

CITY OF BUELLTON

CITY COUNCIL MEETING MINUTES
Regular Meeting of January 28, 2016
City Council Chambers, 140 West Highway 246
Buellton, California

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Boy Scout Troup 41 led the Pledge of Allegiance

ROLL CALL

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

Staff: City Manager Marc Bierdzinski, City Attorney Steve McEwen, Finance Director Carolyn Galloway-Cooper, Public Works Director Rose Hess, Contract Planner Irma Tucker, Assistant Planner Andrea Olson, and City Clerk Linda Reid

REORDERING OF AGENDA

None

PUBLIC COMMENTS

John Dorwin, Buellton, discussed the traffic accident on West Highway 246 and La Lata Drive and asked that the City Council review the incident.

Pam Gnekow, Buellton Senior Center Executive Director thanked Barbara Knecht and the Buellton Recreation Center for organizing three new recreation programs for seniors at the Senior Center.

CONSENT CALENDAR

- 1. Minutes of January 14, 2016 Regular City Council Meeting**
- 2. List of Claims to be Approved and Ratified for Payment to Date for Fiscal Year 2015-16**
- 3. Revenue and Expenditure Reports through December 31, 2015**

MOTION:

Motion by Council Member Sierra, 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 Connolly – Yes
 Council Member Elovitz – Yes
 Council Member Sierra– Yes
 Vice Mayor Baumann – Yes
 Mayor Andrisek – Yes

PRESENTATIONS

None

PUBLIC HEARINGS

- 4. Resolution No. 15-26 – “A Resolution of the City Council of the City of Buellton, California, Denying the Appeals and Approving the Mitigated Negative Declaration (15-MND-01) and Mitigation Monitoring and Reporting Program for the Live Oak Lanes Project Which Includes a Bowling Alley/Entertainment Center and Warehouse Facility on 5.08 Acres Located at 39 and 41 Industrial Way, Assessor’s Parcel Numbers 099-690-045 and 099-690-046”**

Resolution No. 15-27 – “A Resolution of the City Council of the City of Buellton, California, Denying the Appeals and Approving the Final Development Plan (13-FDP-03), Lot Line Adjustment (13-LLA-02) and Conditional Use Permit (13-CUP-02) for the Live Oak Lanes Project, Which Includes a Bowling Alley/Entertainment Center and Warehouse Facility on 5.08 Acres Located at 39 and 41 Industrial Way, Assessor’s Parcel Numbers 099-690-045 and 099-690-046” (Continued from November 12, 2015)

RECOMMENDATION:

That the City Council consider adoption of Resolution No. 15-26 and Resolution No. 15-27.

STAFF REPORT:

City Manager Bierdzinski presented the staff report.

SPEAKERS/DISCUSSION:

Correspondence regarding this item was received, distributed, and made part of the record from the following individuals:

- Sid Goldstien, Civil Engineer, Inc.
- Lew Eisaguirre, Terravant Wine Company
- Gordon Hensley, Environment in the Public Interest
- Dylan Johnson, Brownstein Hyatt Farber Schreck
- Matt Stoecker, Conservation Biologist

Mayor Andrisek opened the continued public hearing at 6:15 p.m.

Lew Eisaguirre, President of Terravant Wine Company, discussed his company's position regarding the appeal of the Live Oak Lanes project and provided a copy of his presentation for the record.

Matt Stoecker, Conservation Biologist, discussed his position regarding his appeal of the Live Oak Lanes project.

Carol Peterson, Project Applicant addressed the Council and discussed the proposed bowling alley project.

Sid Goldstien, Civil Engineer, representing Applicant Carol Peterson discussed his client's position regarding the appeal of the Live Oak Lanes project. Mr. Goldstien offered to meet with Matt Stoecker to address the environmental issues associated with the project.

Kevin Merk, Biologist with Kevin Merk and Associates discussed the biology issues associated with the Live Oak Lanes project. Mr. Merk addressed the points presented in Mr. Stoecker's letter and disagreed with Mr. Stoecker's arguments, as well as the arguments made by Gordon Hensley.

The following individuals spoke in support of the construction of Live Oak Lanes:

- Irene Covington
- Mike Hendrick
- Pam Gnekow
- Jim Dietenhoffer
- Kathy Vreeland
- Ron Anderson
- Billy Ames
- Mark Hemming

The following individuals spoke against the construction of Live Oak Lanes:

- Candice Meneghin, California Trout, Inc. (Provided a handout for the record)
- Gordon Hensley, Environment in the Public Interest
- Sethea Downey, Buellton

The Appellants (Lew Eisaguirre and Matt Stoecker) provided rebuttal arguments.

The Applicant's representatives (Kathleen Weinheimer and Sid Goldstien) provided rebuttal arguments.

There being no further public comment, Mayor Andrisek closed the Public Hearing at 9:25 p.m.

The City Council discussed the following issues:

- Drainage and biology conditions and mitigation measures
- Adding an additional condition for the Applicant to work with Matt Stoecker to mitigate erosion and biology issues
- The disputed property ownership on the project's east side
- Circulation issues
- Use of the common retention basin
- Installation of lighting along Industrial Way
- Connection of the project to the proposed trail system
- Adding a van service to get people to and from the bowling alley

DOCUMENTS:

Staff report with attachments as listed in the staff report.

