



# CITY OF BUELLTON

## CITY COUNCIL AGENDA

**Regular Meeting of February 12, 2015 – 6:00 p.m.  
City Council Chambers, 140 West Highway 246  
Buellton, California**

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

### **CALL TO ORDER**

Mayor Holly Sierra

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

Council Members Dan Baumann, John Connolly, Leo Elovitz, Vice Mayor Ed Andrisek, 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. Any person may address the Council on any subject pertaining to City business, including all items on the agenda not listed as a Public Hearing, including the Consent Agenda and Closed Session. Limited to three (3) minutes per speaker. By law, no action may be taken at this meeting on matters raised during Public Comments not included on this agenda.*

### **CONSENT CALENDAR**

**(ACTION)**

*The following items are considered routine and non-controversial and 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 Any Council Member, the City Attorney, or the City Manager may request that an item be withdrawn from the Consent Agenda to allow for full discussion. Members of the Public may speak on Consent Agenda items during the Public Comment period.*

- 1. Minutes of January 22, 2015 Regular City Council Meeting**
- 2. List of Claims to be Approved and Ratified for Payment to Date for Fiscal Year 2014-15**

### **PRESENTATIONS**

**PUBLIC HEARINGS**

**(POSSIBLE ACTION)**

- 3. **Ordinance No. 15-01 – “An Ordinance of the City Council of the City of Buellton, California, Re-Adopting Chapter 8.12 of the Buellton Municipal Code Pertaining to the 2013 California Fire Code as Adopted and Amended by the County of Santa Barbara” (Introduction and First Reading)**  
 ❖ *(Staff Contact: City Manager Marc Bierdzinski)*

**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. **Resolution No. 15-04 – “A Resolution of the City Council of the City of Buellton, California, Granting Consent to the City of Solvang to Renew the Santa Ynez Valley Tourism Business Improvement District (SYVTBID)”**  
 ❖ *(Staff Contact: City Manager Marc Bierdzinski)*
- 5. **Highway 246 Sidewalk Project - Consideration of Approval of Cooperative Agreements with A) Caltrans and B) Santa Barbara County Association of Government (SBCAG)**  
 ❖ *(Staff Contact: Public Works Director Rose Hess)*

**CITY MANAGER’S REPORT**

**ADJOURNMENT**

The next meeting of the City Council will be held on Thursday, February 26, 2015 at 6:00 p.m.

# **CITY OF BUELLTON**

## **CITY COUNCIL MEETING MINUTES**

**Regular Meeting of January 22, 2015  
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**

### **ROLL CALL**

**Present:** Council Members Dan Baumann, John Connolly, Leo Elovitz,  
Vice Mayor Ed Andrisek, and Mayor Holly Sierra

**Staff:** City Manager Marc Bierdzinski, City Attorney Steve McEwen,  
Finance Director Carolyn Galloway-Cooper, Station Commander  
Lt. Shawn O'Grady, and Staff Assistant Clare Barcelona

### **REORDERING OF AGENDA**

None

### **PUBLIC COMMENTS**

Lew Adkins, Buellton, discussed the opening at Albertsons.

### **CONSENT CALENDAR**

- 1. Minutes of January 8, 2015 Regular City Council Meeting**
- 2. List of Claims to be Approved and Ratified for Payment to Date for Fiscal Year 2014-15**
- 3. Revenue and Expenditure Reports through December 31, 2014**

**MOTION:**

Motion by Vice Mayor Andrisek, seconded by Council Member Connolly, approving Consent Calendar Items 1, 2, and 3 as listed.

**VOTE:**

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

Council Member Baumann - Yes

Council Member Connolly - Yes

Council Member Elovitz - Yes

Vice Mayor Andrisek - Yes

Mayor Sierra - Yes

**PRESENTATIONS**

None

**PUBLIC HEARINGS**

None

**COUNCIL MEMBER COMMENTS**

Vice Mayor Andrisek and Council Member Baumann announced that they attended the League of California Cities New Mayors and Council Members Academy in Sacramento last week and stated that it was very informative. Council Member Andrisek provided a handout for the record.

Vice Mayor Andrisek announced that he attended the Santa Barbara Hotel and Restaurant Association luncheon and provided a handout for the record.

Mayor Sierra announced that she attended the Fourth Quarter Awards Ceremony at Vandenberg Air Force Base and she also attended a training seminar for the upcoming homeless census.

Council Member Connolly discussed bringing an Olympic-sized pool to the Valley.

**COUNCIL ITEMS**

None

**WRITTEN COMMUNICATIONS**

None

## COMMITTEE REPORTS

Vice Mayor Andrisek announced that he attended the Central Coast Water Authority (CCWA) Board Meeting and provided an oral report regarding the meeting and provided a handout for the record.

Mayor Sierra announced that she attended board meetings for Santa Barbara County Association of Governments (SBCAG) and Air Pollution Control District (APCD) and provided oral reports regarding the meetings.

## BUSINESS ITEMS

### 4. Request for Approval to Purchase Certified Pre-Owned Passenger Bus

#### **RECOMMENDATION:**

That the City Council approve the purchase a certified pre-owned passenger bus for the Recreation program.

#### **STAFF REPORT:**

Recreation Coordinator Abello presented the staff report.

#### **DOCUMENTS:**

Staff report with attachments as listed in the staff report.

#### **DISCUSSION:**

The City Council discussed the following issues:

- Busses bringing extra profit to the City
- Whether staff contacted local dealers regarding bus bids
- Staff's use of existing budget resources to fund the bus purchase
- Staff should continue to allocate capital funds for maintenance and replacement of vehicles
- Creating a bus storage area at the Wastewater Treatment Plant in the future

#### **MOTION:**

Motion by Vice Mayor Andrisek, seconded by Council Member Elovitz approving the purchase a certified pre-owned passenger bus for the Recreation program.

#### **VOTE:**

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

Council Member Baumann - Yes

Council Member Connolly - Yes

Council Member Elovitz - Yes

Vice Mayor Andrisek - Yes

Mayor Sierra – Yes

**5. Financial Report for the Second Quarter Ending December 31, 2014**

**RECOMMENDATION:**

That the City Council receive, review, and file the Second Quarter Financial Report ending December 31, 2014.

**STAFF REPORT:**

Finance Director Galloway-Cooper presented the staff report.

**DOCUMENTS:**

Staff report with attachments as listed in the staff report.

**DISCUSSION:**

The City Council discussed the following issues:

- The triple-flip provisions and when that program ends
- The software update timeline
- Preparing a five-year capital improvement program

**MOTION:**

Motion by Mayor Sierra, seconded by Council Member Elovitz, approving the Second Quarter Financial Report ending December 31, 2014.

**VOTE:**

Motion passed by a voice vote of 5-0.

Council Member Baumann - Yes

Council Member Connolly - Yes

Council Member Elovitz - Yes

Vice Mayor Andrisek - Yes

Mayor Sierra – Yes

**6. Resolution No. 15-01 – “A Resolution of the City Council of the City of Buellton, California, for the Purpose of Budget Amendments from Operational Changes Related to Fiscal Year 2014-15 through the Second Quarter Ending December 31, 2014”**

**RECOMMENDATION:**

That the City Council

**STAFF REPORT:**

Finance Director Galloway-Cooper presented the staff report.

**DOCUMENTS:**

Staff report with attachments as listed in the staff report.

**MOTION:**

Motion by Council Member Elovitz, seconded by Council Member Baumann, approving Resolution No. 15-01 – “A Resolution of the City Council of the City of Buellton, California, for the Purpose of Budget Amendments from Operational Changes Related to Fiscal Year 2014-15 through the Second Quarter Ending December 31, 2014”

**VOTE:**

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

Council Member Baumann - Yes

Council Member Connolly - Yes

Council Member Elovitz - Yes

Vice Mayor Andrisek - Yes

Mayor Sierra – Yes

**CITY MANAGER’S REPORT**

City Manager Bierdzinski provided an informational report for the record.

**ADJOURNMENT**

Mayor Sierra adjourned the regular meeting at 7:12 p.m. The next regular meeting of the City Council will be held on Thursday, February 12, 2015 at 6:00 p.m.

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Holly Sierra  
Mayor

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 **February 12, 2015** Council Meeting.

Listed below is a brief summary of the attached claims:

EXHIBIT A		\$	<u>97,200.14</u>
EXHIBIT B		\$	<u>33,463.29</u>
Staff Payroll	1/15/2015	\$	37,077.94
Other Pay	1/15/2015	\$	573.44
Council Pay	1/23/2015	\$	2,201.73
Other Pay	1/30/2015	\$	9,215.67
Staff Payroll	1/30/2015	\$	<u>36,802.45</u>
<b>TOTAL AMOUNT OF CLAIMS:</b>			
		\$	<u><u>216,534.66</u></u>

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

Payments via Electronic Fund Transfer (EFT):

Payroll Taxes - Staff	1/20/15	9,455.07
Payroll Taxes - Other	1/20/15	571.34
Calpers	1/21/15	20,875.08
Calpers	1/21/15	508.60
Payroll Taxes - Council	1/26/15	119.62
FSA - Jan - Staff/Council	1/30/15	1,783.28
Jan 2015 Bank Svc Chg	1/31/15	150.30

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<b>Total</b>		<b>33,463.29</b>
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Obligat'n Description	Vendor/ Line Nbr	Name/ Description	Stage	Amount
A001-216-2825-000 - Developer Deposit				
23667 11/14 - Cust 131 Village Townh	65	BURKE, WILLIAMS & SORENSEN, LL		
	1		Paid	367.50
23700 12/14 #131 Village Townhomes	65	BURKE, WILLIAMS & SORENSEN, LL		
	1		Paid	3,503.50
23701 12/14 #134 Tilton Racing	65	BURKE, WILLIAMS & SORENSEN, LL		
	1		Paid	73.50
A001-216-2825-000 - Developer Deposit		*** Account total ***		3,944.50
A001-401-5101-000 - Medical Benefit				
23704 Feb 2015 Dental/Vision Premium	820	ACWA/JPIA		
	1		Paid	457.13
A001-401-5101-000 - Medical Benefit		*** Account total ***		457.13
A001-402-5101-000 - Medical Benefit				
23704 Feb 2015 Dental/Vision Premium	820	ACWA/JPIA		
	2		Paid	92.72
A001-402-5101-000 - Medical Benefit		*** Account total ***		92.72
A001-402-5402-000 - Travel & Training				
23695 1/7/15 - City Mgr Mtg M1g Reim	663	MARC P. BIERDZINSKI		
	1		Paid	25.30
A001-402-5402-000 - Travel & Training		*** Account total ***		25.30
A001-403-5101-000 - Medical Benefit				
23704 Feb 2015 Dental/Vision Premium	820	ACWA/JPIA		
	3		Paid	55.64
A001-403-5101-000 - Medical Benefit		*** Account total ***		55.64
A001-404-6204-000 - Contract Services-Legal Fees				
23664 11/14 Retainer	65	BURKE, WILLIAMS & SORENSEN, LL		
	1		Paid	9,870.00
23665 11/14 Eminent Domain	65	BURKE, WILLIAMS & SORENSEN, LL		
	1		Paid	2,004.60
23666 11/14 Add'l Retainer	65	BURKE, WILLIAMS & SORENSEN, LL		
	1		Paid	6,552.40
23697 12/14 - Retainer	65	BURKE, WILLIAMS & SORENSEN, LL		
	1		Paid	6,661.69
23698 12/14 Eminent Domain	65	BURKE, WILLIAMS & SORENSEN, LL		
	1		Paid	950.90
23699 12/14 Additional Retainer/HR	65	BURKE, WILLIAMS & SORENSEN, LL		
	1		Paid	3,837.50
A001-404-6204-000 - Contract Services-Legal Fees		*** Account total ***		29,877.09
A001-410-5301-000 - Office Supplies				
23657 1/8/15 Supplies #7001592074	469	STAPLES CONTRACT & COMMERCIAL,		
	1		Paid	60.46
23692 1/15 - Police Envelopes	797	ESLY O. GUZMAN HERRERA dba		
	1		Paid	204.12
23702 1/15/15 Supplies #7001607008	469	STAPLES CONTRACT & COMMERCIAL,		
	3		Paid	199.61
A001-410-5301-000 - Office Supplies		*** Account total ***		464.19

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A001-410-5305-000 - Equipment Rental	23658 1/15 CH Copier Lease		
	713 COASTAL COPY, LP		
	1	Paid	484.92
A001-410-5305-000 - Equipment Rental	*** Account total ***		484.92
A001-410-5602-000 - Internet Access/ Website Maint	23682 1/15 Website App Deposit		
	353 MICHAEL J. BOGGESS dba		
	1	Paid	225.00
A001-410-5602-000 - Internet Access/ Website Maint	*** Account total ***		225.00
A001-410-5603-000 - Computer Maintenance &Software	23696 1/15 - Install Comp-Linda/Dan/		
	655 COAST NETWORKX, INC.		
	1	Paid	1,187.50
A001-410-5603-000 - Computer Maintenance &Software	*** Account total ***		1,187.50
A001-410-5703-000 - Utilities - Electric	23663 12/6/14-1/15/15 Summary Bill		
	352 P G & E		
	1	Paid	631.73
A001-410-5703-000 - Utilities - Electric	*** Account total ***		631.73
A001-410-5807-000 - Community Organization Support	23673 1/15 FY 14/15 Contribution		
	867 CENTRAL COAST COLLABORATIVE ON		
	1	Paid	491.00
A001-410-5807-000 - Community Organization Support	*** Account total ***		491.00
A001-410-6005-000 - Recruitment Expense	23659 12/14 Fingerprint - E. Garcia		
	161 STATE OF CALIFORNIA - DOJ		
	1	Paid	32.00
	23710 1/9/15 - Reimb Live Scan/CSMFO		
	871 CAROLYN D. COOPER		
	2	Paid	81.00
A001-410-6005-000 - Recruitment Expense	*** Account total ***		113.00
A001-410-6017-000 - Emergency Operations	23668 12/14 Satelite Svcs		
	706 SATCOM GLOBAL, INC.		
	1	Paid	49.93
A001-410-6017-000 - Emergency Operations	*** Account total ***		49.93
A001-410-6301-000 - Miscellaneous	23661 thru 12/16/14 Misc. Maint Item		
	387 ALBERTSONS, LLC.		
	2	Paid	23.70
	23709 12/14 Misc Maint/Repair Items		
	438 SANTA YNEZ VALLEY HARDWARE		
	2	Paid	71.72
A001-410-6301-000 - Miscellaneous	*** Account total ***		95.42
A001-420-5101-000 - Medical Benefit	23704 Feb 2015 Dental/Vision Premium		
	820 ACWA/JPIA		
	4	Paid	156.74
A001-420-5101-000 - Medical Benefit	*** Account total ***		156.74
A001-420-5402-000 - Travel & Training	23710 1/9/15 - Reimb Live Scan/CSMFO		
	871 CAROLYN D. COOPER		
	1	Paid	14.43
A001-420-5402-000 - Travel & Training	*** Account total ***		14.43

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A001-420-6201-000 - Contract Services 23693 Thru 1/9/15 - S. Zamora	870 ACCOUNTEMPS 1	Paid	1,011.20
A001-420-6201-000 - Contract Services	*** Account total ***		1,011.20
A001-501-5703-000 - Utilities - Electric 23663 12/6/14-1/15/15 Summary Bill	352 P G & E 2	Paid	181.16
A001-501-5703-000 - Utilities - Electric	*** Account total ***		181.16
A001-501-6210-000 - Contract Svcs - Police -CA IGG 23671 12/14 Motorcycle Maint #5520	450 SB CO SHERIFF'S DEPARTMENT 1	Paid	862.69
A001-501-6210-000 - Contract Svcs - Police -CA IGG	*** Account total ***		862.69
A001-510-5702-000 - Utilities - Gas 23672 11/25/14-12/29/14 Lib/CC Gas C	507 THE GAS COMPANY 1	Paid	104.39
A001-510-5702-000 - Utilities - Gas	*** Account total ***		104.39
A001-510-5703-000 - Utilities - Electric 23663 12/6/14-1/15/15 Summary Bill	352 P G & E 3	Paid	201.59
A001-510-5703-000 - Utilities - Electric	*** Account total ***		201.59
A001-511-5101-000 - Medical Benefit 23704 Feb 2015 Dental/Vision Premium	820 ACWA/JPIA 5	Paid	410.62
A001-511-5101-000 - Medical Benefit	*** Account total ***		410.62
A001-511-5301-000 - Office Supplies 23657 1/8/15 Supplies #7001592074	469 STAPLES CONTRACT & COMMERCIAL, 2	Paid	14.03
23702 1/15/15 Supplies #7001607008	469 STAPLES CONTRACT & COMMERCIAL, 2	Paid	3.55
A001-511-5301-000 - Office Supplies	*** Account total ***		17.58
A001-511-5509-000 - Maintenance/Repair 23694 1/15 Rec Ctr - Gym Janitorial	395 JOSE RAFAEL RUIZ dba 1	Paid	2,105.00
A001-511-5509-000 - Maintenance/Repair	*** Account total ***		2,105.00
A001-511-5801-000 - Buellton Recreation Program 23661 thru 12/16/14 Misc. Maint Item	387 ALBERTSONS, LLC. 1	Paid	26.20
23683 12/20/14-1/16/15 Pilates/Zumba	11170 DONELLE MARTIN 1	Paid	300.00
23684 12/20/14-1/16/15 Cycle Trainin	11321 LAURA COGAN 1	Paid	60.00
23685 12/18/14-1/14/15 zumba/kick bo	11244 HERMILA SANCHEZ 1	Paid	98.00

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A001-511-5801-000 - Buellton Recreation Program	*** Continued ***		
23686 12/20/14-1/16/15 Yoga Class	11343 MARIANNE MADSEN 1	Paid	252.00
23687 12/18/14-1/14/15 TaiChi Relax	11476 STEPHEN F. DUNLAP 1	Paid	42.00
23688 12/18/14-1/14/15 Flamenco Danc	11336 LAURA GARCIA dba 1	Paid	154.00
23689 12/18/14-1/14/15 Kundalini Yog	11300 KAREN PALMER 1	Paid	56.00
23690 12/20/14-1/16/15 Cycle Trainin	11105 ADRIENNE WALTER 1	Paid	36.00
23709 12/14 Misc Maint/Repair Items	438 SANTA YNEZ VALLEY HARDWARE 3	Paid	39.29
A001-511-5801-000 - Buellton Recreation Program	*** Account total ***		1,063.49
A001-511-5802-000 - Buellton Rec Program Trips			
23691 2/1/15 Refund Reno Snow Train	0 GLORIA SCHATZ 1	Paid	245.00
23709 12/14 Misc Maint/Repair Items	438 SANTA YNEZ VALLEY HARDWARE 1	Paid	10.78
A001-511-5802-000 - Buellton Rec Program Trips	*** Account total ***		255.78
A001-550-5703-000 - Utilities - Electric			
23663 12/6/14-1/15/15 Summary Bill	352 P G & E 4	Paid	4,563.09
A001-550-5703-000 - Utilities - Electric	*** Account total ***		4,563.09
A001-552-5501-000 - Operational Supplies			
23709 12/14 Misc Maint/Repair Items	438 SANTA YNEZ VALLEY HARDWARE 5	Paid	37.76
A001-552-5501-000 - Operational Supplies	*** Account total ***		37.76
A001-552-5509-001 - Maintenance/Repair-Riverview			
23705 12/14 - Misc Supplies	187 FARM SUPPLY COMPANY 3	Paid	73.56
23708 12/14 Misc. Maint/Repair Items	521 TODD PIPE & SUPPLY 1	Paid	51.47
A001-552-5509-001 - Maintenance/Repair-Riverview	*** Account total ***		125.03
A001-552-5703-000 - Utilities - Electric			
23663 12/6/14-1/15/15 Summary Bill	352 P G & E 10	Paid	73.26
A001-552-5703-000 - Utilities - Electric	*** Account total ***		73.26
A001-552-6201-000 - Contract Services			
23647 1/15 Mo. Irrigation Maint	781 VALLEY CREST LANDSCAPE MAINT, 1	Paid	880.00
23648 1/15 Landscape Maint	781 VALLEY CREST LANDSCAPE MAINT, 2	Paid	2,720.00
	3	Paid	1,277.00

