within the sewer system, and blockages may occur due to build-up, which could lead to sewer back-ups and overflows that affect you and adjacent residents/businesses. *Things*

you can do instead: As a resident – Pour the grease/oils in a can or jar and dispose of in the trash can. As a business – Install grease traps and contact the City regarding our FOG Program (Fats, Oils and Grease).



...that you should not turn off your water at the meter valve; not even by your contractor? *Section 13.32.070 recommends that the customer should provide a valve on the private side of the service installation to control the flow and the customer shall not use the meter valve to turn water on/off for their convenience. Why is this*

important? Unauthorized tampering of the valves has caused damage to the meters and creates leaks in the system. It costs approximately **\$2500** in labor and materials to repair each broken valve, not to mention disruption in your (and your neighborhood's) service in order for the repairs to be made. With the increase in costs and the frequency of these occurrences, the property owner **will be** made responsible for the charges incurred to make these repairs. *Things you can do instead:* Call

the City's Public Works Department at 805-686-0137 and the Water

Division will send staff to shut off and open the valves for you or your contractor.



...that the City's Street Sweeping Schedule will be changed back to Mondays? Notices have been placed in the Santa Ynez Valley News as well

as on the City's Web page and Facebook page. As of October 2012, the service will be every 2nd and 4th Mondays of the Month. *Things you can do:*

To ensure the best service possible, all vehicles should be parked off the street during these days between 6 am–2 pm. *Schedule for the rest of 2012:*

October 8, October 22, **November 13**, November 26, December 10, **December 26**

