

# CITY OF BUELLTON

**CITY COUNCIL MEETING MINUTES**  
**Regular Meeting of November 8, 2018**  
**City Council Chambers, 140 West Highway 246**  
**Buellton, California**

## CALL TO ORDER

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

## PLEDGE OF ALLEGIANCE

## ROLL CALL

**Present:** Council Members Ed Andrisek and Art Mercado, Vice Mayor Dave King and Mayor Holly Sierra

**Staff:** City Manager Marc Bierzinski, City Attorney Greg Murphy, Public Works Director Rose Hess, Planning Director Andrea Keefer, Finance Director Shannel Zamora, Lt. Eddie Hsueh, and City Clerk Linda Reid

## PUBLIC COMMENTS

David Schwartz, Buellton, spoke about election interference from a mailed flyer sent to Buellton residents and provided a handout for the record.

## CONSENT CALENDAR

1. **Minutes of October 25, 2018 Regular City Council Meeting**
2. **List of Claims to be Approved and Ratified for Payment to Date for Fiscal Year 2018/19**

### **MOTION:**

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

### **VOTE:**

Motion passed by a roll call vote of 4-0.  
Council Member Andrisek – Yes  
Council Member Mercado – Yes  
Vice Mayor King – Yes  
Mayor Sierra – Yes

## **PRESENTATIONS**

### **3. Proclamation Supporting the Healthy Eating Active Living Campaign in the City of Buellton**

Mayor Sierra presented Dean Palius with People Helping People with a proclamation Supporting the Healthy Eating Active Living Campaign in the City of Buellton.

## **PUBLIC HEARINGS**

None

## **COUNCIL MEMBER COMMENTS/ITEMS**

Council Member Andrisek requested a status regarding street lights on Central Avenue and Industrial Way. Public Works Director Hess provided an update on new street lights in these locations.

Council Member Andrisek asked when the artwork on the Avenue of Flags will be removed.

Council Member Andrisek thanked Public Works for their work on the new sidewalk at Calor and Highway 246.

Mayor Sierra thanked the Senior Center for hosting the Annual Ice Cream Social and thanked Buellton Recreation for hosting the Holiday Bazaar.

Mayor Sierra requested and the City Council agreed by consensus to have staff agendize discussion of speed humps at a future meeting.

## **WRITTEN COMMUNICATIONS**

None

## **COMMITTEE REPORTS**

Mayor Sierra announced that she called into the California Association of Councils of Government (CALCOG) meeting today and provided an oral report for the record.

**BUSINESS ITEMS****4. Award of Contract for City Attorney Services**

City Attorney Murphy recused himself as the City Attorney for this item and sat in the audience to be available for City Council questions or comments.

**RECOMMENDATION:**

That the City Council authorize the Mayor to execute a 5-year agreement with Burke Williams, & Sorensen (BWS) for City Attorney Services, with a 3-year extension period subject to City Council approval.

**STAFF REPORT:**

City Manager Bierdzinski presented the staff report.

**DOCUMENTS:**

Staff report with attachments as listed in the staff report.

**SPEAKERS/DISCUSSION:**

Mr. Summers and Mr. Murphy spoke about their firms and the services they would provide the City of Buellton.

The City Council discussed the following issues:

- Current year to date City Attorney fees
- Authorizing a 2 year contract with BWS, with a 2 year extension subject to City Council approval. Further extensions may be approved by the City Council without going through the request for proposals process

**MOTION:**

Motion by Council Member Andrisek, seconded by Vice Mayor King authorizing the Mayor to execute a 2-year agreement with Burke Williams, & Sorensen for City Attorney Services, with a 2-year extension period subject to City Council approval.

**VOTE:**

Motion passed by a roll call vote of 4-0.

Council Member Andrisek - Yes

Council Member Mercado – Yes

Vice Mayor King - Yes

Mayor Sierra – Yes

City Attorney Murphy returned to the staff table at 6:35 p.m.

**5. Review and Approval of One-Year Contract Extensions for MNS Engineers and Tetra Tech, Inc.**

**RECOMMENDATION:**

That the City Council approve the additional one-year contract extension for engineering services for MNS Engineers, Inc. and Tetra Tech.

**STAFF REPORT:**

Public Works Director Hess presented the staff report.

**DOCUMENTS:**

Staff report with attachments as listed in the staff report.

**SPEAKERS/DISCUSSION:**

Jeff Edwards, representing MNS Engineers, Inc., spoke about the services they provide for the City of Buellton.

Jason Fussel, representing Tetra Tech, spoke about the services they provide for the City of Buellton.

The City Council discussed the following issues:

- Billing totals from July through November and the projects associated with those billings
- Continue on month to month contract basis and agendaize this item to the first meeting in February for further discussion
- Council Members will meet with the two firms to discuss ongoing projects and billing

**DIRECTION:**

The City Council agreed by consensus to continue on a month to month contract basis and agendaize this item to the first meeting in February for further discussion.

**6. Resolution No. 18-21 – “A Resolution of the City Council of the City of Buellton, California, Adopting Updated Personnel Rules for City Employees”**

**RECOMMENDATION:**

That the City Council consider adoption of Resolution No. 18-21.

**STAFF REPORT:**

H.R. Director Reid presented the staff report.

**DOCUMENTS:**

Staff report with attachments as listed in the staff report.

**SPEAKERS/DISCUSSION:**

The City Council discussed the protocol for use of the personnel rules by employees.

**MOTION:**

Motion by Council Member Mercado, seconded by Council Member Andrisek approving Resolution No. 18-21 – “A Resolution of the City Council of the City of Buellton, California, Adopting Updated Personnel Rules for City Employees”

**VOTE:**

Motion passed by a roll call vote of 4-0.  
Council Member Andrisek - Yes  
Council Member Mercado – Yes  
Vice Mayor King - Yes  
Mayor Sierra – Yes

**CITY MANAGER’S REPORT**

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

**CLOSED SESSION ITEMS**

- 7. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**  
**Threat of litigation pursuant to Government Code Section 54956.9(d)(2) [Letter from Kevin I. Shenkman dated September 28, 2018]**

The City Council did not meet in Closed Session regarding this item.

- 8. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**  
**Initiation of litigation pursuant to Government Code Section 54956.9, subdivision (d)(4) (one case)**

The City Council met in closed session to discuss anticipated litigation. No reportable action was taken.

**ADJOURNMENT**

Mayor Sierra adjourned the regular meeting at 7:25 p.m. The next regular meeting of the City Council will be held on Thursday, December 13, 2018 at 6:00 p.m.

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Holly Sierra  
Mayor

ATTEST:

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Linda Reid  
City Clerk