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A001-552-6201-000 - Contract Services	*** Continued ***		
23651 1/15 Janitorial Parks RR/Fount	395 JOSE RAFAEL RUIZ dba 1	Paid	1,650.00
23669 12/12/14 Lndscp Pest Cntrl-Var	804 ANIMAL & INSECT PEST MANAGEMEN 1	Paid	149.50
23670 12/26/14 Lndscp Pest Cntrl-Var	804 ANIMAL & INSECT PEST MANAGEMEN 1	Paid	149.50
A001-552-6201-000 - Contract Services	*** Account total ***		6,826.00
A001-556-5703-000 - Utilities - Electric			
23663 12/6/14-1/15/15 Summary Bill	352 P G & E 8	Paid	362.46
A001-556-5703-000 - Utilities - Electric	*** Account total ***		362.46
A001-556-6201-000 - Contract Services			
23648 1/15 Landscape Maint	781 VALLEY CREST LANDSCAPE MAINT, 1	Paid	4,675.00
A001-556-6201-000 - Contract Services	*** Account total ***		4,675.00
A001-558-5101-000 - Medical Benefit			
23704 Feb 2015 Dental/Vision Premium	820 ACWA/JPIA 6	Paid	349.33
A001-558-5101-000 - Medical Benefit	*** Account total ***		349.33
A001-558-5301-000 - Office Supplies			
23657 1/8/15 Supplies #7001592074	469 STAPLES CONTRACT & COMMERCIAL, 3	Paid	6.79
23702 1/15/15 Supplies #7001607008	469 STAPLES CONTRACT & COMMERCIAL, 1	Paid	34.83
A001-558-5301-000 - Office Supplies	*** Account total ***		41.62
A001-558-5501-000 - Operational Supplies			
23709 12/14 Misc Maint/Repair Items	438 SANTA YNEZ VALLEY HARDWARE 4	Paid	57.19
A001-558-5501-000 - Operational Supplies	*** Account total ***		57.19
A001-558-5507-000 - Maintenance - Vehicles			
23674 1/15 Veh Recall Maint-Traverse	763 RIO VISTA CHEVROLET, INC. 1	Paid	188.91
23706 12/14 Misc. Maint/Repair Items	826 GENUINE PARTS COMPANY - NAPA 1	Paid	7.78
	4	Paid	10.61
A001-558-5507-000 - Maintenance - Vehicles	*** Account total ***		207.30
A001-558-5509-000 - Maintenance / Repair			
23707 1/15 - Stop Sign Post	342 NIELSEN BUILDING MATERIALS, INC 1	Paid	3.94
A001-558-5509-000 - Maintenance / Repair	*** Account total ***		3.94
A001-558-5701-000 - Telephone			
23703 1/9/15 - 2/8/15 PW/CM Cell Pho	556 VERIZON WIRELESS 1	Paid	478.84
A001-558-5701-000 - Telephone	*** Account total ***		478.84

Obligat'n	Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A001-558-6201-000	- Contract Services			
	23654 12/14 Mat/Towel Svcs	28 ARAMARK UNIFORM SERVICES 2 Surplus	Paid	347.60
	23655 12/14 City Hall Mo Maint	112 CLARK PEST CONTROL 1	Paid	123.00
	23656 1/15 Rodent Control/Post Offic	669 HYDREX PEST CONTROL 1	Paid	105.00
A001-558-6201-000	- Contract Services	*** Account total ***		575.60
A001-558-6301-000	- Miscellaneous			
	22824 8/14 - New Service App Fee-Fre	352 P G & E 1	Paid	5,000.00
	23705 12/14 - Misc Supplies	187 FARM SUPPLY COMPANY 2	Paid	18.31
A001-558-6301-000	- Miscellaneous	*** Account total ***		5,018.31
A001-565-5002-000	- Planning Commission Salaries			
	23677 1/15 Plng Commission Meetings	868 BRIAN DUNSTAN 1	Paid	50.00
	23678 1/15 Plng Commission Meetings	787 LISA FIGUEROA 1	Paid	50.00
	23679 1/15 Plng Commission Meetings	303 ART MERCADO 1	Paid	50.00
	23680 1/15 Plng Commission Meetings	869 JOE PADILLA 1	Paid	50.00
	23681 1/15 Plng Commission Meetings	199 FOSTER D. REIF 1	Paid	50.00
A001-565-5002-000	- Planning Commission Salaries	*** Account total ***		250.00
A001-565-5101-000	- Medical Benefit			
	23704 Feb 2015 Dental/Vision Premium	820 ACWA/JPIA 7	Paid	193.58
A001-565-5101-000	- Medical Benefit	*** Account total ***		193.58
A001-565-5305-000	- Equipment Rental			
	23660 12/21/14-1/20/15 Plng Copier L	744 GE CAPITAL INFO TECH SOLUTIONS 1	Paid	500.05
A001-565-5305-000	- Equipment Rental	*** Account total ***		500.05
A001-565-5306-000	- Advertising - Legal			
	23662 1/1/15 Legal Notice - Plng	285 SANTA MARIA TIMES dba 1	Paid	167.28
A001-565-5306-000	- Advertising - Legal	*** Account total ***		167.28
A001-565-5703-000	- Utilities - Electric			
	23663 12/6/14-1/15/15 Summary Bill	352 P G & E 5	Paid	158.15
A001-565-5703-000	- Utilities - Electric	*** Account total ***		158.15
A005-701-5101-000	- Medical Benefit			
	23704 Feb 2015 Dental/Vision Premium	820 ACWA/JPIA 8	Paid	197.09
A005-701-5101-000	- Medical Benefit	*** Account total ***		197.09

Obligat'n Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A005-701-5501-000 - Operational Supplies			
23708 12/14 Misc. Maint/Repair Items	521 TODD PIPE & SUPPLY 5	Paid	62.93
23709 12/14 Misc Maint/Repair Items	438 SANTA YNEZ VALLEY HARDWARE 6	Paid	221.65
A005-701-5501-000 - Operational Supplies	*** Account total ***		284.58
A005-701-5502-000 - Chemicals / Analysis			
23705 12/14 - Misc Supplies	187 FARM SUPPLY COMPANY 1	Paid	338.71
A005-701-5502-000 - Chemicals / Analysis	*** Account total ***		338.71
A005-701-5507-000 - Maintenance - Vehicles			
23674 1/15 Veh Recall Maint-Traverse	763 RIO VISTA CHEVROLET, INC. 2	Paid	188.91
23706 12/14 Misc. Maint/Repair Items	826 GENUINE PARTS COMPANY - NAPA 2	Paid	10.62
A005-701-5507-000 - Maintenance - Vehicles	*** Account total ***		199.53
A005-701-5509-000 - Maintenance / Repair			
23708 12/14 Misc. Maint/Repair Items	521 TODD PIPE & SUPPLY 2	Paid	544.29
A005-701-5509-000 - Maintenance / Repair	*** Account total ***		544.29
A005-701-5703-000 - Utilities - Electric			
23663 12/6/14-1/15/15 Summary Bill	352 P G & E 6	Paid	7,444.60
A005-701-5703-000 - Utilities - Electric	*** Account total ***		7,444.60
A005-701-6201-000 - Contract Services			
23650 12/14 Sludge Disposal Svcs	598 ENGEL & GRAY, INC. 1	Paid	5,503.05
23654 12/14 Mat/Towel Svcs	28 ARAMARK UNIFORM SERVICES 1 MAT & TOWEL SVCS	Paid	86.90
A005-701-6201-000 - Contract Services	*** Account total ***		5,589.95
A020-601-5101-000 - Medical Benefit			
23704 Feb 2015 Dental/Vision Premium	820 ACWA/JPIA 9	Paid	344.47
A020-601-5101-000 - Medical Benefit	*** Account total ***		344.47
A020-601-5501-000 - Operational Supplies			
23708 12/14 Misc. Maint/Repair Items	521 TODD PIPE & SUPPLY 4	Paid	20.12
A020-601-5501-000 - Operational Supplies	*** Account total ***		20.12
A020-601-5502-000 - Chemicals / Analysis			
23709 12/14 Misc Maint/Repair Items	438 SANTA YNEZ VALLEY HARDWARE 7	Paid	140.39
A020-601-5502-000 - Chemicals / Analysis	*** Account total ***		140.39

Obligat'n	Description	Vendor/ Name/ Line Nbr Description	Stage	Amount
A020-601-5507-000	Maintenance - Vehicles			
	23674 1/15 Veh Recall Maint-Traverse	763 RIO VISTA CHEVROLET, INC. 3	Paid	188.91
	23706 12/14 Misc. Maint/Repair Items	826 GENUINE PARTS COMPANY - NAPA 3	Paid	10.62
A020-601-5507-000	Maintenance - Vehicles	*** Account total ***		199.53
A020-601-5509-000	Maintenance / Repair			
	23708 12/14 Misc. Maint/Repair Items	521 TODD PIPE & SUPPLY 3	Paid	92.62
	23709 12/14 Misc Maint/Repair Items	438 SANTA YNEZ VALLEY HARDWARE 8	Paid	71.18
A020-601-5509-000	Maintenance / Repair	*** Account total ***		163.80
A020-601-5703-000	Utilities - Electric			
	23663 12/6/14-1/15/15 Summary Bill	352 P G & E 7	Paid	6,287.77
A020-601-5703-000	Utilities - Electric	*** Account total ***		6,287.77
A020-601-6011-000	Regulatory Compliance			
	23649 10/14 Water Rack Cards/Door Ha	441 SB CO - PUBLIC WORKS DEPT 1	Paid	160.00
	23652 1/15 Risk Mgmt Plan/WTP Hwy 24	823 SB COUNTY EHS / CUPA 1	Paid	388.00
	23653 1/15 Risk Mgmt Plan/WTP McMurr	823 SB COUNTY EHS / CUPA 1	Paid	388.00
A020-601-6011-000	Regulatory Compliance	*** Account total ***		936.00
A020-601-6014-000	Santa Ynez River Appropriation			
	23675 7/14-12/14 Zone A	424 S Y R W C D 1	Paid	2,709.40
	23676 7/14-12/14 Zone D	424 S Y R W C D 1	Paid	2,392.20
A020-601-6014-000	Santa Ynez River Appropriation	*** Account total ***		5,101.60
A051-566-5703-000	Utilities - Electric			
	23663 12/6/14-1/15/15 Summary Bill	352 P G & E 9	Paid	164.18
A051-566-5703-000	Utilities - Electric	*** Account total ***		164.18
* Report total *		*** Total ***		97,200.14

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

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

To: The Honorable Mayor and City Council

From: Marc Bierdzinski, City Manager

Meeting Date: February 12, 2015

Subject: Ordinance No. 15-01 – “An Ordinance of the City Council of the City of Buellton, California, Re-Adopting Chapter 8.12 of the Buellton Municipal Code Pertaining to the 2013 California Fire Code as Adopted and Amended by the County of Santa Barbara” (Introduction and First Reading)

---

**BACKGROUND**

The City contracts with the County of Santa Barbara for all fire related services, including emergency response and fire inspection services. As such, the City has adopted the California Fire Code as adopted and amended by Chapter 15 of the Santa Barbara County Code as the fire code of the City of Buellton.

As a housekeeping item, the City regularly updates our Municipal Code to reflect the most current versions of the California Fire Code and Chapter 15 of the Santa Barbara County Code. This proposed ordinance amendment updates the California Fire Code from the 2010 to the current 2013 version, and continues to incorporate by reference all changes to Chapter 15 of the Santa Barbara County Code.

The following are the proposed changes to Section 8.12.020 (new text is underlined and deleted text is in ~~strikeout~~):

8.12.020 Adoption of California Fire Code and Chapter 15 of the Santa Barbara County Code.

The 2013 ~~2010~~ edition of the California Fire Code as adopted and amended by the Santa Barbara County board of supervisors as Chapter 15 of the Santa Barbara County Code is hereby ratified and adopted by reference as the fire code of the city.

**ENVIRONMENTAL REVIEW**

This project is exempt from the California Environmental Quality Act because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

**FISCAL IMPACT**

None.

**RECOMMENDATION**

Staff recommends that the City Council consider the introduction and first reading of Ordinance No. 15-01 – “An Ordinance of the City Council of the City of Buellton, California, Re-Adopting Chapter 8.12 of the Buellton Municipal Code Pertaining to the 2013 California Fire Code as Adopted and Amended by the County of Santa Barbara” by title only and waive further reading.

**ATTACHMENT**

Ordinance No. 15-01

**ORDINANCE NO. 15-01**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BUELLTON, CALIFORNIA, RE-ADOPTING CHAPTER 8.12 OF THE BUELLTON MUNICIPAL CODE PERTAINING TO THE 2013 CALIFORNIA FIRE CODE AS ADOPTED AND AMENDED BY THE COUNTY OF SANTA BARBARA**

**SECTION 1:** The City contracts with the County of Santa Barbara for all fire related services, including emergency response and fire inspection services. As such, the City has adopted the California Fire Code as adopted and amended by Chapter 15 of the Santa Barbara County Code as the fire code of the City of Buellton. As a housekeeping item, the City regularly updates the Municipal Code to reflect the most current versions of the California Fire Code and Chapter 15 of the Santa Barbara County Code. This proposed ordinance amendment updates the California Fire Code from the 2010 to the current 2013 version, and continues to incorporate by reference all changes to Chapter 15 of the Santa Barbara County Code.

**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 ordinance amendment, the City Council considered the following:

1. All public testimony, both written and oral, received in conjunction with that certain public hearing conducted by the City Council on February 12, 2015 (“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. The staff report submitted to the City Council dated February 12, 2015 (the “Staff Report”).

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

1. A notice was published in a legal section of a newspaper of general circulation on January 29, 2015 (the “Public Notice”), a minimum of ten (10) days in advance of the Public Hearing conducted on November 10, 2011.

2. The Public Notice was posted in three public locations on January 29, 2015, a minimum of 10 days in advance of the Public Hearing.

C. **Environmental Clearance.** The amendment to Title 19 was reviewed in accordance with the requirements of the California Environmental Quality Act (“CEQA”), Public Resources Code section 21000 *et seq.*, the State CEQA Guidelines, 14 C.C.R. section 15000 *et seq.*, and the Environmental Impact Report Guidelines of the City of Buellton, and the City Council has exercised its independent judgment and finds that the project proposed in the amendment is exempt from CEQA pursuant to section 15061 (b) (3) of the State CEQA Guidelines as it is an action to prohibit the establishment of cigarette, tobacco and head shops which can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment.

### **SECTION 3. ADOPTION:**

THE CITY COUNCIL OF THE CITY OF BUELLTON DOES HEREBY ORDAIN AS FOLLOWS (ADDITIONS ARE UNDERLINED, DELETIONS ARE IN STRIKEOUT):

8.12.020 Adoption of California Fire Code and Chapter 15 of the Santa Barbara County Code.

The 2013 ~~2010~~ edition of the California Fire Code as adopted and amended by the Santa Barbara County board of supervisors as Chapter 15 of the Santa Barbara County Code is hereby ratified and adopted by reference as the fire code of the city.

**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 \_\_\_\_\_ of February, 2015.

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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: MPB  
Council Agenda Item No.: 4

To: The Honorable Mayor and City Council

From: Marc P. Bierdzinski, City Manager

Meeting Date: February 12, 2015

Subject: Resolution No. 15-04 – “A Resolution of the City Council of the City of Buellton, California, Granting Consent to the City of Solvang to Renew the Santa Ynez Valley Tourism Business Improvement District (SYVTBID)”

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**BACKGROUND**

The City Council adopted Resolution No. 10-09 on April 8, 2010, granting consent to the City of Solvang to form the Santa Ynez Valley Tourism Business Improvement District (SYVTBID). The County of Santa Barbara also granted consent to be included in the SYVTBID. The City of Solvang is the lead entity of the SYVTBID and approved its formation via a public hearing of the Solvang City Council. The charge per room was set at \$2 and was used for marketing of the Santa Ynez Valley. The initial time frame for the SYVTBID was five years so it is now up for renewal.

On January 26, 2015, the City of Solvang adopted the following resolutions:

- Resolution No. 15-956 (Attachment 1) declaring its intention to renew the SYVTBID and fixing the time and place of the required public hearing. The public hearings are scheduled for March 9, 2015, and March 23, 2015, at the Solvang City Council Chambers.
- Resolution No. 15-957 (Attachment 2) requesting consent of the City of Buellton to renew the SYVTBID.

All the City of Buellton has to do is adopt Resolution No. 15-04 consenting to having our lodging establishments continue to be included in the SYVTBID. The City of Solvang continues to be the lead entity for actual approval of the SYVTBID through public hearings as noted above.

Details of the past activities and proposed future activities and room charge increases for the SYVTBID are contained in the Draft Management District Plan (Attachment 3). Shelby Sim, Executive Director of Visit the Santa Ynez Valley, is the project manager for

the SYVTBID, and will make a presentation on the proposed renewal request and will be available to answer questions. His PowerPoint presentation is included as Attachment 4.

The room charges are proposed to start at \$2.50 per room and increases to \$4 per room over 10 years as noted in Attachment 3.

### **FISCAL IMPACT**

The City of Buellton receives a 2% administrative fee for the TBID funds collected. At the current \$2 per room charge, the City receives an administrative fee of approximately \$4,500 per year. If the TBID room charge is increased, our administrative fee would increase as well.

### **RECOMMENDATION**

That the City Council consider approval of Resolution No. 15-04 - “A Resolution of the City Council of the City of Buellton, California, Granting Consent to the City of Solvang to Renew the Santa Ynez Valley Tourism Business Improvement District (SYVTBID)”

### **ATTACHMENTS**

Resolution No. 15-04

Attachment 1 – City of Solvang Resolution No. 15-956

Attachment 2 – City of Solvang Resolution No. 15-957

Attachment 3 – Draft SYVTBID Management District Plan

Attachment 4 – PowerPoint Presentation

**RESOLUTION NO. 15-04**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUELTON, CALIFORNIA, GRANTING CONSENT TO THE CITY OF SOLVANG TO RENEW THE SANTA YNEZ VALLEY TOURISM BUSINESS IMPROVEMENT DISTRICT (SYVTBID)**

**WHEREAS**, the City of Solvang is beginning the process to renew a Santa Ynez Valley Tourism Business Improvement District (SYVTBID) pursuant to the Property and Business Improvement District Law of 1994, Streets and Highways Code Section 36600 et seq., to promote tourism and the lodging businesses in Santa Ynez Valley; and

**WHEREAS**, the City Council of the City of Solvang has requested consent to renew the SYVTBID in the City of Buellton with adoption of Solvang City Council Resolution No. 15-957, dated January 26, 2015.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Buelton, that:

Section 1: The above recitals are true and correct.

Section 2: The City of Solvang is hereby granted consent to include the City of Buellton in the SYVTBID for this and future renewals.

Section 3: The Clerk of the City Council is hereby directed to transmit a certified copy of this Resolution to the Clerk of the City of Solvang City Council.

Section 4: This Resolution is effective upon its adoption.

**PASSED, APPROVED, and ADOPTED** this 12th day of February 2015.

---

Holly Sierra  
Mayor

ATTEST:

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Linda Reid  
City Clerk

## RESOLUTION NO. 15 -956

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLVANG DECLARING ITS INTENTION TO RENEW THE SANTA YNEZ VALLEY TOURISM BUSINESS IMPROVEMENT DISTRICT (SYVTBID) AND FIXING THE TIME AND PLACE OF A PUBLIC MEETING AND A PUBLIC HEARING THEREON AND GIVING NOTICE THEREOF**

**WHEREAS**, the City of Solvang created the SYVTBID in 2010 for a five (5) year term; and

**WHEREAS**, the Property and Business Improvement Law of 1994, Streets and Highways Code § 36600 et seq., authorizes the City to renew business improvement districts for the purposes of promoting tourism; and

**WHEREAS**, the Santa Ynez Valley Hotel Association, lodging business owners, members of the business community and representatives from the City of Solvang have met to consider the renewal of the Santa Ynez Valley Tourism Business Improvement District (SYVTBID); and

**WHEREAS**, Santa Ynez Valley Hotel Association has drafted a Management District Plan which sets forth the proposed boundary of the SYVTBID, a service plan and budget, and a proposed means of governance; and

**WHEREAS**, lodging business who will pay more than fifty percent (50%) of the assessment under the SYVTBID have petitioned the City Council to establish the SYVTBID.

### **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL THAT:**

1. The recitals set forth herein are true and correct.
2. The City Council finds that the lodging businesses that will pay more than fifty percent (50%) of the assessment proposed in the Management District Plan have signed and submitted petitions in support of the renewal of the SYVTBID. The City Council accepts the petitions and adopts this Resolution of Intention to renew the SYVTBID and to levy an assessment on certain lodging businesses within the SYVTBID boundaries in accordance with the Property and Business Improvement District Law of 1994.
3. The City Council finds that the Management District Plan satisfies all requirements of Streets and Highways Code § 36622.
4. The City Council declares its intention to renew the SYVTBID and to levy and collect assessments on lodging businesses within the SYVTBID boundaries pursuant to the Property and Business Improvement District Law of 1994.
5. The SYVTBID shall include all lodging businesses located within the boundaries of the cities of Buellton and Solvang, and nearby portions of the unincorporated area of Santa Barbara County, as shown in the map, attached as Exhibit A.