MOTION:

Motion by Council Member Connolly, seconded by Council Member Sierra approving Resolution No. 15-26 – “A Resolution of the City Council of the City of Buellton, California, Denying the Appeals and Approving the Mitigated Negative Declaration (15-MND-01) and Mitigation Monitoring and Reporting Program for the Live Oak Lanes Project Which Includes a Bowling Alley/Entertainment Center and Warehouse Facility on 5.08 Acres Located at 39 and 41 Industrial Way, Assessor's Parcel Numbers 099-690-045 and 099-690-046”

Approving Resolution No. 15-27 - “A Resolution of the City Council of the City of Buellton, California, Denying the Appeals and Approving the Final Development Plan (13-FDP-03), Lot Line Adjustment (13-LLA-02) and Conditional Use Permit (13-CUP-02) for the Live Oak Lanes Project, Which Includes a Bowling Alley/Entertainment Center and Warehouse Facility on 5.08 Acres Located at 39 and 41 Industrial Way, Assessor's Parcel Numbers 099-690-045 and 099-690-046” with the following added condition: The Applicant shall work with the adjoining property owner to the south to minimize off-site drainage and biology impacts.

VOTE:

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

Council Member Connolly - Yes

Council Member Elovitz - Yes

Council Member Sierra - Yes

Vice Mayor Baumann - Yes

Mayor Andrisek – Yes

Mayor Andrisek called for a recess at 9:50 p.m.

Mayor Andrisek reconvened the meeting at 10:03 p.m.

COUNCIL MEMBER COMMENTS/ITEMS

Council Member Sierra requested that graffiti in the alley between Central and the Avenue of Flags be removed.

Council Member Sierra requested that staff agendize discussion regarding the accident on West Highway 246 where the resident was killed on December 7, 2015. City Manager Bierdzinski announced that he will agendize this issue after he receives the traffic collision report.

WRITTEN COMMUNICATIONS

None

COMMITTEE REPORTS

Council Member 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.

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

BUSINESS ITEMS

- 5. Ordinance No. 16-01 – “An Ordinance of the City Council of the City of Buellton, California, Approving an Amendment to the Zoning Map (15-ZOA-02) from CR to M for a Portion of Assessor’s Parcel Number 099-690-048” (Second Reading)**

RECOMMENDATION:

That the City Council consider adoption of Ordinance No. 16-01.

STAFF REPORT:

City Manager Bierdzinski presented the staff report.

DOCUMENTS:

Staff report with attachments as listed in the staff report.

MOTION:

Motion by Vice Mayor Baumann, seconded by Council Member Elovitz, approving Ordinance No. 16-01 – “An Ordinance of the City Council of the City of Buellton, California, Approving an Amendment to the Zoning Map (15-ZOA-02) from CR to M for a Portion of Assessor’s Parcel Number 099-690-048” by title only and waive further reading.

VOTE:

Motion passed by a roll call vote of 5-0.
Council Member Connolly - Yes
Council Member Elovitz - Yes
Council Member Sierra - Yes
Vice Mayor Baumann - Yes
Mayor Andrisek - Yes

6. Financial Report for the Second Quarter Ending December 31, 2015

RECOMMENDATION:

That the City Council receive and file the Second Quarter Financial Report ending December 31, 2015.

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 refund from the Department of Finance.

DIRECTION:

The Council agreed by consensus to receive and file the Second Quarter Financial Report ending December 31, 2015.

7. Resolution No. 16-02 – “A Resolution of the City Council of the City of Buellton, California, for the Purpose of Budget Amendments from Operational Changes Related to Fiscal Year 2015-16 through the Second Quarter Ending December 31, 2015”

RECOMMENDATION:

That the City Council approve Resolution No. 16-02.

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 Sierra, seconded by Vice Mayor Baumann, approving Resolution No. 16-02 – “A Resolution of the City Council of the City of Buellton, California, for the Purpose of Budget Amendments from Operational Changes Related to Fiscal Year 2015-16 through the Second Quarter Ending December 31, 2015”

VOTE:

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

Council Member Connolly - Yes

Council Member Elovitz - Yes

Council Member Sierra - Yes

Vice Mayor Baumann - Yes

Mayor Andrisek – Yes

8. Consideration of Contract for Water and Sewer Rate Study**RECOMMENDATION:**

That the City Council award the contract for the Water and Sewer Rate Study in the amount of \$48,290 to Water Consultancy and authorize the City Manager to execute that contract.

STAFF REPORT:

Public Works Director Hess presented the staff report.

DOCUMENTS:

Staff report with attachments as listed in the staff report.

SPEAKERS/DISCUSSION:

Mr. Takaichi of Water Consultancy spoke about the importance of conducting a water and sewer rate study in order to ensure the City complies with Proposition 218.

The City Council discussed the following issues:

- The rate study must include all costs associated with the delivery of water, including operation, repair, and maintenance
- That the consultant work closely with staff and the water rate committee (consisting of Mayor Andrisek and Council Member Sierra)
- Proposition 218 requirements apply to all cities regardless of size

MOTION:

Motion by Council Member Sierra, seconded by Vice Mayor Baumann, awarding the contract for the Water and Sewer Rate Study in the amount of \$48,290 to Water Consultancy and authorizing the City Manager to execute the contract.

VOTE:

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

Council Member Connolly - Yes

Council Member Elovitz - Yes

Council Member Sierra - Yes

Vice Mayor Baumann - Yes

Mayor Andrisek – Yes

CITY MANAGER'S REPORT

City Manager Bierdzinski provided an informational report to the City Council.

ADJOURNMENT

Mayor Andrisek adjourned the regular meeting at 10:47 p.m. The next regular meeting of the City Council will be held on Thursday, February 11, 2016 at 6:00 p.m.

Ed Andrisek
Mayor

ATTEST:

Linda Reid
City Clerk