6. The name of the district shall be Santa Ynez Valley Tourism Business Improvement District (SYVTBID).
7. The initial annual assessment rate is \$2.50 per paid occupied room per night. The annual assessment rate may increase to \$3.00 per paid occupied room per night in year three (2017), \$3.50 per paid occupied room per night in year five (2019) and \$4.00 per paid occupied room per night in year eight (2022). Based on the benefit received, assessments will not be collected on stays of more than thirty (30) consecutive days, nor on stays by government employees on government business, provided the government employee provides valid photo identification proving employment.
8. The assessments levied for the SYVTBID shall be applied toward sales promotion and marketing programs to market assessed lodging businesses in Santa Ynez Valley as tourist, meeting, and event destinations, as described in the Plan. Funds remaining at the end of any year may be used in subsequent years in which SYVTBID assessments are levied as long as they are used consistent with the requirements of this resolution and the Plan.
9. The SYVTBID will have a ten (10) year term, beginning July 1, 2015 through June 30, 2015 unless renewed pursuant to Streets and Highways Code § 36660.
10. Bonds shall not be issued.
11. The time and place for the public meeting to hear testimony on establishing the SYVTBID and levying assessments are set for March 9, 2015, at 6:30 PM, or as soon thereafter as the matter may be heard, at the Council Chambers located at 1644 Oak Street, Solvang, CA 93463.
12. The time and place for the public hearing to establish the SYVTBID and the levy of assessments are set for March 23, 2015, at 6:30 PM, or as soon thereafter as the matter may be heard, at the Council Chambers located at 1644 Oak Street, Solvang, CA 93463. The City Clerk is directed to provide written notice to the lodging businesses subject to assessment of the date and time of the meeting and hearing, and to provide that notice as required by Streets and Highways Code § 36623.
13. At the public meeting and hearing the testimony of all interested persons for or against the establishment of the SYVTBID may be received. If at the conclusion of the public hearing, there are of record written protests by the owners of the lodging businesses within the proposed SYVTBID that will pay more than fifty percent (50%) of the estimated total assessment of the entire SYVTBID, no further proceedings to establish the SYVTBID shall occur for a period of one year.
14. The complete Management District Plan is on file with the City Clerk and may be reviewed upon request.
15. This resolution shall take effect immediately upon its adoption by the City Council.

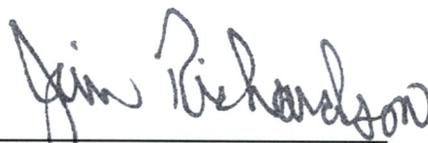
**I HEREBY CERTIFY** that the foregoing Resolution of Intention was introduced and adopted at a regular meeting of the City Council on the 26th day of January 2015 by the following vote:

AYES: Mayor Richardson, Council Members Duus, and Jamieson

NOES: Council Member Zimmerman

ABSENT: Council Member Skytt

ABSTAIN:



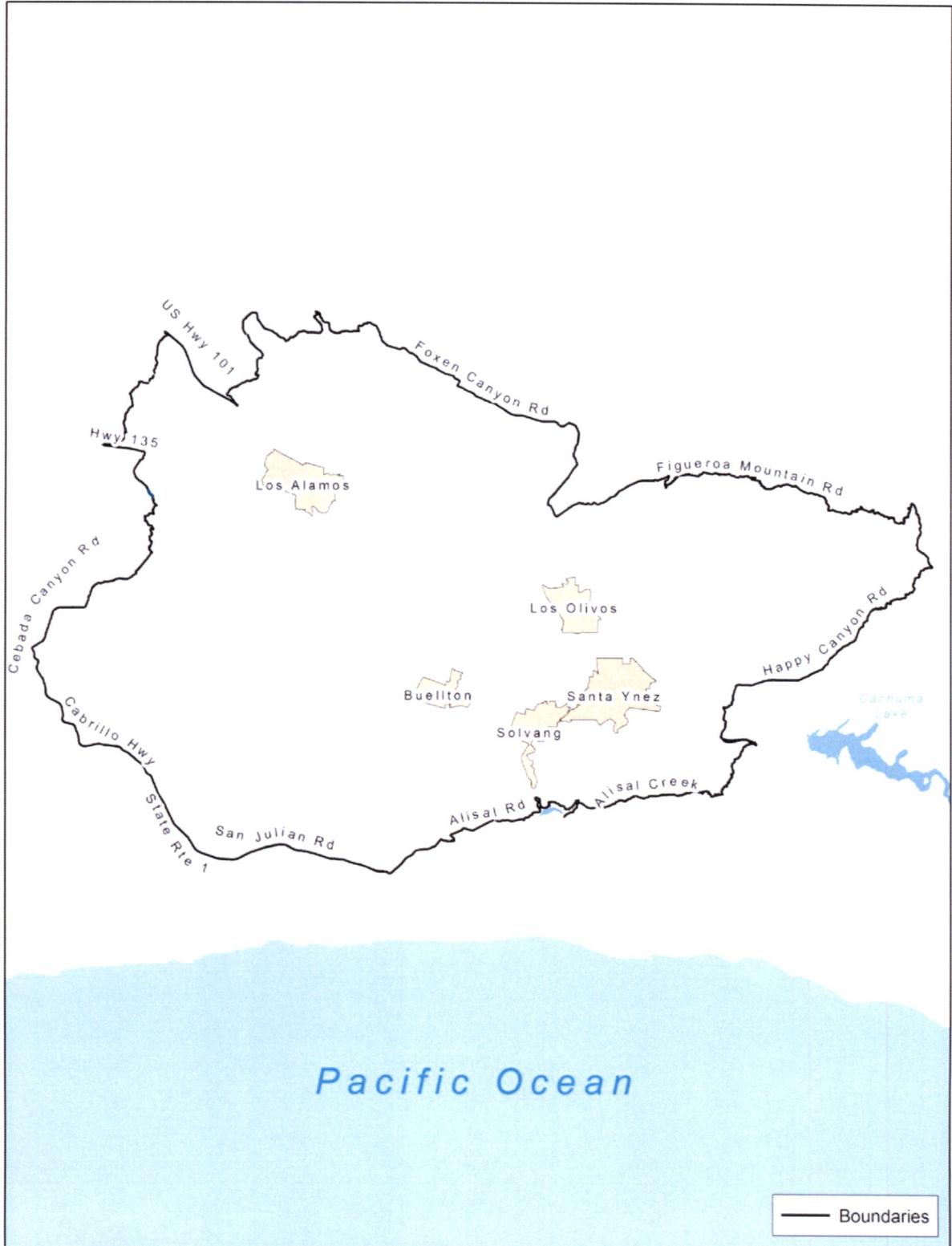
Jim Richardson, Mayor

ATTEST:



Mary Ellen Rio, City Clerk

**EXHIBIT A**  
**District Boundaries**



# ATTACHMENT 2

## RESOLUTION NO. 15 -957

### RESOLUTION REQUESTING CONSENT OF THE CITY OF BUELLTON AND THE COUNTY OF SANTA BARBARA TO RENEW THE SANTA YNEZ VALLEY TOURISM BUSINESS IMPROVEMENT DISTRICT

WHEREAS, the City Council of the City of Solvang desires to begin proceedings to renew the Santa Ynez Valley Tourism Business Improvement District (“SYVTBID”); and

WHEREAS, certain tourism business owners have requested that the City Council (the “Council”) of the City of Solvang (the “City”) renew the SYVTBID; and

WHEREAS, a portion of the territory proposed to be included in the SYVTBID lies within the boundaries of the City of Buellton and the County of Santa Barbara (the “City and County”), as shown on the map attached hereto as Exhibit A and incorporated herein by such attachment; and

WHEREAS, the area of the City and County which lies within the boundaries of the proposed SYVTBID will, in the opinion of the Council, be benefited by the improvements and activities, and the purpose sought to be accomplished by the work can best be accomplished by a single comprehensive scheme of work;

NOW, THEREFORE, be it resolved by the Solvang City Council:

Section 1: The above recitals are true and correct.

Section 2: Consent of the City and County, through their City Council and Board of Supervisors, is hereby requested to renew the SYVTBID, and to grant to the Council jurisdiction for all the purposes in connection with this and future renewals and operations of the proposed SYVTBID.

Section 3: The Clerk of the Council is hereby directed to transmit a certified copy of this Resolution to the City and County Clerks of the City of Buellton and the County of Santa Barbara.

ON MOTION duly made, seconded, and carried the foregoing resolution was passed and adopted by the City Council of the City of Solvang, State of California, this 26th day of January, 2015 by the following vote:

AYES: Mayor Richardson, Council Members Duus and Jamieson

NOES: Council Member Zimmerman

ABSENT: Council Member Skytt

ABSTAIN:

  
\_\_\_\_\_  
Jim Richardson, Mayor

ATTEST:

  
\_\_\_\_\_  
Mary Ellen Rio, City Clerk



**Santa Ynez Valley Tourism Business  
Improvement District  
Management District Plan**

**2015-2025**

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Prepared by  
Civitas



(800)999-7781  
[www.civitasadvisors.com](http://www.civitasadvisors.com)

## I. OVERVIEW

Developed by the Santa Ynez Valley Hotel Association, DBA Visit the Santa Ynez Valley (VSYV), the Santa Ynez Valley Tourism Business Improvement District (SYVTBID) is an assessment district proposed to provide specific benefits to payors, by funding marketing and sales promotion efforts for assessed businesses. The SYVTBID was formed in 2010 for a five-year term ending on June 30, 2015. The City of Solvang is acting as the lead jurisdiction in the renewal of the SYVTBID. As the SYVTBID reaches the end of its initial term, businesses have expressed a desire to renew it.

**Location:** The proposed SYVTBID includes all lodging businesses located within the cities of Buellton and Solvang, and nearby portions of the unincorporated area of Santa Barbara County as shown on the map in section IV.

**Services:** The SYVTBID is designed to provide specific benefits directly to payors by increasing room night sales. Marketing and sales promotions and special projects will increase overnight tourism and market payors as tourist, meeting and event destinations, thereby increasing room night sales.

**Budget:** The total SYVTBID annual budget for the initial year of its ten (10) year operation is anticipated to be approximately \$885,000. This budget is expected to fluctuate as room sales and the assessment rate do. If the assessment increases are adopted according to this plan in year three (2017) the annual budget is anticipated to be approximately \$1,125,000, in year five (2019) the annual budget is anticipated to be approximately \$1,390,000, and in year eight (2022) the annual budget is anticipated to be approximately \$1,735,000.

**Cost:** The initial annual assessment rate is \$2.50 per paid occupied room per night. The annual assessment rate may increase to \$3.00 per paid occupied room per night in year three (2017), \$3.50 per paid occupied room per night in year five (2019) and \$4.00 per paid occupied room per night in year eight (2022). Based on the benefit received, assessments will not be collected on stays of more than thirty (30) consecutive days, nor on stays by government employees on government business, provided the government employee provides valid photo identification proving employment.

**Collection:** Each City and the County will be responsible for collecting the assessment on a monthly basis (including any delinquencies, penalties and interest) from each lodging business located in its jurisdiction. Each City and the County shall take all reasonable efforts to collect the assessments from each lodging business.

**Duration:** The renewed SYVTBID will have a ten (10)-year life, beginning July 1, 2015 through June 30, 2025. Once per year beginning on the anniversary of district renewal there is a 30-day period in which owners paying more than fifty percent (50%) of the assessment may protest and initiate a Solvang City Council hearing on district termination.

**Management:** Visit the Santa Ynez Valley will serve as the SYVTBID's Owners' Association. The Owners' Association is charged with managing funds and implementing programs in

accordance with this Plan, and must provide an annual report at the end of each year of operation to the Solvang City Council. The Solvang City Clerk shall send copies of the annual report to the Buellton City Council and the Santa Barbara County Board of Supervisors.

DRAFT

## II. ACCOMPLISHMENTS

The initial term of the SYVTBID has produced compelling results and programs for assessed lodging businesses:

### 1. *Marketing*

As our new website debuted on April 6<sup>th</sup>, 2014, we understood that the site would take a dip in traffic before our Google Authority ranking improved. While the site received only 4,850 unique users to the website in May, the user traffic has been steadily climbing, with September garnering 8,802 unique users. Since its debut, the site has garnered 12,984 clicks to our members' individual websites. The top 5 most popular pages on the site are as follows: (1) Homepage; (2) Wine Tasting; (3) Where to Stay – Hotels; (4) Events Calendar; (5) Discover Los Olivos. Recent additions to the website include a new blog written by Executive Director Shelby Sim and a special Deals page where members can offer incentives such as special discounts, seasonal offers and hotel packages. As we continue to spend additional time and effort on SEO, we anticipate another steady increase in user traffic before the year's end.

### 2. *Santa Ynez Valley Wine Month*

The SYV Wine Month is an annual VSYV promotion which ties in with California Wine Month, a campaign created by the Wine Institute to showcase the diverse wine growing regions across California. Our own SYV Wine Month advertising campaign reached consumers via Facebook, LA Times digital advertising, and printed poster (51 printed) and postcard distribution (5,000 printed). Wine Month presents an opportunity for increased engagement and visitation for our website, and acts as a great opportunity to showcase our members and show appreciation. A total of 18 VSYV members participated by providing special events, wine flights, discounts and hotel packages. Please see the analytic reports below:

#### **SYVWine.com**

Total page views for SYVWine.com: 1,509

Average time spent on page: 00:02:27\*

Versus average time spent on other pages: 00:01:24

*\*An increase in average time spent on SYVWine.com indicates that the content provided was relevant, desirable content to the specific audience targeted by our ad campaign.*

### 3. *Top Traffic Sources*

Direct: 716 \* *direct traffic can be attributed to posters & postcards*

Facebook: 215

Discovercaliforniawines.com: 131

LATimes.com: 68

SolvangUSA.com: 56

Our Facebook audience has increased since May from 7,826 likes to 10,906 likes. We've run two separate ad campaigns on Facebook to increase likes and click-throughs to our website since May 1, 2014, which include our Craft Beer Month promotion and SYV Wine Month. During our Craft Beer Month Campaign, our Facebook ads for increased likes received an average click-through rate (CTR) of 2.29% with 55,825 impressions served. During SYV Wine Month, our Facebook ads for likes received an average CTR of 5.4% with 22,397

impressions served. To give some perspective, a recent Social Advertising Benchmark Report released by Salesforce ExactTarget Marketing Cloud showed that in the United States, the average CTR for Facebook advertising increased by better than 50%, from 0.09% to 0.14%. Further in this report, non-profit companies globally tracked the highest CTR in Q4 of 2013, with a 1.77% CTR. As we narrow our target audience, our CTR has risen *significantly* above even the non-profit average, illustrating that we are providing relevant, desired content to our target audience.

#### **4. *Marketing Partnerships & Campaigns***

VSJV entered into an agreement with Griffin Publishing for the 2015 edition of the Santa Ynez Valley Visitors Guide. This edition is a step up in quality and content representing the entire Santa Ynez Valley (Solvang, Santa Ynez, Los Olivos, Buellton and Los Alamos) in a story telling format. This year's edition will have upwards of 90 pages as opposed to last year's 62 pages. It will launch on December 15, 2014.

VSJV is also in talks with Tasting and Touring, the premier wine tourism magazine, to partner on a comprehensive scale, not only in print, but also online.

VSJV partnered with Visit Santa Barbara and other Santa Ynez Valley organizations to run a successful Sideways10 campaign, culminating in a screening at the Arlington Theatre on October 5.

VSJV collaborates actively with other county destination marketing organizations, most particularly the Solvang CVB and the Buellton Visitor Bureau, as well as the SB Vintners Association.

Collaboration with the Santa Barbara County Association of Governments, which proposes a Saturday bus service between the Santa Ynez Valley and Santa Barbara, is slated to begin in the spring of 2015. This service will increase the level of visitation by tourists to assessed businesses.

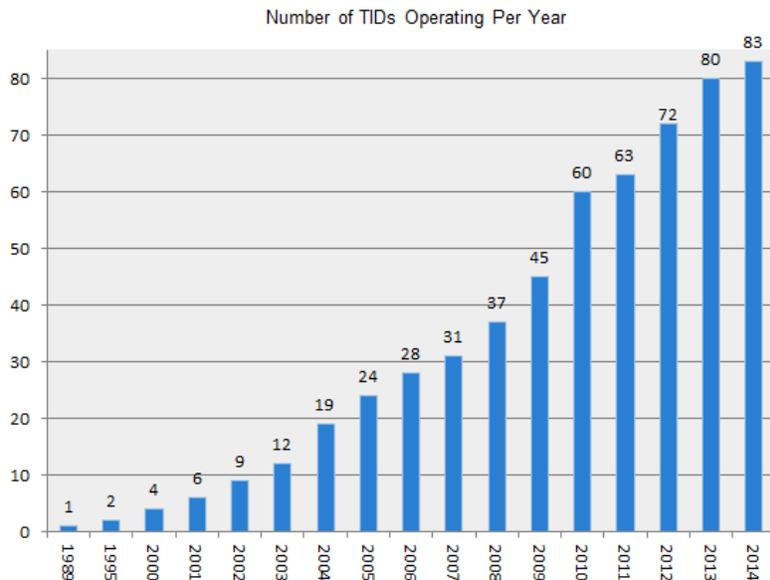
Recently, VSJV provided funds to the Buellton Botanic Garden to create better access to the Garden. Better access to the Gardens is aimed at increasing the frequency and duration of stays by tourists at assessed businesses.

VSJV has granted over \$326,000 to various visitor-attracting events and organizations throughout the Santa Ynez Valley since the TBID's inception.

### III. BACKGROUND

TBIDs are an evolution of the traditional Business Improvement District. The first TBID was formed in West Hollywood, California in 1989. Since then, over eighty California destinations have followed suit. In recent years, other states have begun adopting the California model – Washington, Montana, and Texas have adopted TBID laws. Several other states are in the process of adopting their own legislation. And, some cities, like Portland, Oregon, have utilized their charter powers to

create TBIDs without a state law.



California’s TBIDs collectively raise over \$150 million for local destination marketing. With competitors raising their budgets, and increasing rivalry for visitor dollars, it is important that Santa Ynez Valley lodging businesses invest in stable, lodging-specific marketing programs.

TBIDs utilize the efficiencies of private sector operation in the market-based promotion of tourism districts. TBIDs allow

lodging business owners to organize their efforts to increase room night sales. Lodging business owners within the TBID pay an assessment and those funds are used to provide services that increase room night sales.

In California, TBIDs are formed pursuant to the Property and Business Improvement District Law of 1994. This law allows for the creation of a benefit assessment district to raise funds within a specific geographic area. *The key difference between TBIDs and other benefit assessment districts is that funds raised are returned to the private non-profit corporation governing the district.*

There are many benefits to TBID:

- Funds must be spent on services and improvements that provide a specific benefit only to those who pay;
- Funds cannot be diverted to general government programs;
- They are customized to fit the needs of payors in each destination;
- They allow for a wide range of services;
- They are **designed, created and governed by those who will pay** the assessment; and
- They provide a stable, long-term funding source for tourism promotion.

#### IV. BOUNDARY

The SYVTBID will include all lodging businesses, existing and in the future, available for public occupancy within the cities of Buellton and Solvang, and nearby portions of the unincorporated area of Santa Barbara County as shown on the map below.

Lodging business means: Any structure, or any portion of any structure, which is occupied or intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes, and includes any hotel, inn, tourist home or house, motel, studio hotel, bachelor hotel, lodging house, rooming house, apartment house, dormitory, public or private club, mobile home or house trailer at a fixed location, or other similar structure or portion thereof.

The boundary, as shown in the map below, currently includes one hundred twenty-five (125) lodging businesses. A complete listing of lodging businesses within the proposed SYVTBID can be found in Appendix 2.

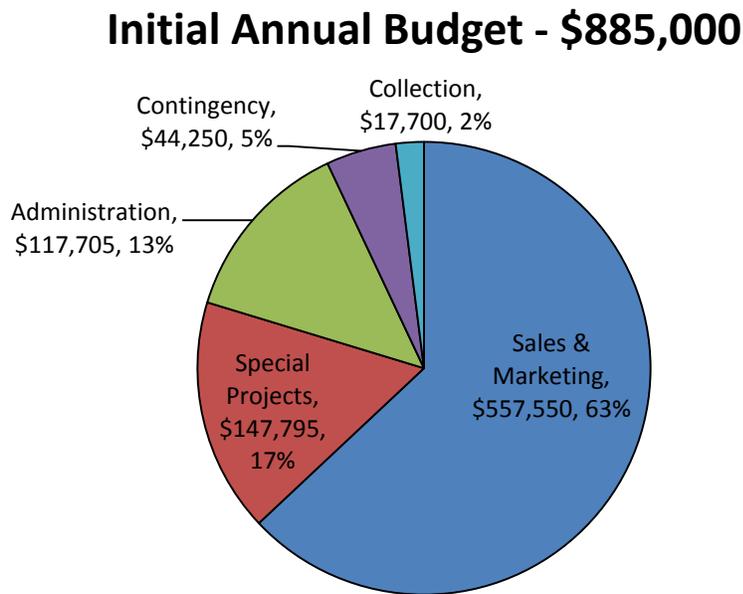


## V. BUDGET AND SERVICES

### A. Annual Service Plan

Assessment funds will be spent to provide specific benefits conferred or privileges granted directly to the payors that are not provided to those not charged, and which do not exceed the reasonable cost to the City of conferring the benefits or granting the privileges. The privileges and services provided with the SYVTBID funds are sales and marketing programs and special projects available only to assessed businesses.

A service plan budget has been developed to deliver services that benefit businesses throughout the District. A detailed annual budget will be developed and approved by the Owners' Association. The graph below illustrates the initial annual budget allocations. The initial total annual budget is \$885,000.



Although actual revenues will fluctuate due to market conditions, the proportional allocations of the budget shall remain the same. However, the City of Solvang and the VSYV board shall have the authority to adjust budget allocations between the categories by no more than fifteen percent (15%) of the total budget per year. A description of the proposed improvements and activities for the initial year of operation is below. The same activities are proposed for subsequent years. In the event of a legal challenge against the SYVTBID, any and all assessment funds may be used for the costs of defending the SYVTBID.

#### Sales and Marketing

A sales and marketing program will promote assessed businesses as tourist, meeting, and event destinations. The sales and marketing program will have a central theme of promoting Santa Ynez Valley and its portion of the Santa Barbara wine country as a desirable place for overnight visits. The program will have the goal of increasing overnight visitation and room night sales at assessed businesses, and may include the following activities:

- Internet marketing efforts to increase awareness and optimize internet presence to drive

- overnight visitation and room sales to assessed businesses;
- Print ads in magazines and newspapers targeted at potential visitors to drive overnight visitation and room sales to assessed businesses;
- Television ads targeted at potential visitors to drive overnight visitation and room sales to assessed businesses;
- Radio ads targeted at potential visitors to drive overnight visitation and room sales to assessed businesses;
- Attendance of trade shows to promote assessed businesses;
- Sales blitzes for assessed businesses;
- Familiarization tours of assessed businesses;
- Preparation and production of collateral promotional materials such as brochures, flyers and maps featuring assessed businesses;
- Attendance of professional industry conferences and affiliation events to promote assessed businesses;
- Lead generation activities designed to attract tourists and group events to assessed businesses;
- Director of Sales and General Manager meetings to plan and coordinate tourism promotion efforts for assessed businesses;
- Education of hospitality staff on service and safety (related to alcohol and food) designed to create a visitor experience that will bring repeat visits to assessed businesses; and
- Education of lodging business management and the owners' association on marketing strategies best suited to meet assessed business's needs.

### **Special Projects**

Special projects funding will be utilized to sponsor special events designed to attract overnight visitors to the Santa Ynez Valley.

### **Administration and Operations**

The administration and operations portion of the budget shall be utilized for administrative staffing costs, office costs, and other general administrative costs such as insurance, legal, and accounting fees.

### **Contingency/Renewal**

A prudent portion of the budget will be allocated to a contingency fund, to account for lower than anticipated collections. If there are contingency funds collected and near the expiration of the district there are contingency funds remaining, and business owners wish to renew the district, the contingency funds may be used for renewal costs. The two percent (2%) annual budget allocation to the contingency fund will continue until the funded reaches a balance of \$150,000. If/when the contingency fund balance reaches the \$150,000 threshold, the contingency portion of the budget will be proportionally allocated to the remaining budget categories.

### **City Administration Fee**

The City of Solvang, the City of Buellton, and the County of Santa Barbara shall be paid a fee equal to two percent (2%) of the amount of assessment collected in their respective jurisdictions to cover their costs of collection and administration.

## **B. Determination of Specific Benefit**

State law requires that assessment funds be expended on specific benefits conferred directly to the payors that are not provided to those not charged, and which do not exceed the reasonable cost to the City of conferring the benefits. The services in this Management District Plan are designed to provide targeted benefits directly to assessed lodging businesses. These services are tailored not to serve the general public, but rather to serve the specific lodging businesses within the District, e.g., the proposed activities are specifically targeted to increase room night sales for assessed lodging businesses within the boundaries of the District, and are narrowly tailored. SYVTBID funds will be used exclusively to provide the specific benefit of increased room night sales directly to the assessees. For example, non-assessed businesses will not be featured in programs exclusively funded by the SYVTBID and will not receive sales leads from them. The activities paid for from assessment revenues are business services constituting and providing specific benefits to the assessed businesses.

Further, the assessment may be utilized to provide specific government services directly to the payors that are not provided to those not charged, and which do not exceed the reasonable costs to the City of providing the services. The legislature has recognized that marketing and promotions services like those to be provided by the SYVTBID are, in the context of assessment districts, government services. Further, the amount of the assessment is no more than necessary to cover the reasonable costs of the proposed activities, and the manner in which the costs are allocated to a business owner bear a fair share or reasonable relationship to the businesses' benefits received from the proposed activities. A specific benefit is not excluded from classification as a "specific benefit" merely because an indirect benefit to a nonpayor occurs incidentally and without cost to the payor as a consequence of providing the specific benefit to the payor. To the extent that other, non-District, lodging businesses may receive incremental room nights, that portion of the promotion or program generating those room nights shall be paid with non-District funds.

District services will be implemented carefully to ensure they do not exceed the reasonable cost of such services. Funds will be managed by the Owners' Association, and reports submitted on an annual basis to the City. Only assessed businesses will be featured in marketing materials, receive sales leads generated from district-funded activities, be featured in advertising campaigns, and benefit from other district-funded services. Non-assessed businesses will not receive these, nor any other, district-funded services and benefits.

## **C. Assessment**

The annual assessment rate is \$2.50 per occupied room per night. Based on the benefit received, assessments will not be collected on stays of more than thirty (30) consecutive days, nor on stays by government employees on government business, provided the government employee provides valid photo identification proving employment.

The assessment rate may be subject to \$0.50 increases in the third and fifth years (2017 and 2019) of the District. In the third year (2017) the assessment rate may increase to \$3.00 per paid occupied room per night. In the fifth year (2019) the assessment rate may increase to \$3.50 per paid occupied room per night. In the eighth year (2022) the assessment rate may increase to \$4.00 per paid occupied room per night. These increases will be automatic unless the VSYV Board votes not to implement them based upon circumstances that they deem significant. Any increases will be reflected in the annual report. Additionally, the budget is expected to increase at a rate of three percent (3%) per year due to the results of SYVTBID efforts.

The maximum annual assessment rates and budgets estimated are:

<b>Year</b>	<b>Assessment Rate</b>	<b>Total Budget</b>
2015-16	\$2.50	\$885,000
2016-17	\$2.50	\$911,550
2017-18	\$3.00	\$1,126,676
2018-19	\$3.00	\$1,160,476
2019-20	\$3.50	\$1,394,904
2020-21	\$3.50	\$1,436,751
2021-22	\$3.50	\$1,479,853
2022-23	\$4.00	\$1,737,644
2023-24	\$4.00	\$1,789,773
2024-25	\$4.00	\$1,843,466
	<b>TOTAL</b>	<b>\$13,766,094</b>

The amount of assessment, if passed on to each transient, shall be disclosed in advance and separately stated from the amount of rent charged and any other applicable taxes, and each transient shall receive a receipt for payment from the business. The assessment shall be disclosed as the “SYVTBID Assessment.” The assessment shall not be considered revenue for any purposes, including calculation of transient occupancy taxes.

Bonds shall not be issued.

**D. Penalties and Interest**

1. Any lodging business which fails to remit any assessment imposed within the time required shall pay a penalty of ten percent (10%) of the amount of the assessment in addition to the amount of the assessment.
2. Any lodging business which fails to remit any delinquent remittance on or before a period of thirty (30) days following the date on which the remittance first became delinquent shall pay a second delinquency penalty of ten percent (10%) of the amount of the assessment in addition to the amount of the assessment and the ten percent (10%) penalty first imposed.
3. If it is determined that the nonpayment of any remittance due is willful, a penalty of twenty five percent (25%) of the amount of the assessment shall be added thereto in addition to the penalties stated in subsections 1 and 2 of this section.
4. In addition to the penalties imposed, any lodging business which fails to remit any assessment imposed shall pay interest at the rate of one and one-half percent (1.5%) per month on the amount of the assessment, exclusive of penalties, from the date on which the remittance first became delinquent until paid.
5. Every penalty imposed and such interest as accrues shall become a part of the assessment herein required to be paid.

**E. Time and Manner for Collecting Assessments**

The SYVTBID assessment will be implemented beginning July 1, 2015 and will continue for ten (10) years through June 30, 2025. The Cities and County will be responsible for collecting the assessment on a monthly basis (including any delinquencies, penalties and interest) from each lodging business located within their respective jurisdictions in the boundaries of the SYVTBID. The Cities and

County shall take all reasonable efforts to collect the assessments from each lodging business. The Cities and County shall forward the assessments collected to the Owners' Association. If a jurisdiction so desires, penalties and interest collected on delinquent assessments may be retained by the local jurisdiction for costs associated with collection.

**F. Annual Budget**

The total ten (10) year improvement and service plan budget is projected at approximately \$885,000 annually in years one and two, approximately \$1,125,000 annually in years three and four, approximately \$1,390,000 in years five through seven, and approximately \$1,735,000 in years eight through ten or approximately \$13,765,000 through 2025. This amount may fluctuate as sales and revenue increase at assessed businesses and if the VSYV Board approves the assessment increases.

DRAFT

## **VI. GOVERNANCE**

### **A. Owners' Association**

The Solvang City Council, through adoption of this Management District Plan, has the right, pursuant to Streets and Highways Code §36651, to identify the body that shall implement the proposed program, which shall be the Owners' Association of the SYVTBID as defined in Streets and Highways Code §36614.5. The City Council has determined that the Santa Ynez Valley Hotel Association DBA Visit the Santa Ynez Valley will serve as the Owners' Association for the SYVTBID.

### **B. Brown Act and California Public Records Act Compliance**

An Owners' Association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose. The Owners' Association is, however, subject to government regulations relating to transparency, namely the Ralph M. Brown Act and the California Public Records Act. These regulations are designed to promote public accountability. The Owners' Association acts as a legislative body under the Ralph M. Brown Act (Government Code §54950 et seq.). Thus, meetings of the VSYV board and certain committees must be held in compliance with the public notice and other requirements of the Brown Act. The Owners' Association is also subject to the record keeping and disclosure requirements of the California Public Records Act. Accordingly, the Owners' Association shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

### **C. Annual Report**

The VSYV shall present an annual report at the end of each year of operation to the Solvang City Council pursuant to Streets and Highways Code §36650 (see Appendix 1). The Solvang City Clerk shall send copies of the annual report to the Buellton City Council and the Santa Barbara County Board of Supervisors. The annual report shall include:

- Any proposed changes in the boundaries of the improvement district or in any benefit zones or classification of businesses within the district.
- The improvements and activities to be provided for that fiscal year.
- An estimate of the cost of providing the improvements and the activities for that fiscal year.
- The method and basis of levying the assessment in sufficient detail to allow each business owner, to estimate the amount of the assessment to be levied against his or her business for that fiscal year.
- The amount of any surplus or deficit revenues to be carried over from a previous fiscal year.
- The amount of any contributions to be made from sources other than assessments levied pursuant to this part.

## APPENDIX 1 – LAW

### Property And Business Improvement District Law of 1994

*Cal Sts & Hy Code § 36600 (2013)*

\*\*\* This document is current through the 2014 Supplement \*\*\*  
(All 2013 legislation)

#### **§ 36600. Citation of part**

This part shall be known and may be cited as the "Property and Business Improvement District Law of 1994."

#### **§ 36601. Legislative findings and declarations**

The Legislature finds and declares all of the following:

(a) Businesses located and operating within the business districts of this state's communities are economically disadvantaged, are underutilized, and are unable to attract customers due to inadequate facilities, services, and activities in the business districts.

(b) It is in the public interest to promote the economic revitalization and physical maintenance of the business districts of its cities in order to create jobs, attract new businesses, and prevent the erosion of the business districts.

(c) It is of particular local benefit to allow cities to fund business related improvements, maintenance, and activities through the levy of assessments upon the businesses or real property that benefits from those improvements.

(d) Assessments levied for the purpose of providing improvements and promoting activities that benefit real property or businesses are not taxes for the general benefit of a city, but are assessments for the improvements and activities which confer special benefits upon the real property or businesses for which the improvements and activities are provided.

#### **§ 36602. Purpose of part**

The purpose of this part is to supplement previously enacted provisions of law that authorize cities to levy assessments within a business improvement area. This part does not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes.

#### **§ 36603. Preemption of authority or charter city to adopt ordinances levying assessments**

Nothing in this part is intended to preempt the authority of a charter city to adopt ordinances providing for a different method of levying assessments for similar or additional purposes from those set forth in this part. A property and business improvement district created pursuant to this part is expressly exempt from the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 (Division 4 (commencing with Section 2800)).

#### **§ 36603.5. Part prevails over conflicting provisions**

Any provision in this part that conflicts with any other provision of law shall prevail over the other provision of law.

**§ 36604. Severability**

This part is intended to be construed liberally and, if any provision is held invalid, the remaining provisions shall remain in full force and effect. Assessments levied under this part are not special taxes.

**§ 36605. [Section repealed 2001.]**

**§ 36606. "Assessment"**

"Assessment" means a levy for the purpose of acquiring, constructing, installing, or maintaining improvements and promoting activities which will benefit the properties or businesses located within a property and business improvement district.

**§ 36607. "Business"**

"Business" means all types of businesses and includes financial institutions and professions.

**§ 36608. "City"**

"City" means a city, county, city and county, or an agency or entity created pursuant to Article 1 (commencing with *Section 6500*) of *Chapter 5 of Division 7 of Title 1 of the Government Code*, the public member agencies of which includes only cities, counties, or a city and county, or the State of California.

**§ 36609. "City council"**

"City council" means the city council of a city or the board of supervisors of a county, or the agency, commission, or board created pursuant to a joint powers agreement and which is a city within the meaning of this part.

**§ 36610. "Improvement"**

"Improvement" means the acquisition, construction, installation, or maintenance of any tangible property with an estimated useful life of five years or more including, but not limited to, the following:

- (a) Parking facilities.
- (b) Benches, booths, kiosks, display cases, pedestrian shelters and signs.
- (c) Trash receptacles and public restrooms.
- (d) Lighting and heating facilities.
- (e) Decorations.
- (f) Parks.
- (g) Fountains.
- (h) Planting areas.
- (i) Closing, opening, widening, or narrowing of existing streets.
- (j) Facilities or equipment, or both, to enhance security of persons and property within the area.
- (k) Ramps, sidewalks, plazas, and pedestrian malls.
- (l) Rehabilitation or removal of existing structures.

**§ 36611. "Property and business improvement district"; "District"**

"Property and business improvement district," or "district," means a property and business improvement district established pursuant to this part.

**§ 36612. "Property"**

"Property" means real property situated within a district.

**§ 36613. "Activities"**

"Activities" means, but is not limited to, all of the following:

- (a) Promotion of public events which benefit businesses or real property in the district.
- (b) Furnishing of music in any public place within the district.
- (c) Promotion of tourism within the district.
- (d) Marketing and economic development, including retail retention and recruitment.
- (e) Providing security, sanitation, graffiti removal, street and sidewalk cleaning, and other municipal services supplemental to those normally provided by the municipality.
- (f) Activities which benefit businesses and real property located in the district.

**§ 36614. "Management district plan"; "Plan"**

"Management district plan" or "plan" means a proposal as defined in Section 36622.

**§ 36614.5. "Owners' association"**

"Owners' association" means a private nonprofit entity that is under contract with a city to administer or implement activities and improvements specified in the management district plan. An owners' association may be an existing nonprofit entity or a newly formed nonprofit entity. An owners' association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose. Notwithstanding this section, an owners' association shall comply with the Ralph M. Brown Act (Chapter 9 (commencing with *Section 54950*) of *Part 1 of Division 2 of Title 5 of the Government Code*), at all times when matters within the subject matter of the district are heard, discussed, or deliberated, and with the California Public Records Act (Chapter 3.5 (commencing with *Section 6250*) of *Division 7 of Title 1 of the Government Code*), for all documents relating to activities of the district.

**§ 36615. "Property owner"; "Business owner"; "Owner"**

"Property owner" means any person shown as the owner of land on the last equalized assessment roll or otherwise known to be the owner of land by the city council. "Business owner" means any person recognized by the city as the owner of the business. "Owner" means either a business owner or a property owner. The city council has no obligation to obtain other information as to the ownership of land or businesses, and its determination of ownership shall be final and conclusive for the purposes of this part. Wherever this part requires the signature of the property owner, the signature of the authorized agent of the property owner shall be sufficient. Wherever this part requires the signature of the business owner, the signature of the authorized agent of the business owner shall be sufficient.

**§ 36616. "Tenant"**

"Tenant" means an occupant pursuant to a lease of commercial space or a dwelling unit, other than an owner.

**§ 36617. Alternate method of financing certain improvements and activities; Effect on other provisions**

This part provides an alternative method of financing certain improvements and activities. The provisions of this part shall not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes. Every improvement area established pursuant to the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500) of this division) is valid and effective and is unaffected by this part.

**§ 36620. Establishment of property and business improvement district**

A property and business improvement district may be established as provided in this chapter.

**§ 36620.5. Requirement of consent of city council**

A county may not form a district within the territorial jurisdiction of a city without the consent of the city council of that city. A city may not form a district within the unincorporated territory of a county without the consent of the board of supervisors of that county. A city may not form a district within the territorial jurisdiction of another city without the consent of the city council of the other city.

**§ 36621. Initiation of proceedings; Petition of property or business owners in proposed district**

(a) Upon the submission of a written petition, signed by the property or business owners in the proposed district who will pay more than 50 percent of the assessments proposed to be levied, the city council may initiate proceedings to form a district by the adoption of a resolution expressing its intention to form a district. The amount of assessment attributable to property or a business owned by the same property or business owner that is in excess of 40 percent of the amount of all assessments proposed to be levied, shall not be included in determining whether the petition is signed by property or business owners who will pay more than 50 percent of the total amount of assessments proposed to be levied.

(b) The petition of property or business owners required under subdivision (a) shall include a summary of the management district plan. That summary shall include all of the following:

- (1) A map showing the boundaries of the district.
- (2) Information specifying where the complete management district plan can be obtained.
- (3) Information specifying that the complete management district plan shall be furnished upon request.

(c) The resolution of intention described in subdivision (a) shall contain all of the following:

(1) A brief description of the proposed activities and improvements, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property or businesses within the district, a statement as to whether bonds will be issued, and a description of the exterior boundaries of the proposed district. The descriptions and statements do not need to be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements and activities and the location and extent of the proposed district.

(2) A time and place for a public hearing on the establishment of the property and business improvement district and the levy of assessments, which shall be consistent with the requirements of Section 36623.

**§ 36622. Contents of management district plan**

The management district plan shall contain all of the following:

(a) If the assessment will be levied on property, a map of the district in sufficient detail to locate each parcel of property and, if businesses are to be assessed, each business within the district. If the assessment will be levied on

businesses, a map that identifies the district boundaries in sufficient detail to allow a business owner to reasonably determine whether a business is located within the district boundaries. If the assessment will be levied on property and businesses, a map of the district in sufficient detail to locate each parcel of property and to allow a business owner to reasonably determine whether a business is located within the district boundaries.

(b) The name of the proposed district.

(c) A description of the boundaries of the district, including the boundaries of benefit zones, proposed for establishment or extension in a manner sufficient to identify the affected lands and businesses included. The boundaries of a proposed property assessment district shall not overlap with the boundaries of another existing property assessment district created pursuant to this part. This part does not prohibit the boundaries of a district created pursuant to this part to overlap with other assessment districts established pursuant to other provisions of law, including, but not limited to, the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500)). This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with another business assessment district created pursuant to this part. This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with a property assessment district created pursuant to this part.

(d) The improvements and activities proposed for each year of operation of the district and the maximum cost thereof. If the improvements and activities proposed for each year of operation are the same, a description of the first year's proposed improvements and activities and a statement that the same improvements and activities are proposed for subsequent years shall satisfy the requirements of this subdivision.

(e) The total annual amount proposed to be expended for improvements, maintenance and operations, and debt service in each year of operation of the district. If the assessment is levied on businesses, this amount may be estimated based upon the assessment rate. If the total annual amount proposed to be expended in each year of operation of the district is not significantly different, the amount proposed to be expended in the initial year and a statement that a similar amount applies to subsequent years shall satisfy the requirements of this subdivision.

(f) The proposed source or sources of financing, including the proposed method and basis of levying the assessment in sufficient detail to allow each property or business owner to calculate the amount of the assessment to be levied against his or her property or business. The plan also shall state whether bonds will be issued to finance improvements.

(g) The time and manner of collecting the assessments.

(h) The specific number of years in which assessments will be levied. In a new district, the maximum number of years shall be five. Upon renewal, a district shall have a term not to exceed 10 years. Notwithstanding these limitations, a district created pursuant to this part to finance capital improvements with bonds may levy assessments until the maximum maturity of the bonds. The management district plan may set forth specific increases in assessments for each year of operation of the district.

(i) The proposed time for implementation and completion of the management district plan.

(j) Any proposed rules and regulations to be applicable to the district.

(k) A list of the properties or businesses to be assessed, including the assessor's parcel numbers for properties to be assessed, and a statement of the method or methods by which the expenses of a district will be imposed upon benefited real property or businesses, in proportion to the benefit received by the property or business, to defray the cost thereof, including operation and maintenance.

(l) Any other item or matter required to be incorporated therein by the city council.

### **§ 36623. Procedure to levy assessment**

(a) If a city council proposes to levy a new or increased property assessment, the notice and protest and hearing procedure shall comply with *Section 53753 of the Government Code*.

(b) If a city council proposes to levy a new or increased business assessment, the notice and protest and hearing procedure shall comply with *Section 54954.6 of the Government Code*, except that notice shall be mailed to the owners of the businesses proposed to be assessed. A protest may be made orally or in writing by any interested person. Every written protest shall be filed with the clerk at or before the time fixed for the public hearing. The city

council may waive any irregularity in the form or content of any written protest. A written protest may be withdrawn in writing at any time before the conclusion of the public hearing. Each written protest shall contain a description of the business in which the person subscribing the protest is interested sufficient to identify the business and, if a person subscribing is not shown on the official records of the city as the owner of the business, the protest shall contain or be accompanied by written evidence that the person subscribing is the owner of the business or the authorized representative. A written protest that does not comply with this section shall not be counted in determining a majority protest. If written protests are received from the owners or authorized representatives of businesses in the proposed district that will pay 50 percent or more of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than 50 percent, no further proceedings to levy the proposed assessment against such businesses, as contained in the resolution of intention, shall be taken for a period of one year from the date of the finding of a majority protest by the city council.

(c) If a city council proposes to conduct a single proceeding to levy both a new or increased property assessment and a new or increased business assessment, the notice and protest and hearing procedure for the property assessment shall comply with subdivision (a), and the notice and protest and hearing procedure for the business assessment shall comply with subdivision (b). If a majority protest is received from either the property or business owners, that respective portion of the assessment shall not be levied. The remaining portion of the assessment may be levied unless the improvement or other special benefit was proposed to be funded by assessing both property and business owners.

### **§ 36624. Changes to proposed assessments**

At the conclusion of the public hearing to establish the district, the city council may adopt, revise, change, reduce, or modify the proposed assessment or the type or types of improvements and activities to be funded with the revenues from the assessments. Proposed assessments may only be revised by reducing any or all of them. At the public hearing, the city council may only make changes in, to, or from the boundaries of the proposed property and business improvement district that will exclude territory that will not benefit from the proposed improvements or activities. Any modifications, revisions, reductions, or changes to the proposed assessment district shall be reflected in the notice and map recorded pursuant to Section 36627.

### **§ 36625. Resolution of formation**

(a) If the city council, following the public hearing, decides to establish the proposed property and business improvement district, the city council shall adopt a resolution of formation that shall contain all of the following:

(1) A brief description of the proposed activities and improvements, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property, businesses, or both within the district, a statement about whether bonds will be issued, and a description of the exterior boundaries of the proposed district. The descriptions and statements do not need to be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements and activities and the location and extent of the proposed district.

(2) The number, date of adoption, and title of the resolution of intention.

(3) The time and place where the public hearing was held concerning the establishment of the district.

(4) A determination regarding any protests received. The city shall not establish the district or levy assessments if a majority protest was received.

(5) A statement that the properties, businesses, or properties and businesses in the district established by the resolution shall be subject to any amendments to this part.

(6) A statement that the improvements and activities to be provided in the district will be funded by the levy of the assessments. The revenue from the levy of assessments within a district shall not be used to provide improvements or activities outside the district or for any purpose other than the purposes specified in the resolution of intention, as modified by the city council at the hearing concerning establishment of the district.

(7) A finding that the property or businesses within the area of the property and business improvement district will be benefited by the improvements and activities funded by the assessments proposed to be levied.

(b) The adoption of the resolution of formation and, if required, recordation of the notice and map pursuant to

Section 36627 shall constitute the levy of an assessment in each of the fiscal years referred to in the management district plan.

**§ 36626. Resolution establishing district**

If the city council, following the public hearing, desires to establish the proposed property and business improvement district, and the city council has not made changes pursuant to Section 36624, or has made changes that do not substantially change the proposed assessment, the city council shall adopt a resolution establishing the district. The resolution shall contain all of the information specified in paragraphs (1) to (8), inclusive, of subdivision (b) of Section 36625, but need not contain information about the preliminary resolution if none has been adopted.

**§ 36626.5. [Section repealed 1999.]**

**§ 36626.6. [Section repealed 1999.]**

**§ 36626.7. [Section repealed 1999.]**

**§ 36627. Notice and assessment diagram**

Following adoption of the resolution establishing district assessments on properties pursuant to Section 36625 or Section 36626, the clerk of the city shall record a notice and an assessment diagram pursuant to Section 3114. No other provision of Division 4.5 (commencing with Section 3100) applies to an assessment district created pursuant to this part.

**§ 36628. Establishment of separate benefit zones within district; Categories of businesses**

The city council may establish one or more separate benefit zones within the district based upon the degree of benefit derived from the improvements or activities to be provided within the benefit zone and may impose a different assessment within each benefit zone. If the assessment is to be levied on businesses, the city council may also define categories of businesses based upon the degree of benefit that each will derive from the improvements or activities to be provided within the district and may impose a different assessment or rate of assessment on each category of business, or on each category of business within each zone.

**§ 36628.5. Assessments on businesses or property owners**

The city council may levy assessments on businesses or on property owners, or a combination of the two, pursuant to this part. The city council shall structure the assessments in whatever manner it determines corresponds with the distribution of benefits from the proposed improvements and activities.

**§ 36629. Provisions and procedures applicable to benefit zones and business categories**

All provisions of this part applicable to the establishment, modification, or disestablishment of a property and business improvement district apply to the establishment, modification, or disestablishment of benefit zones or categories of business. The city council shall, to establish, modify, or disestablish a benefit zone or category of business, follow the procedure to establish, modify, or disestablish a property and business improvement district.

**§ 36630. Expiration of district; Creation of new district**

If a property and business improvement district expires due to the time limit set pursuant to subdivision (h) of

Section 36622, a new management district plan may be created and a new district established pursuant to this part.

**§ 36631. Time and manner of collection of assessments; Delinquent payments**

The collection of the assessments levied pursuant to this part shall be made at the time and in the manner set forth by the city council in the resolution levying the assessment. Assessments levied on real property may be collected at the same time and in the same manner as for the ad valorem property tax, and may provide for the same lien priority and penalties for delinquent payment. All delinquent payments for assessments levied pursuant to this part shall be charged interest and penalties.

**§ 36632. Assessments to be based on estimated benefit; Classification of real property and businesses; Exclusion of residential and agricultural property**

(a) The assessments levied on real property pursuant to this part shall be levied on the basis of the estimated benefit to the real property within the property and business improvement district. The city council may classify properties for purposes of determining the benefit to property of the improvements and activities provided pursuant to this part.

(b) Assessments levied on businesses pursuant to this part shall be levied on the basis of the estimated benefit to the businesses within the property and business improvement district. The city council may classify businesses for purposes of determining the benefit to the businesses of the improvements and activities provided pursuant to this part.

(c) Properties zoned solely for residential use, or that are zoned for agricultural use, are conclusively presumed not to benefit from the improvements and service funded through these assessments, and shall not be subject to any assessment pursuant to this part.

**§ 36633. Time for contesting validity of assessment**

The validity of an assessment levied under this part shall not be contested in any action or proceeding unless the action or proceeding is commenced within 30 days after the resolution levying the assessment is adopted pursuant to Section 36626. Any appeal from a final judgment in an action or proceeding shall be perfected within 30 days after the entry of judgment.

**§ 36634. Service contracts authorized to establish levels of city services**

The city council may execute baseline service contracts that would establish levels of city services that would continue after a property and business improvement district has been formed.

**§ 36635. Request to modify management district plan**

The owners' association may, at any time, request that the city council modify the management district plan. Any modification of the management district plan shall be made pursuant to this chapter.

**§ 36636. Modification of plan by resolution after public hearing; Adoption of resolution of intention; Modification of improvements and activities by adoption of resolution after public hearing**

(a) Upon the written request of the owners' association, the city council may modify the management district plan after conducting one public hearing on the proposed modifications. The city council may modify the improvements and activities to be funded with the revenue derived from the levy of the assessments by adopting a resolution determining to make the modifications after holding a public hearing on the proposed modifications. If the modification includes the levy of a new or increased assessment, the city council shall comply with Section 36623. Notice of all other public meetings and public hearings pursuant to this section shall comply with both of the following:

(1) The resolution of intention shall be published in a newspaper of general circulation in the city once at least seven days before the public meeting.

(2) A complete copy of the resolution of intention shall be mailed by first class mail, at least 10 days before the public meeting, to each business owner or property owner affected by the proposed modification.

(b) The city council shall adopt a resolution of intention which states the proposed modification prior to the public hearing required by this section. The public hearing shall be held not more than 90 days after the adoption of the resolution of intention.

**§ 36637. Reflection of modification in notices recorded and maps**

Any subsequent modification of the resolution shall be reflected in subsequent notices and maps recorded pursuant to Division 4.5 (commencing with Section 3100), in a manner consistent with the provisions of Section 36627.

**§ 36640. Bonds authorized; Procedure; Restriction on reduction or termination of assessments**

(a) The city council may, by resolution, determine and declare that bonds shall be issued to finance the estimated cost of some or all of the proposed improvements described in the resolution of formation adopted pursuant to Section 36625, if the resolution of formation adopted pursuant to that section provides for the issuance of bonds, under the Improvement Bond Act of 1915 (Division 10 (commencing with Section 8500)) or in conjunction with Marks-Roos Local Bond Pooling Act of 1985 (Article 4 (commencing with *Section 6584*) of *Chapter 5 of Division 7 of Title 1 of the Government Code*). Either act, as the case may be, shall govern the proceedings relating to the issuance of bonds, although proceedings under the Bond Act of 1915 may be modified by the city council as necessary to accommodate assessments levied upon business pursuant to this part.

(b) The resolution adopted pursuant to subdivision (a) shall generally describe the proposed improvements specified in the resolution of formation adopted pursuant to Section 36625, set forth the estimated cost of those improvements, specify the number of annual installments and the fiscal years during which they are to be collected. The amount of debt service to retire the bonds shall not exceed the amount of revenue estimated to be raised from assessments over 30 years.

(c) Notwithstanding any other provision of this part, assessments levied to pay the principal and interest on any bond issued pursuant to this section shall not be reduced or terminated if doing so would interfere with the timely retirement of the debt.

**§ 36641. [Section repealed 2001.]**

**§ 36642. [Section repealed 2001.]**

**§ 36643. [Section repealed 2001.]**

**§ 36650. Report by owners' association; Approval or modification by city council**

(a) The owners' association shall cause to be prepared a report for each fiscal year, except the first year, for which assessments are to be levied and collected to pay the costs of the improvements and activities described in the report. The owners' association's first report shall be due after the first year of operation of the district. The report may propose changes, including, but not limited to, the boundaries of the property and business improvement district or any benefit zones within the district, the basis and method of levying the assessments, and any changes in the classification of property, including any categories of business, if a classification is used.

(b) The report shall be filed with the clerk and shall refer to the property and business improvement district by name, specify the fiscal year to which the report applies, and, with respect to that fiscal year, shall contain all of the following information:

(1) Any proposed changes in the boundaries of the property and business improvement district or in any benefit zones or classification of property or businesses within the district.

(2) The improvements and activities to be provided for that fiscal year.

(3) An estimate of the cost of providing the improvements and the activities for that fiscal year.

(4) The method and basis of levying the assessment in sufficient detail to allow each real property or business owner, as appropriate, to estimate the amount of the assessment to be levied against his or her property or business for that fiscal year.

(5) The amount of any surplus or deficit revenues to be carried over from a previous fiscal year.

(6) The amount of any contributions to be made from sources other than assessments levied pursuant to this part.

(c) The city council may approve the report as filed by the owners' association or may modify any particular contained in the report and approve it as modified. Any modification shall be made pursuant to Sections 36635 and 36636.

The city council shall not approve a change in the basis and method of levying assessments that would impair an authorized or executed contract to be paid from the revenues derived from the levy of assessments, including any commitment to pay principal and interest on any bonds issued on behalf of the district.

#### **§ 36651. Designation of owners' association to provide improvements and activities**

The management district plan may, but is not required to, state that an owners' association will provide the improvements or activities described in the management district plan. If the management district plan designates an owners' association, the city shall contract with the designated nonprofit corporation to provide services.

#### **§ 36660. Renewal of district; Transfer or refund of remaining revenues; District term limit**

(a) Any district previously established whose term has expired, may be renewed by following the procedures for establishment as provided in this chapter.

(b) Upon renewal, any remaining revenues derived from the levy of assessments, or any revenues derived from the sale of assets acquired with the revenues, shall be transferred to the renewed district. If the renewed district includes additional parcels or businesses not included in the prior district, the remaining revenues shall be spent to benefit only the parcels or businesses in the prior district. If the renewed district does not include parcels or businesses included in the prior district, the remaining revenues attributable to these parcels shall be refunded to the owners of these parcels or businesses.

(c) Upon renewal, a district shall have a term not to exceed 10 years, or, if the district is authorized to issue bonds, until the maximum maturity of those bonds. There is no requirement that the boundaries, assessments, improvements, or activities of a renewed district be the same as the original or prior district.

#### **§ 36670. Circumstances permitting disestablishment of district; Procedure**

(a) Any district established or extended pursuant to the provisions of this part, where there is no indebtedness, outstanding and unpaid, incurred to accomplish any of the purposes of the district, may be disestablished by resolution by the city council in either of the following circumstances:

(1) If the city council finds there has been misappropriation of funds, malfeasance, or a violation of law in connection with the management of the district, it shall notice a hearing on disestablishment.

(2) During the operation of the district, there shall be a 30-day period each year in which assesses may request disestablishment of the district. The first such period shall begin one year after the date of establishment of the district and shall continue for 30 days. The next such 30-day period shall begin two years after the date of the establishment of the district. Each successive year of operation of the district shall have such a 30-day period. Upon the written petition of the owners or authorized representatives of real property or the owners or authorized representatives of businesses in the area who pay 50 percent or more of the assessments levied, the city council shall pass a resolution of intention to disestablish the district. The city council shall notice a hearing on disestablishment.

(b) The city council shall adopt a resolution of intention to disestablish the district prior to the public hearing

required by this section. The resolution shall state the reason for the disestablishment, shall state the time and place of the public hearing, and shall contain a proposal to dispose of any assets acquired with the revenues of the assessments levied within the property and business improvement district. The notice of the hearing on disestablishment required by this section shall be given by mail to the property owner of each parcel or to the owner of each business subject to assessment in the district, as appropriate. The city shall conduct the public hearing not less than 30 days after mailing the notice to the property or business owners. The public hearing shall be held not more than 60 days after the adoption of the resolution of intention.

**§ 36671. Refund of remaining revenues upon disestablishment or expiration without renewal of district; Calculation of refund; Use of outstanding revenue collected after disestablishment of district**

(a) Upon the disestablishment or expiration without renewal of a district, any remaining revenues, after all outstanding debts are paid, derived from the levy of assessments, or derived from the sale of assets acquired with the revenues, or from bond reserve or construction funds, shall be refunded to the owners of the property or businesses then located and operating within the district in which assessments were levied by applying the same method and basis that was used to calculate the assessments levied in the fiscal year in which the district is disestablished or expires. All outstanding assessment revenue collected after disestablishment shall be spent on improvements and activities specified in the management district plan.

(b) If the disestablishment occurs before an assessment is levied for the fiscal year, the method and basis that was used to calculate the assessments levied in the immediate prior fiscal year shall be used to calculate the amount of any refund.

## APPENDIX 2 – ASSESSED BUSINESSES

<b>Business Name</b>	<b>Physical Address</b>	<b>City (Address)</b>	<b>Collecting Jurisdiction</b>
11 Oaks	2140 Adobe Canyon Rd	Solvang	County of Santa Barbara
1880 Union Hotel	362 Bell St	Los Alamos	County of Santa Barbara
27 OAKS, LLC	2625 Pommel Dr	Solvang	County of Santa Barbara
Alamo Motel	425 Bell St	Los Alamos	County of Santa Barbara
Alisal Guest Ranch & Resort	1054 Alisal Rd	Solvang	City of Solvang
Baiad, Michael & Barry Chersky	2956 Steele St	Los Olivos	County of Santa Barbara
Ballard Inn & Restaurant	2436 Baseline Ave	Ballard	County of Santa Barbara
Ballard Suite Spot	2478 Baseline Ave	Solvang	County of Santa Barbara
Best Western King Frederik Inn	1617 Copenhagen Dr	Solvang	City of Solvang
Casa Blanca Vineyards	5350 Foxen Cayon Rd	Los Olivos	County of Santa Barbara
Casa Cadora	774 Main Street	Los Alamos	County of Santa Barbara
Chackel, David & Connie	1398 Deer Trail Lane	Santa Ynez	County of Santa Barbara
Cooper, Colin	1535 Meadowvale Rd	Santa Ynez	County of Santa Barbara
Country Lane Motel	412 Avenue of the Flags	Buellton	City of Buellton
Country Comfort Cottage	1392 Faraday St	Santa Ynez	County of Santa Barbara
Creekside Home	1821 Cottonwood St	Solvang	County of Santa Barbara
Cuatro Viento Vineyard	2761 Corral De Quati Rd	Los Olivos	County of Santa Barbara
Days Inn Buellton	114 E Hwy 246	Buellton	City of Buellton
Fess Parker Wine Country Inn & Spa	2860 Grand Ave	Los Olivos	County of Santa Barbara
Fiore, Jerry & Liz	2045 N Refugio Rd	Santa Ynez	County of Santa Barbara
Fleck, Larry Jr	2865 Nojoqui Ave	Los Olivos	County of Santa Barbara
For Friends Inn	1121 Edison St	Santa Ynez	County of Santa Barbara
Fox Run Farm	5475 Happy Canyon Rd	Santa Ynez	County of Santa Barbara
Garden Retreat in Wine Country	2671 Stow St	Los Olivos	County of Santa Barbara
Glover, Leo & Jeanne	1401 Edison St	Santa Ynez	County of Santa Barbara
Gowing Guest House	2225 Hidden Hills Rd	Solvang	County of Santa Barbara
Grant, Philip	4385 Oak View Rd	Santa Ynez	County of Santa Barbara
Hadsten House Inn & Spa	1450 Mission Dr	Solvang	City of Solvang
Hamlet Inn	1532 Mission Dr	Solvang	City of Solvang
Hidden Vineyard	960 Old Calzada Rd	Santa Ynez	County of Santa Barbara
Holiday Inn Express (Solvang)	1455 Mission Dr	Solvang	City of Solvang
Home Away From Home	907 Croft Ln	Solvang	County of Santa Barbara
Hopper, Christiana Stettinius	1194 Mustang Drive	Santa Ynez	County of Santa Barbara
Hotel Corque	400 Alisal Rd	Solvang	City of Solvang
Jeanne Hollingsworth	2945 Alta St	Los Olivos	County of Santa Barbara
Kronborg	1440 Mission Dr	Solvang	City of Solvang
Lockhart, Dan & Annette	5176 Baseline Ave	Santa Ynez	County of Santa Barbara
Los Olivos Bungalow	2828 Grand Ave	Los Olivos	County of Santa Barbara
Maldonado, Rafael & Maria	2810 Mission Drive	Solvang	County of Santa Barbara
Meadowlark Inn	2644 Mission Dr	Solvang	County of Santa Barbara
Meadowlark Vineyards	45 Meadowlark Rd	Santa Ynez	County of Santa Barbara
Mirabelle Inn & Restaurant	409 1st St	Solvang	City of Solvang
Motel 6 Buellton	333 McMurray Rd	Buellton	City of Buellton
MPB Management, LLC	5999 Foxen Canyon Rd	Solvang	County of Santa Barbara

Muncaster Residence	542 Calor Dr	Buellton	City of Buellton
Naphy, Glenn & Katherine	2260 Exterior Rd	Santa Ynez	County of Santa Barbara
Nelson, Marcia	1515 Edison St	Santa Ynez	County of Santa Barbara
Nicholas, Jim	3070 Avenida Caballo	Santa Ynez	County of Santa Barbara
Olive Branch Farm Guest House	2020 Still Meadows	Ballard	County of Santa Barbara
Open Beam Wine Country Guest Studio	1859 N Refugio Rd	Santa Ynez	County of Santa Barbara
Owl Head Cottage	225 Perkins St	Los Alamos	County of Santa Barbara
Paradise Retreats	1440 Dove Meadow Rd	Solvang	County of Santa Barbara
Paradise Retreats	2832 Grand Ave	Los Olivos	County of Santa Barbara
Paradise Retreats	3201 Caballo Rd	Santa Ynez	County of Santa Barbara
Paradise Retreats	1550 Alisos Ave	Santa Ynez	County of Santa Barbara
Paradise Retreats	2379 Janin Way	Solvang	County of Santa Barbara
Paradise Retreats	2839 Grand Ave	Los Olivos	County of Santa Barbara
Paradise Retreats	2648 Grand Ave	Los Olivos	County of Santa Barbara
Paradise Retreats	2856 Alta Rd	Los Olivos	County of Santa Barbara
Paradise Retreats	2848 Grand Ave	Los Olivos	County of Santa Barbara
Paradise Retreats	2580 Latigo Dr	Solvang	County of Santa Barbara
Pea Soup Andersen's Inn	51 E Hwy 246	Buellton	City of Buellton
Petersen Village Inn	1576 Mission Dr	Solvang	City of Solvang
Puchli, Sharon & Stephen	2224 Alamo Pintado Ave	Los Olivos	County of Santa Barbara
Quality Inn Buellton	630 Avenue of Flags	Buellton	City of Buellton
Raffo, John & Karen Weaver	2786 Corral De Quati Rd #B	Los Olivos	County of Santa Barbara
Ranchita Figaro/Los Olivos Farmhouse	3350 Figueroa Mountain Rd	Los Olivos	County of Santa Barbara
Rancho Bernat	2650 Santa Ynez St	Los Olivos	County of Santa Barbara
Rancho Olivos	2390 N Refugio Road	Santa Ynez	County of Santa Barbara
Reeves, Daniel	4000 W Oak Trail Road	Santa Ynez	County of Santa Barbara
Resort Rentals LLC	280 Alisal Rd	Solvang	City of Solvang
Restoration Oaks Ranch, LLC	1980 Hwy 101	Buellton	County of Santa Barbara
River Road Ranch	2544 Elk Grove Rd	Solvang	County of Santa Barbara
Rosenburg, Neal & Joanne	3990 Edgeville Lane	Santa Ynez	County of Santa Barbara
Royal Copenhagen Inn	1579 Mission Dr	Solvang	City of Solvang
Rudder, Paul	2875 Baseline Ave	Santa Ynez	County of Santa Barbara
Rustic Elegance in Los Olivos	2980 San Marcos Ave	Los Olivos	County of Santa Barbara
San Marcos Motel	536 Avenue of Flags	Buellton	City of Buellton
Sanja Cota Lodge	3099 California 246	Santa Ynez	County of Santa Barbara
Santa Ynez Inn	3627 Sagunto St	Santa Ynez	County of Santa Barbara
Santa Ynez Valley Marriott	555 McMurray Rd	Buellton	City of Buellton
Scorpion Ridge Ranch	4475 Oak View Rd	Santa Ynez	County of Santa Barbara
Shady Oak Vacation Rental	1331 Edison St	Santa Ynez	County of Santa Barbara
Skyview Motel	9150 U.S. 101	Los Alamos	County of Santa Barbara
Sleepy Hollow Motel	550 Avenue of Flags	Buellton	City of Buellton
Solvang Gardens Lodge	293 Alisal Rd	Solvang	City of Solvang
Solvang Inn & Cottages	1518 Mission Dr	Solvang	City of Solvang
Solvang Studio	377 First St	Solvang	City of Solvang
Starfire Vineyards, LLC	1343 North Refugio Rd	Santa Ynez	County of Santa Barbara
Sunstone Vineyards & Winery	125 Refugio Rd	Santa Ynez	County of Santa Barbara

Svensgaard's Lodge	1711 Mission Dr	Solvang	City of Solvang
Switzer, Ken	7445 Figueroa Mountain Rd	Los Olivos	County of Santa Barbara
SYVR, LLC	3220 Figueroa Moutain Rd	Los Olivos	County of Santa Barbara
SYVR, LLC	3280 Calzada Ridge Ave	Santa Ynez	County of Santa Barbara
SYVR, LLC	1657 Calzada Ave	Santa Ynez	County of Santa Barbara
SYVR, LLC	2775 Alisal Rd	Goleta	County of Santa Barbara
SYVR, LLC	1699 Alamo Pintado	Santa Ynez	County of Santa Barbara
SYVR, LLC	828 Ballard Canyon	Solvang	County of Santa Barbara
SYVR, LLC	3345 Foxen Canyon Rd	Los Olivos	County of Santa Barbara
SYVR, LLC	2715 Grand Ave	Los Olivos	County of Santa Barbara
SYVR, LLC	4025 W Oak Trail	Santa Ynez	County of Santa Barbara
SYVR, LLC	2211 N Refugio Rd	Santa Ynez	County of Santa Barbara
SYVR, LLC	2549 Santa Barbara Ave	Los Olivos	County of Santa Barbara
SYVR, LLC	3000 Foxen Canyon Rd	Los Olivos	County of Santa Barbara
SYVR, LLC	3515 West Oak Trail	Santa Ynez	County of Santa Barbara
SYVR, LLC	2042 W Hwy 154	Santa Ynez	County of Santa Barbara
SYVR, LLC	1759 N Refugio Rd	Santa Ynez	County of Santa Barbara
SYVR, LLC	1415 Ribe Rd	Solvang	County of Santa Barbara
SYVR, LLC	233 St Joseph St	Los Alamos	County of Santa Barbara
SYVR, LLC	4399 Roblar Ave	Santa Ynez	County of Santa Barbara
SYVR, LLC	992 Viendra Dr	Solvang	County of Santa Barbara
The Bellagio Estate	475 Bobcat Springs Rd	Buellton	County of Santa Barbara
Three Oaks Retreat	425 Saint Joseph	Los Alamos	County of Santa Barbara
Trabucco, Timothy	1341 Holsted Drive	Solvang	County of Santa Barbara
Turnkey Vacation Rentals	3100 Foxen Canyon Rd	Los Olivos	County of Santa Barbara
Victorian	1561 Calzada Ave	Santa Ynez	County of Santa Barbara
Victorian Mansion Bed & Breakfast	326 Bell St	Los Alamos	County of Santa Barbara
Viking Motel	1506 Mission Dr	Solvang	City of Solvang
Villa Rodovla	1297 Deer Hill Dr	Solvang	County of Santa Barbara
Vista Verde Ranch	3900 Skylark Road	Santa Ynez	County of Santa Barbara
Wade, Eric & Dianne	1717 Ballard Canyon Rd	Solvang	County of Santa Barbara
Ward, Karl	4151 Via Rancheros Rd	Santa Ynez	County of Santa Barbara
White Associates, INC	485 Meadowlark Road	Santa Ynez	County of Santa Barbara
Wine County Inn	591 Paula Ray Lane	Buellton	City of Buellton
Wine Valley Inn & Cottages	1564 Copenhagen Dr	Solvang	City of Solvang

# SYV TBID Renewal Presentation Feb 2015

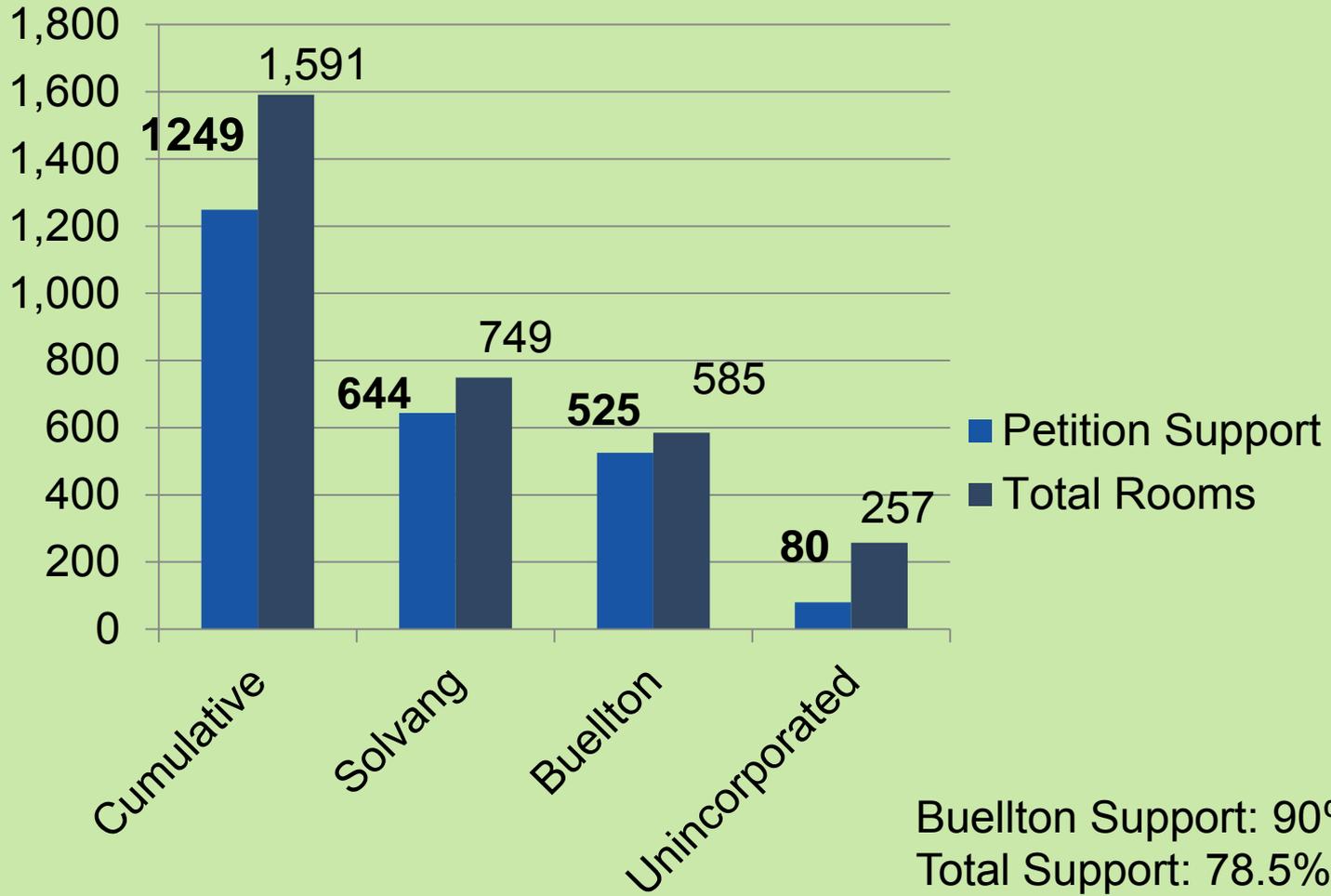


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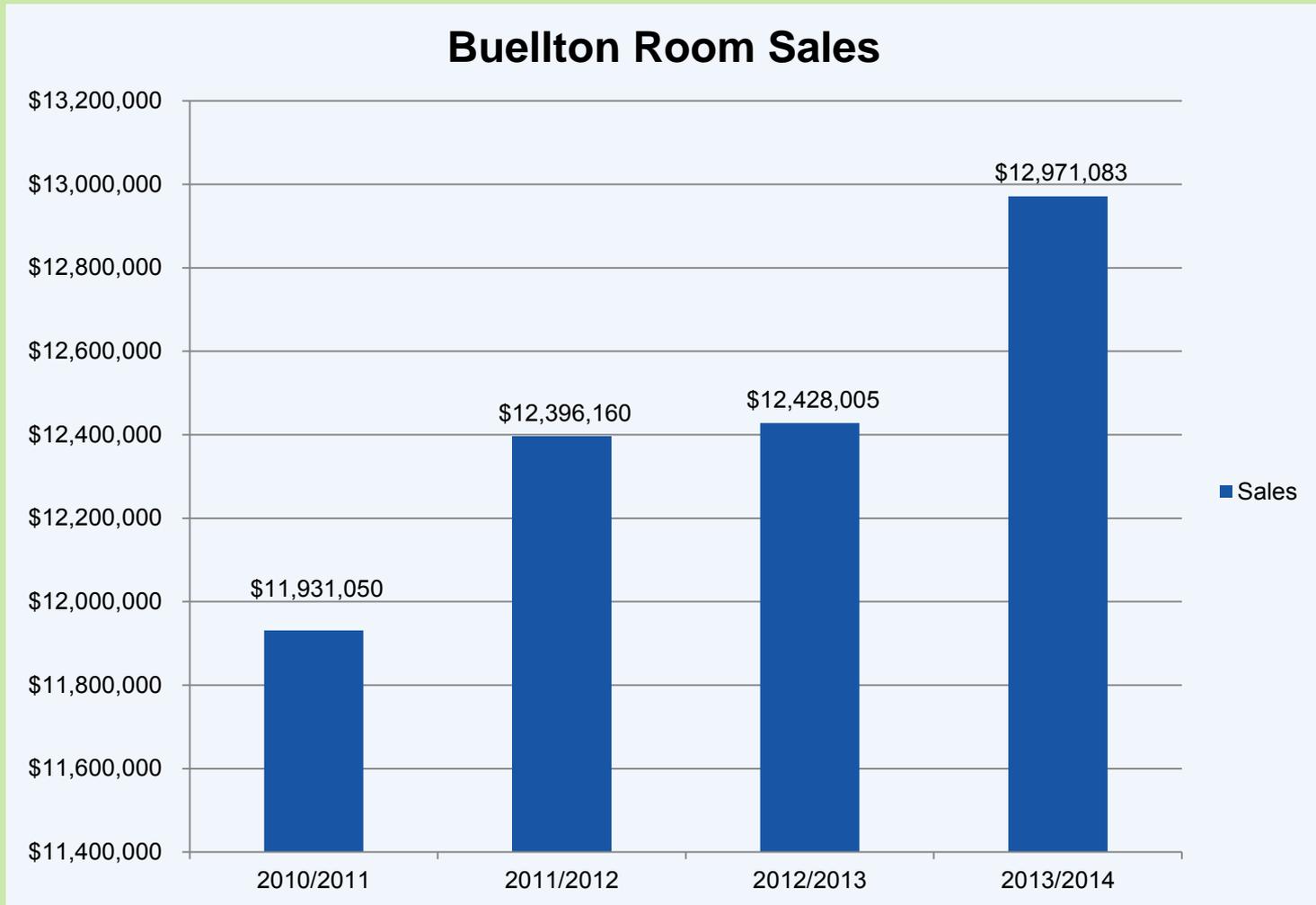


**EASY TO FIND. IMPOSSIBLE TO FORGET.**  
Located in the heart of California's Central Coast,  
you'll find six distinct towns, countless wineries  
and a million reasons to stay.

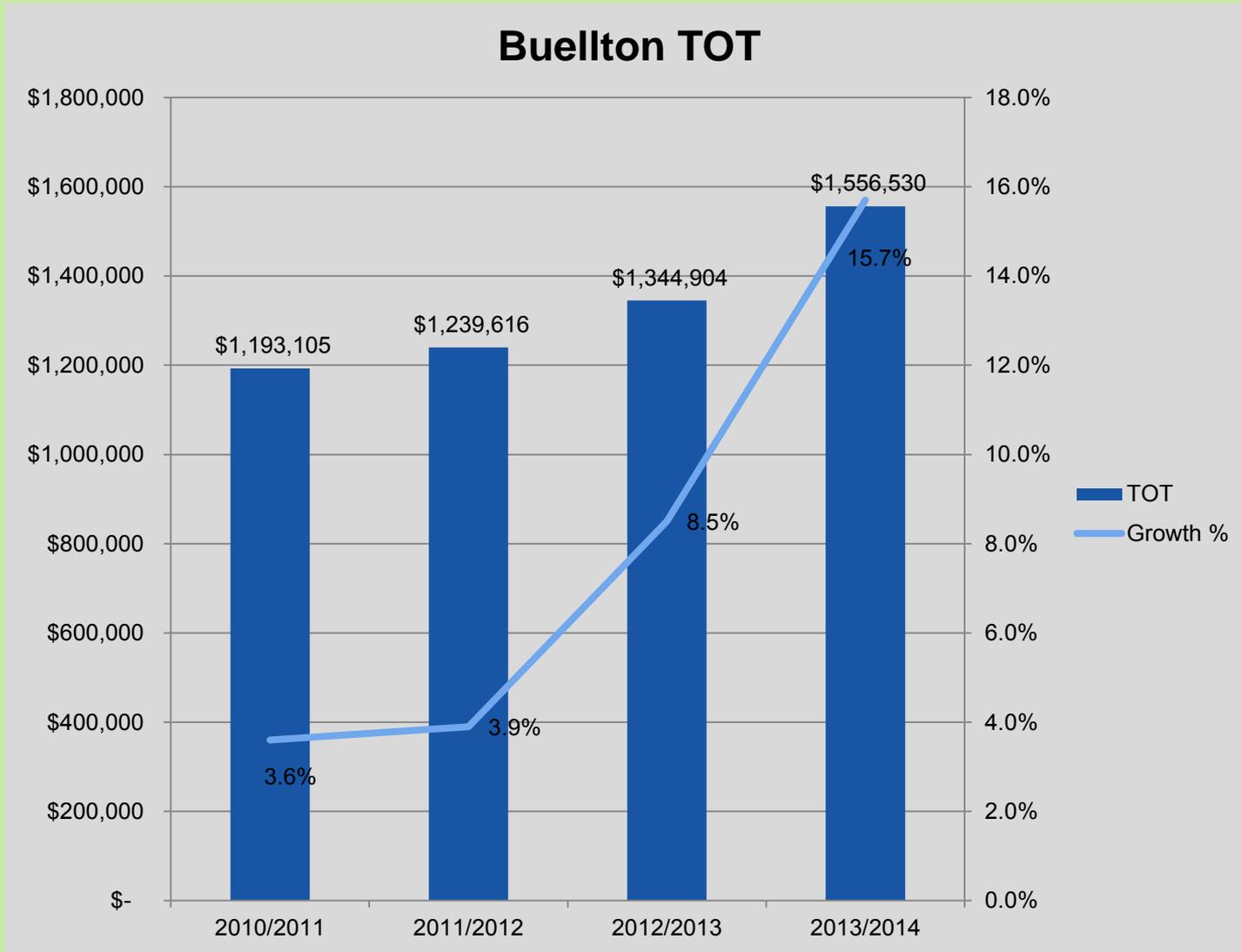
# TBID Petition Support



# Room Sales Increase since TBID Formation

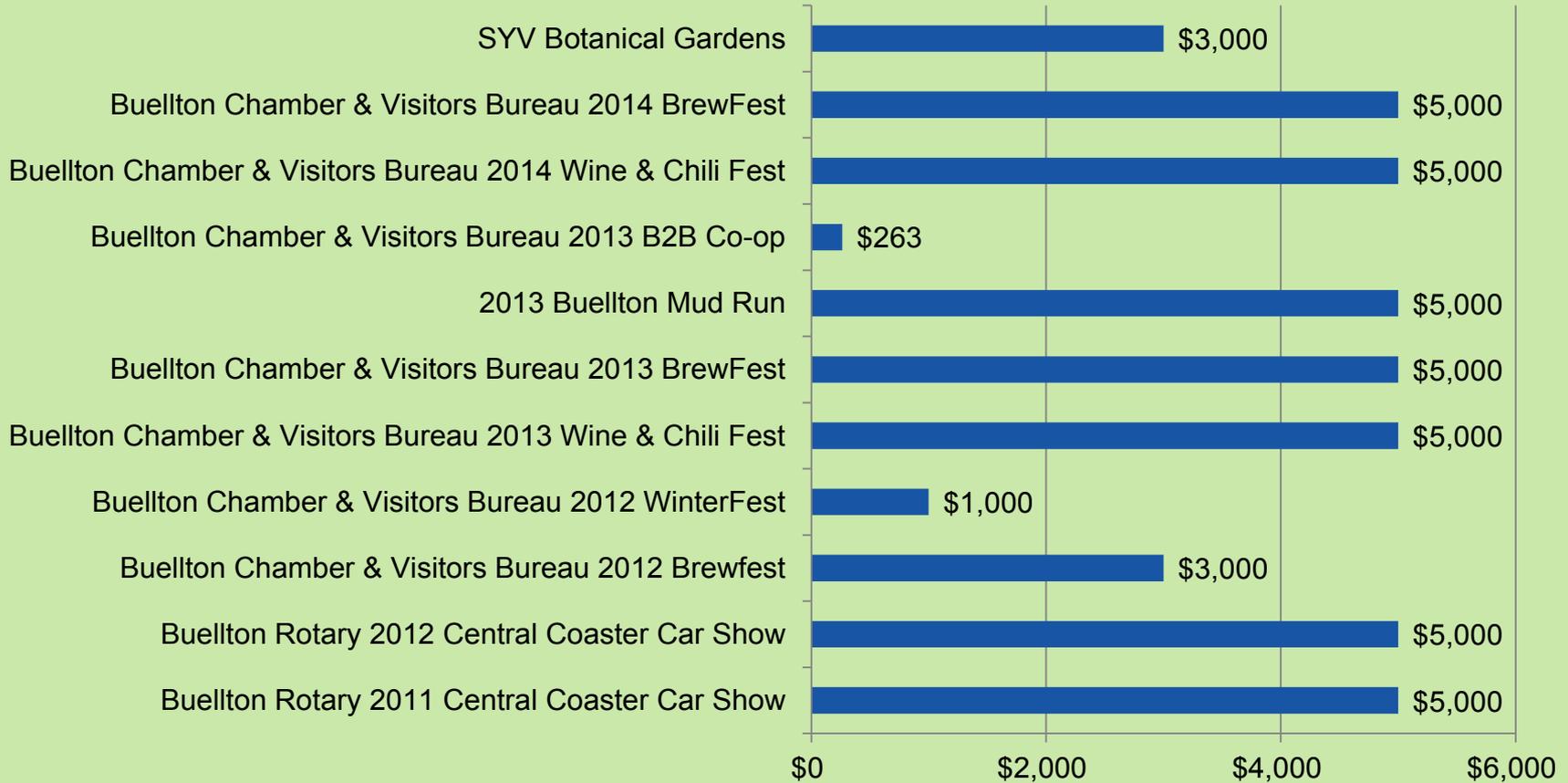


# TOT Increase since TBID Formation



# Grants provided to Buellton Entities

## Buellton Grants Awarded To Date



# Grants Provided to SYV Community

The charter of Visit the Santa Ynez Valley (VisitSYV) is to *"Promote visitation that achieves positive economic outcomes in the Santa Ynez Valley, and to support those that promote the same."* Accordingly, VisitSYV offers grants to non-profit and for-profit organizations responsible for events consistent with the SYV charter.

Applications are accepted throughout the year and are considered by the VisitSYV Executive Board at its monthly meetings.

To date, VisitSYV has awarded **\$346,212.77** in grants.

# 2015 SYV Marketing Co-Op Media Buy

VisitSYV has committed **\$150,000** to the below media buy, and we have brought on additional stakeholder partners (including Solvang Conference and Visitors Bureau, **Buellton Visitors Bureau & Chamber of Commerce**, and Santa Barbara County Vintners Association), to bring our co-operative budget to **\$210,000**. More than 57% of this budgeted amount will be allocated to the following media:

- Geo-behavioral targeted online web banner buy
  - 8,373,684 impressions
  - Flight dates: 1/26-2/20, 4/16-6/13, 9/1-11/22
  - Desktop, mobile & tablet
  - Geo: LA DMA and San Jose DMA
  - Behavioral: Gay/Lesbian, Frequent Travelers, Foodie, Wine Enthusiast, Outdoor Enthusiasts, In-Market for Travel, Interest in Biking & Mountain Biking, Hobbyists
- Creative retargeting and site retargeting included in network
- 10% Solvang-designated banners to run Jan-Feb
- 10% Buellton-designated banners to run April - May
- Website retargeting

## Print

- Sunset - Inside So. Cal. - 1/2p
  - Circulation: 165K, Ventura, Orange, Los Angeles counties
- Edible Communities - f/p
  - LA Westside
  - San Francisco
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**The Santa Ynez Valley**

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# 2015 SYV Marketing Co-Op PR

Another portion of the Co-Op budget is dedicated to public relations. Our PR plan includes bringing writers to feature the SYV which has resulted in major increased value. With 2014's Public Relations budget of **\$29,000**, we have delivered a stellar **\$359,494** public relations valuation. This has included coverage in the *Seattle Times* and *San Diego Magazine* and has garnered interest from *CBS This Morning* and *Great Wine Northwest*.

DATE	OUTLET	STORY	CIRCULATION	UNIQUE VISITORS/ MONTH	VALUE
19-Feb-14	Wine Industry Advisor	10 Years Later, Sideways Still Entertains		5,986	\$975
15-Mar-14	Winenormous.com	The Land of Chardonnay and Pinot Noir		15,160	\$1,250
31-Mar-14	EveWine101.com	10 Years Later, Sideways Still Entertains		7,400	\$1,175
16-Aug-14	Peter Greenberg Radio	Peter Greenberg Worldwide Radio Show	4,000,000	2,407,710	\$270,000
	Petergreenberg.com	Radio Guest List - Santa Ynez Valley		2,407,710	\$2,400
	Petergreenberg.com	Volontourism Spotlight: Discover history in the SYV		2,407,710	\$2,400
15-Oct-14	The Coast News	How good wines can enhance your life	50,000	14,731	\$5,360
22-Oct-14	The Coast News	Facing your fears	50,000	14,731	\$5,360
26-Oct-14	The Seattle Times	Stops still popular on the 'Sideways' trail	420,857	1,675,420	\$18,722
9-Dec-14	San Jose Mercury News	A 'Sideways' inspired getaway	581,532	2,771,876	\$26,792
22-Dec-14	Miami Herald	A 'Sideways' inspired getaway	141,188	13,778,734	\$19,810
28-Dec-14	The (Bend) Bulletin	A 'Sideways' inspired getaway	26,406	74,624	\$5,250
		TOTALS:	5,335,983	25,607,535	Value = \$359,494 Cost = \$29,000

# About Civitas Advisors

- ❖ Nations leading special district consultant
- ❖ Civitas Founder, John Lambeth, was the primary author of California's "Property and Business Improvement District Law of 1994"
- ❖ Consulted on 70 out of 86 TBIDs in CA

# District Benefits

- ❖ Funds cannot be diverted for other government programs
- ❖ Customized to fit the needs of each destination
- ❖ Allow for a wide range of services; including: Marketing of the Destination, Tourism Promotion and Sales Lead Generation
- ❖ Designed, created and governed by those who will pay the assessment
- ❖ Provide a stable funding source for tourism promotion

# Property & Business Improvement Law

## 1994 Law

- 50% + 1 petition
- 5 year initial term and up to 10 year renewal
- Annual report required
- Payors can disestablish by petition
- City can disestablish if malfeasance or misappropriation of funds occurs

# Steps to TID Formation

1 District Plan Development



2 Petition Drive



3 Resolutions of Intention & Consent



4 Public Meeting



5 Resolution of Formation

# Santa Ynez Valley Tourism BID District Parameters

- Boundaries: Cities of Solvang & Buellton and portions of unincorporated areas of Santa Barbara County
- Payors: All lodging businesses
- Assessment Rate: \$2.50 per paid occupied room per night
- Budget: Approximately \$885,000 annually
- Term: 10-year life
- Owner's Association: Visit the Santa Ynez Valley

# City of Solvang: Impact & Action

## Budget Impact

- City to receive fee of 2% of assessment collected to cover administration and collection costs

## Requested Action

- Adopt the Resolution of Intention
- Adopt the Resolution Requesting Consent
  - Public Meeting on March 9, 2015
  - Public Hearing on March 23, 2015

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

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

To: The Honorable Mayor and City Council

From: Rose Hess, Public Works Director

Meeting Date: February 12, 2015

Subject: Highway 246 Sidewalk Project - Consideration of Approval of Cooperative Agreements with A) Caltrans and B) Santa Barbara County Association of Government (SBCAG)

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**BACKGROUND**

The City has worked with Caltrans for several years regarding the construction of the Highway 246 Sidewalk Project on the south side of Highway 246 between Avenue of Flags and Highway 101. The project will include street reconstruction to correct the grades between the street and adjacent properties and certain drainage corrections. At our request, the project will also include “Streetscape” design elements, such as pavers and lighting conduit, to match (to the extent possible) the north Highway 246 sidewalk. Caltrans has incorporated this project into the larger CAP-M project for Highway 246, which extends from Drum Canyon Road to Highway 101.

On October 9, 2014, the Council authorized staff to provide a letter of intent to enter into a Cooperative Agreement with Caltrans. Caltrans incorporated the City’s requested improvements into their CAP-M project and will complete the utility coordination, environmental review, incorporated design, project management, capital cost, and inspection. The City will contribute \$500,000 toward the project.

The latest draft Cooperative Agreement with Caltrans is provided in Attachment 1. The City Attorney reviewed the agreement and provided comments and revisions. Because of the recommended changes, the Caltrans Headquarters Cooperative Agreement Unit will need to complete a final round of review. Although the Cooperative Agreement is not in final form, Staff recommends that the Council authorize the City Manager to complete the review/approval of the cooperative agreement, subject to the City Attorney’s approval as to form, provided that the major items such as funding contribution has not changed. This will allow the project to keep moving forward.

The following is the latest schedule and progress status:

60% Plans, Specifications & Environmental	February, 2015
95% Plans, Specifications & Environmental	October, 2015
100% Plans, Specifications & Environmental	November, 2015
Ready to List	March, 2016
Begin Construction	Fall, 2016

In addition, a key component to the Caltrans Cooperative Agreement is the timing of the funding contribution. Staff has discussed this with Caltrans' Project Manager, who agreed to postpone the City's funding contribution to July 2015. This will enable the City to include the amount during the normal budget cycle for next fiscal year.

The City has also been working with Santa Barbara County Association of Governments (SBCAG) for additional funding. The North County Subregional Committee of SBCAG recommended funding \$250,000 of the City's contribution through the Measure A Regional Projects savings. The remaining \$250,000 will be funding through the City's Capital Improvement Program.

The Measure A Agreement is provided in Attachment 2. As part of the Agreement, the City will provide outreach signage for Measure A, as well as progress reports on the Project. Measure A funding will be through invoice reimbursements.

### **FISCAL IMPACT**

The City's contribution to this project is \$500,000. This will be funded by the Measure A Regional Project Savings (\$250,000) and by the City's Capital Improvement Program (\$250,000 from general fund and local STP funds). This will be included during the FY 15/16 Budget process.

### **RECOMMENDATION**

That the Council authorize the City Manager to execute the Cooperative Agreements with A) Caltrans and B) Santa Barbara County Association of Government (SBCAG), subject to the City Attorney's approval as to form.

### **ATTACHMENTS**

Attachment 1 – Caltrans' Draft Cooperative Agreement  
Attachment 2 – Measure A Agreement

## COOPERATIVE AGREEMENT Local Contribution Only

This Agreement, effective on \_\_\_\_\_, is between the State of California, acting through its Department of Transportation, referred to as CALTRANS, and:

City of Buellton, a body politic and municipal corporation or chartered city of the State of California, referred to hereinafter as CITY.

### RECITALS

1. CALTRANS AND CITY, collectively referred to herein as PARTNERS, are authorized to enter into a cooperative agreement for improvements to the state highway system (SHS) per the California Streets and Highways Code sections 114 and 130.
2. CALTRANS is constructing highway improvements to SR-246 from PM R20.7 to PM 26.3 in the vicinity of the City of Buellton, referred to herein as PROJECT, which will include new sidewalks with decorative pavers, driveways and conduit for pedestrian lighting along the south side of Highway 246 between Avenue of Flags and Shell Gas Station.
3. CITY will contribute a fixed amount of \$500,000 to be used for the PROJECT.
4. PARTNERS hereby set forth the terms, covenants, and conditions for CITY's contribution toward the PROJECT.

### ROLES AND RESPONSIBILITIES

5. CALTRANS is the SPONSOR for the PROJECT. As SPONSOR, CALTRANS accepts the obligation to secure financial resources to fully fund PROJECT including any additional funds beyond those committed in this agreement necessary to complete the full scope of PROJECT and/or settle any resulting claims.

6. CALTRANS is the IMPLEMENTING AGENCY for the PROJECT. As IMPLEMENTING AGENCY, CALTRANS will manage the scope, cost, and schedule of each stage or component of the PROJECT to ensure completion of that stage or component.
7. CITY is a FUNDING PARTNER contributing a fixed dollar amount to the PROJECT.
8. CITY will contribute a fixed amount of \$500,000.
9. CALTRANS is responsible for completing the PROJECT. CALTRANS shall coordinate with and keep fully informed CITY through all phases of the PROJECT (environmental, design, right-of-way, construction, and close-out). CALTRANS shall submit monthly status reports to CITY to convey the progress of the PROJECT for purposes of community outreach to advise residents of the PROJECT status.

#### **GENERAL CONDITIONS**

10. All obligations of CALTRANS under the terms of this agreement are subject to the appropriation of resources by the Legislature, the State Budget Act authority, and the allocation of funds by the California Transportation Commission.
11. Neither CITY nor any officer or employee thereof is responsible for any claim, cause of action, injury, damage or liability occurring by reason of anything done or omitted to be done by CALTRANS and/or its agents under or in connection with the PROJECT and/or any work, authority, or jurisdiction conferred upon CALTRANS under this Agreement. It is understood and agreed that CALTRANS, to the extent permitted by law, will defend, indemnify, and save harmless CITY and all of its officers and employees from all claims, suits, or actions of every name, kind, and description resulting from the PROJECT and/or this Agreement, including but not limited to, tortious, contractual, inverse condemnation, or other theories and assertions of liability occurring by reason of anything done or omitted to be done by CALTRANS and/or its agents under this Agreement.
12. This agreement is intended to be PARTNERS' final expression and supersedes any oral understanding or writings pertaining to PROJECT.

**INVOICE AND PAYMENT**

13. CITY will contribute the funds listed below:

<b>FUNDING SUMMARY</b>		
<b>Fund Source</b>	<b>Fund Type</b>	<b>Amount</b>
LOCAL	Local	\$500,000
<b>Total Funds</b>		\$500,000

14. CALTRANS will invoice CITY for a lump sum (single payment) contribution to the PROJECT, as a fixed cost, after July 1, 2015.
15. CITY will pay the invoiced amount within forty-five (45) calendar days of receipt of the CALTRANS invoice unless CITY is paying with Electronic Funds Transfer (EFT). When paying with EFT, CITY will pay the invoiced amount within five (5) calendar days of receipt of the invoice.
16. If CITY has received Electronic Funds Transfer (EFT) certification from CALTRANS then CITY will use the EFT mechanism and follow all EFT procedures to pay all invoices issued from CALTRANS.
17. This Agreement will terminate upon CALTRANS' receipt of the PROJECT funds. However, all indemnification articles will remain in effect until terminated or modified in writing by mutual agreement.

**DEFINITIONS**

**FUNDING PARTNER** – A partner who commits a defined dollar amount to the PROJECT.

**FUNDING SUMMARY** – The tabular listing of a FUNDING PARTNER'S commitment(s) including the dollar amount, fund source, fund type, and, if applicable, the PROJECT COMPONENT in which funds are to be spent. Funds listed in the FUNDING SUMMARY are “not-to-exceed” amounts.

**IMPLEMENTING AGENCY** – The partner responsible for managing the scope, cost, and schedule of a project component to ensure the completion of that component.

**PARTNERS** – The term that collectively references all of the signatory agencies to this agreement. This term only describes the relationship between these agencies to work together to achieve a mutually beneficial goal. It is not used in the traditional legal sense in which one partner's individual actions legally bind the other partners.

**SPONSOR** – The PARTNER that accepts the obligation to secure financial resources to fully fund PROJECT. This includes any additional funds beyond those committed in this agreement necessary to complete the full scope of PROJECT.

## **CONTACT INFORMATION**

The information provided below indicates the primary contact information for each PARTNER to this Agreement. PARTNERS will notify each other in writing of any personnel or location changes. Contact information changes do not require an amendment to this Agreement.

The primary Agreement contact person for CALTRANS is:  
Kathy DiGrazia, Project Manager  
50 Higuera Street  
San Luis Obispo, CA 93401  
Office Phone: 805-542-4718

The primary Agreement contact person for CITY is:  
Rose Hess, Public Works Director/City Engineer  
P.O. Box 1819  
Buellton, CA 93427  
Office Phone: (805) 655-5177

**SIGNATURES**

PARTNERS declare that:

1. Each PARTNER is an authorized legal entity under California state law.
2. Each PARTNER has the authority to enter into this Agreement.
3. The people signing this Agreement have the authority to do so on behalf of their public agencies.

STATE OF CALIFORNIA  
DEPARTMENT OF TRANSPORTATION

CITY OF BUELLTON

By: \_\_\_\_\_  
TIMOTHY M. GUBBINS  
District Director

By: \_\_\_\_\_  
Marc Bierdzinski  
City Manager/Planning Director

CERTIFIED AS TO FUNDS:

ATTEST:

By: \_\_\_\_\_  
Julia Bolger  
Resource Manager

By: \_\_\_\_\_  
Linda Reid  
City Clerk

APPROVED AS TO FORM AND  
PROCEDURE:

By: \_\_\_\_\_  
Steve McEwen  
City Attorney

## MEASURE A COOPERATIVE AGREEMENT FOR THE CONSTRUCTION OF THE BUELLTON STREETScape AND SIDEWALK IMPROVEMENTS

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This Cooperative Agreement ("Agreement") is made and entered into on \_\_\_\_\_ by and between the City of Buellton ("SPONSOR") and the SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS, acting as the Santa Barbara County Local Transportation Authority ("AUTHORITY").

### RECITALS

WHEREAS, AUTHORITY and SPONSOR desire to enter into a Cooperative Agreement for funding of certain transportation improvements in Santa Barbara County pursuant to the authority provided by the Road Repair, Traffic Relief and Transportation Safety Measure ("MEASURE A") which was approved by the voters of Santa Barbara County on November 4, 2008; and

WHEREAS, SPONSOR has identified street, sidewalk and lighting improvements along Highway 246, as described in **Exhibit A**, and that are herein referred to as "PROJECT"; and

WHEREAS, SPONSOR is seeking to coordinate with the California Department of Transportation ("CALTRANS") through Cooperative Agreement No. 05-0287 in regard to improvements Caltrans has planned for Highway 246 ("CALTRANS PROJECT"), part of which is in the City of Buellton; and

WHEREAS, SPONSOR requested that PROJECT be considered for receiving MEASURE A Regional cost savings in June 2014; and

WHEREAS, in August 2014, AUTHORITY prioritized the PROJECT for funding at its North County Subregional Committee ("COMMITTEE") meeting; and

WHEREAS, in October 2014, AUTHORITY approved an allocation of up to \$250,000 from MEASURE A funds to SPONSOR as a contribution to the overall cost of the PROJECT; and

WHEREAS, in October 2014, SPONSOR requested that PROJECT be integrated into CALTRANS PROJECT for implementation to save public funds and mitigate disruption and public impacts; and

WHEREAS, in November 2014, the PROJECT was amended into the MEASURE A Investment Plan by a 2/3 vote of the Authority's board of directors; and

WHEREAS, SPONSOR has approved additional local funding to use in combination with the MEASURE A funding, as shown in **Exhibit B**; and

WHEREAS, SPONSOR agrees to abide by the terms and conditions of the AUTHORITY as set forth herein for the receipt of MEASURE A funds; and

WHEREAS, AUTHORITY agrees to provide funding for the PROJECT according to the terms and conditions set forth herein.

**MEASURE A COOPERATIVE AGREEMENT  
FOR THE CONSTRUCTION OF THE  
BUELLTON STREETScape AND SIDEWALK IMPROVEMENTS**



NOW, THEREFORE, in consideration of the mutual promises and undertakings herein made and the mutual benefits to be derived therefrom, SPONSOR and AUTHORITY represent, covenant and agree as follows:

**SECTION I  
COVENANTS OF SPONSOR**

1.01. PROJECT Description and Scope. A description of the PROJECT, including the scope of work, limits, agency roles, project purpose and transportation benefits is attached as **Exhibit A**, and incorporated herein by this reference.

1.01.a. Change In Project Scope. Any change in PROJECT scope from that described in **Exhibit A** must be first approved in writing by the AUTHORITY to be eligible for reimbursement.

1.02. PROJECT Costs and Funding. An estimate of the capital and project support costs for the PROJECT and CALTRANS PROJECT and the funds required by SPONSOR, including the anticipated amount of MEASURE A funds to be contributed by AUTHORITY, is attached as **Exhibit B**, and incorporated herein by this reference.

1.02.a. Measure A Percentage Share Defined. For this Agreement, the MEASURE A share of the overall PROJECT costs shall be equal to SPONSOR's contribution to the PROJECT, but not to exceed \$250,000 as shown in **Exhibit B**.

1.02.b. Eligible Reimbursement Costs. Eligible reimbursement costs are those costs associated with the PROJECT scope described in **Exhibit A** or approved by the AUTHORITY pursuant to Section 1.01.a within the context of the larger CALTRANS PROJECT. In no event shall expenses incurred prior to the execution of this Agreement be considered as eligible costs for reimbursement by MEASURE A funds.

1.03. PROJECT Schedule. A schedule of the milestones to complete the PROJECT is shown in **Exhibit C**, and incorporated herein by this reference. To the best of its ability, SPONSOR will meet the PROJECT milestones required of SPONSOR in accordance with **Exhibit C**. SPONSOR will alert AUTHORITY should there be deviations from the projected schedule described in **Exhibit C**. SPONSOR may submit extension requests to modify or adjust the PROJECT schedule. AUTHORITY will evaluate extension requests and shall not unreasonably withhold approval.

1.04. Invoices and Progress Reports. It is understood that the SPONSOR will contribute a lump sum payment in the amount of \$500,000 to CALTRANS after July 1, 2015 after which SPONSOR will submit an invoice to AUTHORITY for reimbursement from MEASURE A funds under this Agreement. For the duration of the PROJECT, SPONSOR shall provide AUTHORITY with periodic updates on the progress of the PROJECT. Following execution of this Agreement, SPONSOR may submit invoices for additional reimbursement previously approved in writing by AUTHORITY. Such invoices shall be accompanied by a progress report that shall delineate activities conducted over the period for which the invoice is submitted. Invoices and progress reports shall be submitted no more

**MEASURE A COOPERATIVE AGREEMENT**  
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frequently than once a month. Invoices and progress reports shall include the information outlined in Section 1.04.a and section 1.04.b respectively.

1.04.a. Invoices. SPONSOR will provide the AUTHORITY with one (1) copy of all invoices submitted directly to SPONSOR by every contractor, subcontractor, consultant, or subconsultant performing work related to the PROJECT, payroll records for SPONSOR's employees that show hours for which SPONSOR is seeking reimbursement, and invoices supporting direct expenses billed to PROJECT by SPONSOR. AUTHORITY and SPONSOR acknowledge that CALTRANS is the lead or implementing agency for all construction work for the PROJECT and CALTRANS PROJECT.

1.04.b. Progress Reports. The monthly progress reports will include a brief description of the status of the PROJECT including the work completed to date. This summary may be included on the invoices submitted to the AUTHORITY or be attached to those invoices.

1.05. Use of Funds. SPONSOR will use MEASURE A funds contributed to this PROJECT by AUTHORITY consistent with the PROJECT scope described in **Exhibit A** or for approved changes pursuant to Section 1.01.a.

1.06. Submittal of Documents. It is understood that CALTRANS will be the lead or implementing agency with respect to all construction activities. SPONSOR will provide copies to the AUTHORITY of all executed contracts which relate to the completion of the PROJECT scope as described in **Exhibit A** or to changes in scope approved by the AUTHORITY pursuant to Section 1.01.a. SPONSOR will retain records pertaining to the PROJECT for a five (5) year period following completion of the PROJECT.

1.07 Completion of Project. It is understood that CALTRANS will be the lead or implementing agency with respect to all construction activities for the PROJECT and CALTRANS PROJECT. SPONSOR will timely commit its local funds and the Measure A funds to CALTRANS pursuant to Cooperative Agreement No. 05 -0287 to allow for the timely completion of the PROJECT, including meeting any timely use of funds deadlines, if applicable, set forth in **Exhibit C**. CALTRANS shall be responsible for any support contracts it determines necessary to ensure successful completion of the PROJECT with respect to schedule, costs, and quality assurance.

1.07.a. Letter of Completion SPONSOR will, within 60 days of the PROJECT becoming operable, or after having been notified by CALTRANS that relief of maintenance has been granted to the contractor, provide a letter of PROJECT completion to AUTHORITY notifying AUTHORITY that CALTRANS has completed and accepted the construction work on the PROJECT. If the information is available to SPONSOR, the letter shall include a summary of completed activities, total PROJECT costs and provide the final invoice for payment to provide notice of Agreement account closing by AUTHORITY. For construction projects, SPONSOR shall include with the Letter of Completion, photos of the "before" and "after" PROJECT conditions.

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1.08. Public Outreach SPONSOR will be responsible for the development and administration of a public outreach effort to ensure public awareness during the PROJECT delivery process. SPONSOR will provide a copy of the public outreach plan and all materials documenting the public outreach activities, including public notices, press releases, flyers, etc. to the AUTHORITY.

1.09. Provision of Signs. SPONSOR shall install signs approved by the AUTHORITY consistent with the guidelines and specifications set forth in **Exhibit D** of this Agreement, attached hereto and incorporated herein by this reference.

1.10. Cost Savings and Excess Costs

1.10.a. Cost Savings After the PROJECT has been accepted by the AUTHORITY as complete, any positive difference between the \$250,000 contribution by the AUTHORITY to the costs listed in **Exhibit B** and any additional costs approved by the AUTHORITY pursuant to Section 1.01.a, and the total amount invoiced to the AUTHORITY shall be considered cost savings. 100% of the cost savings will be re-credited to the MEASURE A program for re-programming by the AUTHORITY to other projects in the MEASURE A program.

1.10.b. Excess Costs In the event the actual costs to complete the PROJECT exceed the amount shown in **Exhibit B**, this amount will be considered an excess cost. SPONSOR is solely responsible for all final PROJECT costs over the \$250,000 contribution by the AUTHORITY, except for any additional MEASURE A funds by AUTHORITY.

1.10.c Reconciliation of Excess Costs Excess PROJECT costs to complete a PROJECT are not eligible for reimbursement. The amount of MEASURE A funds as identified as AUTHORITY share in **Exhibit B** are the 'maximum' funds available for reimbursement to the SPONSOR and will not be exceeded by the SPONSOR without an approved amendment to this agreement. The SPONSOR shall request an amendment if needed for this purpose in writing to the AUTHORITY. Such amended Agreement shall be effective only if signed and approved by the duly authorized representatives of both the AUTHORITY and the SPONSOR.

1.11. Errors and Omissions. SPONSOR shall perform reasonable efforts to make sure CALTRANS diligently monitors and manages all aspects of the PROJECT and aggressively pursue any and all remedies, including full restitution and damages from any consultant, contractor or sub-contractor and their insureds and sureties suspected of any acts, errors, or omissions committed during business activities that economically or legally damage the PROJECT.

SECTION II  
COVENANTS OF AUTHORITY

2.01. Reimbursement Payments. The AUTHORITY shall make a lump sum reimbursement payment of \$250,000 to SPONSOR for eligible PROJECT costs. Payment shall be made **within 180 days of receiving SPONSOR's invoice**. To receive additional monthly reimbursement payments for work completed on the PROJECT for previously approved PROJECT changes pursuant to 1.01.a, SPONSOR shall comply with the following reimbursement procedures:

**MEASURE A COOPERATIVE AGREEMENT**  
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2.01.a. Reimbursement Requests All invoices and progress reports submitted to AUTHORITY shall be accompanied by a cover letter stating the time period for which reimbursement is requested, name of the project, total amount requested and contact name and telephone number. AUTHORITY shall issue reimbursement payments to SPONSOR within 180 calendar days following the date of receipt of the invoice.

2.01.b. Ineligible Costs AUTHORITY reserves the right to adjust current or future reimbursement payments to SPONSOR if an invoice includes ineligible costs.

2.01.c. Reimbursement Amount The lump sum payment amount and any additional reimbursement payments to SPONSOR shall be equivalent to 50% of eligible expenditures for each invoice submitted to the AUTHORITY. The total reimbursement shall not exceed \$250,000.

2.01.d. Suspension of Reimbursement If AUTHORITY determines that any costs in an invoice are not allowable, or the lack of supporting progress reports, the AUTHORITY shall return the invoice to SPONSOR, with an invoice dispute notice outlining the reason for the return and the proposed remedy, if one exists, which would make the invoice acceptable for payment. SPONSOR may re-submit the invoice for payment after reviewing the invoice dispute notice and making any necessary corrections and/or providing additional information. SPONSOR may also immediately submit a new invoice representing only the amounts which are not in dispute, while setting aside the disputed amounts for review in accordance with the provisions set forth in this Section 2.01.

2.01.d. (1) Meeting. Once a dispute has occurred, the AUTHORITY shall arrange a meeting between the AUTHORITY and the SPONSOR staff to discuss and attempt to resolve the dispute. If the invoice was received on or before 5:00 p.m. on the 10th day of the month, the meeting shall be held no later than the 20th day of the same month. If the invoice was received after this date and time, then the meeting shall be held no later than the 20th day of the following month.

2.01.d. (2) Subregional Committee. If an agreement cannot be reached at the meeting, then the SPONSOR or the AUTHORITY shall have the option to take the dispute to the AUTHORITY's North County Subregional Planning Committee, with the understanding that by doing so the reimbursement for the disputed cost item(s) will be delayed until a resolution of the matter is reached.

2.01.d. (3) Authority's Board Decision. If the SPONSOR or the AUTHORITY disagrees with the resolution by the Subregional Committee then the dispute shall be submitted to the AUTHORITY's Board for resolution. If the Board determines that the disputed cost item(s) is ineligible, the AUTHORITY shall not provide reimbursement payment to the SPONSOR for the disputed item(s). If the Board determines that the disputed cost item(s) is eligible, then the AUTHORITY shall provide reimbursement payment to the SPONSOR for the disputed cost.

2.01.d. (4) Reservation of Rights. By utilizing the above procedures, the SPONSOR does not surrender any rights to pursue available legal remedies if the SPONSOR disagrees with the Board decision.

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2.01.e. Acceptance of Work Does Not Result In Waiver. Reimbursement payments do not result in a waiver of the right of the AUTHORITY to require fulfillment of all terms of this Agreement.

2.02. Right to Conduct Audit. The AUTHORITY shall have the right to conduct an audit of all SPONSOR's records pertaining to the Agreement at any time during the course of construction and up to a five (5) year period after completion of the Agreement.

**SECTION III  
MUTUAL COVENANTS**

3.01. Term. This Agreement shall remain in effect until discharged or terminated as provided in Section 3.02 or Section 3.15.

3.02. Discharge. This Agreement shall be subject to discharge as follows:

3.02.a. Termination by Mutual Consent This Agreement may be terminated at any time by mutual consent of the parties.

3.02.b. Discharge Upon Completion of Project. Except as to any rights or obligations which survive discharge as specified in Section 3.14, this Agreement shall be discharged, and the parties shall have no further obligation to each other, upon completion of the PROJECT as certified by the AUTHORITY.

3.03. Indemnity. It is mutually understood and agreed, relative to the reciprocal indemnification of AUTHORITY and SPONSOR:

3.03.a. SPONSOR shall fully defend, indemnify and hold harmless AUTHORITY, and any officer or employee of AUTHORITY, against any damage or liability occurring by reason of anything done or omitted to be done by SPONSOR under the Agreement. It is also fully understood and agreed that, pursuant to Government Code Section 895.4, SPONSOR shall fully defend, indemnify and hold the AUTHORITY harmless from any liability imposed for injury as defined by Government Code Section 810.8 occurring by reason of anything done or omitted to be done by SPONSOR under this Agreement or in connection with any work, authority, or jurisdiction delegated to SPONSOR under this Agreement.

3.03.b. AUTHORITY shall fully defend, indemnify and hold harmless SPONSOR, and any officer or employee of SPONSOR, against any damage or liability occurring by reason of anything done or omitted to be done by AUTHORITY under or in connection with any work, authority or jurisdiction delegated to AUTHORITY under the Agreement. It is also understood and agreed that, pursuant to Government Code Section 895.4, AUTHORITY shall fully defend, indemnify and hold the SPONSOR harmless from any liability imposed for injury as defined by Government Code Section 810.8 occurring by reason of anything done or omitted to be done by AUTHORITY under this Agreement or in connection with any work, authority, or jurisdiction delegated to AUTHORITY under this Agreement.

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3.04. Liability. As AUTHORITY is not the primary or responsible agency for carrying out the PROJECT herein identified, the AUTHORITY is not liable for any loss, cost, liability, damage, claim, lien, action, cause of action, demand or expense which may arise as a result of the acts or omissions of SPONSOR or its agents, contractors, consultants, engineers, or representatives. Nor shall the AUTHORITY be liable for any loss, cost, liability, damage, claim, lien, action, cause of action, demand or expense which may arise as a result of AUTHORITY's provision of funds which may be utilized in, but not limited to the acquisition of, the design, implementation, or construction of the PROJECT herein described.

3.05. Notices. Any notice which may be required under this Agreement shall be in writing and shall be given by personal service, or by certified or registered mail, return receipt requested, to the addresses set forth below:

AUTHORITY  
Jim Kemp, Executive Director  
SBCAG  
260 N. San Antonio Road, Suite B  
Santa Barbara, CA 93110

SPONSOR  
Marc Bierdzinski, City Manager  
City of Buellton  
107 West Highway 246  
Buellton, CA 93427

Either party may change its address by giving notice of such change to the other party in the manner provided in this Section 3.05. All notices and other communications shall be deemed communicated as of actual receipt or after the second business day after deposit in the United States mail.

3.06. Additional Acts and Documents. Each party agrees to do all such things and take all such actions, and to make, execute and deliver such other documents and instruments, as shall be reasonably requested to carry out the provisions, intent and purpose of the Agreement.

3.07. Integration. This Agreement represents the entire Agreement of the parties with respect to the subject matter hereof. No representations, warranties, inducements or oral agreements have been made by any of the parties except as expressly set forth herein, or in other contemporaneous written agreements.

3.08. Amendment. This Agreement may not be changed, modified or rescinded except in writing, signed by all parties hereto, and any attempt at oral modification of this Agreement shall be void and of no effect.

3.09. Independent Agency SPONSOR renders its services under this Agreement as an independent agency and the AUTHORITY is also an independent agency under the Agreement. None of the SPONSOR's agents or employees shall be agents or employees of the AUTHORITY and none of the AUTHORITY's agents or employees shall be agents or employees of SPONSOR.

3.10. Assignment. The Agreement may not be assigned, transferred, hypothecated, or pledged by any party without the express written consent of the other party.

**MEASURE A COOPERATIVE AGREEMENT**  
FOR THE CONSTRUCTION OF THE  
BUELLTON STREETScape AND SIDEWALK IMPROVEMENTS

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3.11. Binding on Successors. This Agreement shall be binding upon the successor(s), assignee(s) or transferee(s) of the AUTHORITY or as the case may be. This provision shall not be construed as an authorization to assign, transfer, hypothecate or pledge this Agreement other than as provided above.

3.12. Severability. Should any part of this Agreement be determined to be unenforceable, invalid, or beyond the authority of either party to enter into or carry out, such determination shall not affect the validity of the remainder of this Agreement which shall continue in full force and effect; provided that, the remainder of this Agreement can, absent the excised portion, be reasonably interpreted to give effect to the intentions of the parties.

3.13. Counterparts. This Agreement may be executed in one or more counterparts and shall become effective when one or more counterparts have been signed by all of the parties; each counterpart shall be deemed an original but all counterparts shall constitute a single document.

**MEASURE A COOPERATIVE AGREEMENT**  
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3.14. Survival. The following provisions in this Agreement shall survive discharge:

3.14.a. Sponsor. As to SPONSOR, the following sections shall survive discharge: Section 1.05 "Use of Funds", Section 1.06 "Submittal of Documents", Section 1.07 "Complete of Project".

3.14.b. AUTHORITY. As to AUTHORITY, the following section shall survive discharge: Section 2.02 "Right to Conduct Audit".

3.14.c. Both Parties. As to both parties, the following section shall survive discharge: Section 3.03 "Indemnity".

3.15. Limitation. All obligations of AUTHORITY under the terms of this Agreement are expressly contingent upon the AUTHORITY's continued authorization to collect and expend the sales tax proceeds provided by MEASURE A. If for any reason the AUTHORITY's right or ability to collect or expend such sales tax proceeds is terminated or suspended in whole or part so that it materially affects the AUTHORITY's ability to fund the project, the AUTHORITY shall promptly notify SPONSOR, and the parties shall consult on a course of action. If, after twenty-five (25) working days, a course of action is not agreed upon by the parties, this Agreement shall be deemed terminated by mutual or joint consent. Any future obligation to fund this project or any other project or projects of SPONSOR, not already specifically covered by separate Agreement, shall arise only upon execution of a new Agreement.

3.16. Attorneys' Fees. Should any litigation commence between the parties concerning the rights and duties of any party pursuant to, related to, or arising from, this Agreement, the prevailing party in such litigation shall be entitled, in addition to such other relief as may be granted, to a reasonable sum as and for its attorneys' fees and costs of such litigation, or in a separate action brought for that purpose.

3.17. Time. Time is and shall be of the essence of this Agreement and each and all of its provisions in which performance is a factor.

3.18. Remedies Cumulative. No remedy or election of remedies provided for in this Agreement shall be deemed exclusive, but shall be cumulative with all other remedies at law or in equity. Each remedy shall be construed to give the fullest effect allowed by law.

3.19. Applicable Law. This Agreement shall be governed by, and construed and enforced in accordance with the laws of the State of California.

3.20. Captions. The captions in this Agreement are for convenience only and are not a part of this Agreement. The captions do not in any way limit or amplify the provisions of this Agreement and shall not affect the construction or interpretation of any of its provisions.

3.21. No Continuing Waiver. The waiver by any party of any breach of any of the provisions of this Agreement shall not constitute a continuing waiver or a waiver of any subsequent breach of the same, or of any other provision of this Agreement.

**MEASURE A COOPERATIVE AGREEMENT  
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3.22. No Rights in Third Parties. Nothing in this Agreement, express or implied, is intended to confer any rights or remedies under or by reason of this Agreement on any third party, nor is anything in this Agreement intended to relieve or discharge the obligation or liability of any third party to any party to this Agreement, nor shall any provision of this Agreement give any third party any right of subrogation or action over or against any party to this Agreement.

3.23. Signator's Warranty. Each party warrants to each other that he or she is fully authorized and competent to enter into this Agreement in the capacity indicated by his or her signature and agrees to be bound by this Agreement as of the day and year first mentioned above upon the execution of this Agreement by each other party.

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement on the day and year first written above.

SANTA BARBARA COUNTY ASSOCIATION OF  
GOVERNMENTS, acting as the SANTA BARBARA  
COUNTY LOCAL TRANSPORTATION AUTHORITY:

CITY OF BUELLTON

By: \_\_\_\_\_  
Marc Bierdzinski  
City Manager

By: \_\_\_\_\_  
Jim Richardson  
Chairperson

ATTEST:

ATTEST:

By: \_\_\_\_\_  
Linda Reid  
City Clerk

By: \_\_\_\_\_  
James Kemp  
Executive Director

APPROVED AS TO FORM:

By: \_\_\_\_\_  
William Dillon  
Senior County Counsel

By: \_\_\_\_\_  
Steve McEwen  
City Attorney

## EXHIBIT A: PROJECT INFORMATION AND SCOPE

**Project Name:** Buellton Streetscape and Sidewalk Improvements  
**Project Contact:** Rose Hess, Public Works Director



### PROJECT INFORMATION

**Project Description:** The project proposes to complete “streetscape” improvements along the south side of Highway 246 in the City of Buellton, including new sidewalks with decorative pavers, driveways, and pedestrian lighting.

**Project Limits:** Highway 246 between Avenue of Flags and Shell Gas Station

**Project Phases:** This agreement covers activities in the Design, Right of Way and Construction phases.

**Lead Agency/Implementing Agency:** California Department of Transportation (CALTRANS)

**Responsible/Sponsoring Agency:** City of Buellton (SPONSOR)

**Sponsoring Agency:** SBCAG (AUTHORITY)

Responsibility Area	Caltrans	City of Buellton	SBCAG
Environmental Clearance	X		
Design	X		
Right of Way	X	X	
Utilities	X		
Construction	X		
Public Outreach	X	X	X
Funding	X	X	X
Project Closeout	X	X	

**Current Status:** Environmental is complete (by Caltrans). Design and Right of Way phases are underway and will continue through end of 2015. Construction will begin in the spring of 2016.

## EXHIBIT A: PROJECT INFORMATION AND SCOPE

**Project Name:** Buellton Streetscape and Sidewalk Improvements

**Project Contact:** Rose Hess, Public Works Director



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### PROJECT SCOPE

**Project Scope:** The project scope will include improved street, sidewalks, handicap ramps, aesthetic hardscape such as decorative block pavers, and additional pedestrian lighting.

**Project Purpose:** The project will fill-in an unimproved connection of sidewalk along the south side of Highway 246 between Avenue of Flags and US 101 consistent with the City's circulation element and plans for improving connectivity to the Avenue of Flags corridor.

**Transportation Benefit:** The project will result in pedestrian and circulation improvements and enhanced vehicle and pedestrian safety.

## EXHIBIT B: COSTS AND FUNDING

**Project Name:** Buellton Streetscape and Sidewalk Improvements  
**Project Contact:** Rose Hess, Public Works Director



### COSTS AND FUNDING

IMPROVEMENTS	COSTS	FUNDING		
		Caltrans	SPONSOR	AUTHORITY
CALTRANS PROJECT <sup>1</sup>	\$14,950,000	\$14,950,000	\$0	\$0
PROJECT <sup>2</sup>	\$500,000	\$0	\$250,000	\$250,000
Totals	\$15,450,000	\$14,950,000	\$250,000	\$250,000

<sup>1</sup> The CALTRANS PROJECT improvements will be funded through the State Highway Operational and Protection Program (SHOPP) and extend along and over Highway 246 from US 101 and Drum Cyn Road.

<sup>2</sup> The PROJECT improvements in the City of Buellton are funded from an even split between Local STP and Regional Measure A, applicable to the project limits between Avenue of Flags and US 101.

## EXHIBIT C: PROJECT SCHEDULE

**Project Name:** Buellton Streetscape and Sidewalk Improvements  
**Project Contact:** Rose Hess, Public Works Director



### PROJECT SCHEDULE

<u>Project Milestones</u>	<u>Responsibility</u>	<u>Complete By</u>	<u>Timely Use of Funds Deadline (if applicable)</u>
Funding Agreements Approved	Sponsor, Authority, Caltrans	February 2015	<u>N/A</u>
100% PS&E	Caltrans	December 2015	<u>N/A</u>
Ready to List	Caltrans	March 2016	<u>N/A</u>
Begin Construction	Caltrans	November 2016	<u>N/A</u>
End Construction	Caltrans	2017	<u>N/A</u>
Final Letter of Completion	Sponsor	2017	<u>N/A</u>

## EXHIBIT D: MEASURE A PROJECT SIGN

**Project Name:** Buellton Streetscape and Sidewalk Improvements

**Project Contact:** Rose Hess, Public Works Director



The City of Buellton shall install two (2) Measure A project signs, with similar information as shown in the graphical representation below that include the project title, Measure A logo, project completion date, project sponsor logo and Measure A website address. The exact dimensions of the sign used shall be flexible but with the objective of being able to be seen by drivers during construction and by users of the facility following construction.

The signs will be installed within ¼ mile of the ends of the project. The sign will be posted prior to the construction of the project, and remain during PROJECT construction and for 1 month after the completion of construction.

