

CITY OF BUELLTON

CITY COUNCIL MEETING MINUTES

Regular Meeting of March 26, 2020

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 via Telephone: Council Members Ed Andrisek, Dave King, and John Sanchez, and Vice Mayor Art Mercado

Present: Mayor Holly Sierra

Staff: City Manager Scott Wolfe, City Attorney Greg Murphy (via telephone), Public Works Director Rose Hess, Finance Director Shannel Zamora (via telephone), Contract City Planner Irma Tucker, Planning Assistant Cara Meche (via telephone), Recreation Supervisor Kyle Abello (via telephone), Youth Recreation Coordinator Paul Smith (via telephone), and City Clerk Linda Reid

REORDERING OF AGENDA

City Manager Wolfe announced that Item No. 9 will be continued to a future date in order to allow the entire Council to be present to congratulate Lt. Eddie Hsueh on his retirement and thank him for his service to the City of Buellton.

City Attorney Murphy explained the law and the process as to how the meeting would take place via telephone, due to the COVID-19 emergency and the social distancing mandate.

PUBLIC COMMENTS

None

CONSENT CALENDAR

1. **Minutes of March 12, 2020 Regular City Council Meeting**
2. **List of Claims to be Approved and Ratified for Payment to Date for Fiscal Year 2019/20**
3. **Monthly Treasurer's Report – February 29, 2020**
4. **Resolution No. 20-06 – “A Resolution of the City Council of the City of Buellton, California, Authorizing the Filing of a Claim with the Santa Barbara County Association of Governments for Allocation of Transportation Development Act Funds for Fiscal Year 2020-21”**
5. **Receive and File the 2019 Annual Report on the Status of the General Plan**
6. **Acceptance of Bid and Award of Construction Contract for the 2019/20 Road Maintenance Project**
7. **Acceptance of Bids and Award of Construction Contracts for Phase 1 and Phase 2 of the Storm Drain Improvement Projects**
8. **Contract Extension with Moss, Levy & Hartzheim LLP for Auditing Services for Fiscal Years Ending June 30, 2020 and 2021**

MOTION:

Motion by Council Member King, seconded by Council Member Andrisek, approving Consent Calendar Items 1 through 8 as listed.

VOTE:

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

Council Member Andrisek – Yes

Council Member King - Yes

Council Member Sanchez - Yes

Vice Mayor Mercado – Yes

Mayor Sierra – Yes

PRESENTATIONS

9. **Recognition of Lieutenant Eddie Hsueh's Service to the City of Buellton**

This item was continued to a City Council meeting in the future when the entire City Council can be present to congratulate Lt. Hsueh on his retirement and thank him for his service to the City of Buellton.

PUBLIC HEARINGS

- 10. Ordinance No. 20-03 – “An Urgency Ordinance of the City Council of the City of Buellton, California, Considering Revisions to Title 19 (Zoning) of the Buellton Municipal Code (20-ZOA-01) Relating to Accessory Dwelling Units, Amending Sections: 19.04.142 and 19.06.180”**

RECOMMENDATION:

That the City Council approve Urgency Ordinance No. 20-03.

STAFF REPORT:

Contract Planner Irma Tucker presented the staff report.

SPEAKERS/DISCUSSION:

The City Council discussed the following issues:

- Areas of the City not excluded by the proposed ordinance will be able to add ADU’s to garages even if they have Codes, Covenants, and Restrictions (CC&R’s) that otherwise would prohibit second units

DOCUMENTS:

Staff report with attachments as listed in the staff report.

MOTION:

Motion by Vice Mayor Mercado, seconded by Council Member King approving Ordinance No. 20-03 – “An Urgency Ordinance of the City Council of the City of Buellton, California, Considering Revisions to Title 19 (Zoning) of the Buellton Municipal Code (20-ZOA-01) Relating to Accessory Dwelling Units, Amending Sections: 19.04.142 and 19.06.180” by title only and waive further reading.

VOTE:

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

Council Member Andrisek – Yes

Council Member King – Yes

Council Member Sanchez – Yes

Vice Mayor Mercado – Yes

Mayor Sierra – Yes

COUNCIL MEMBER COMMENTS/ITEMS

Mayor Sierra thanked Buellton residents for helping each other through the current global pandemic.

WRITTEN COMMUNICATIONS

None

COMMITTEE REPORTS

Vice Mayor Mercado announced that he attended the Buellton Chamber of Commerce and Visitors Bureau board meeting and provided an oral report regarding the meeting.

Mayor Sierra announced that she attended the Library Advisory Committee board meeting and provided an oral report regarding the meeting.

Mayor Sierra announced that she attended a board meeting for Santa Barbara County Association of Governments (SBCAG) and provided an oral report regarding the meeting.

BUSINESS ITEMS

11. Clarification of City Council Direction Regarding the Arts & Culture Committee Funding Request Rules and Procedures

RECOMMENDATION:

That the City Council discuss how to move forward with project funding for the Arts and Culture Committee.

STAFF REPORT:

Recreation Supervisor Abello presented the staff report.

SPEAKERS/DISCUSSION:

Marie Chavis, Buellton, submitted comments regarding this item, which were read into the record.

Peggy Brierton and Judi Stauffer, Co-Chairs of the Arts and Culture Committee, submitted comments regarding this item, which were read into the record.

The City Council discussed the following issues:

- Whether additional funding should be allocated to the Arts and Culture Committee
- Keeping the Arts and Culture approval process simple, rather than overly detailed
- Look into obtaining grant funding to pay for future Arts and Culture Committee projects by forming a sub-committee to seek out and apply for grant funding
- Welcoming all Arts and Culture applications that include social distancing at the time

DOCUMENTS:

Staff report with attachments as listed in the staff report.

MOTION:

Motion by Council Member Sanchez, seconded by Council Member King directing staff to proceed with a simple Arts and Culture approval process going forward, rather than a detailed process and that the Committee look into obtaining grant funding to fund future projects, with staff continuing to be involved in the Arts and Culture Committee meetings.

VOTE:

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

Council Member Andrisek – Yes

Council Member King – Yes

Council Member Sanchez– Yes

Vice Mayor Mercado – Yes

Mayor Sierra – Yes

12. Conceptual Approval of Bike Skills Course at River View Park**RECOMMENDATION:**

That the City Council discuss the conceptual approval of a Bike Skills Course at River View Park and direct staff to return with a detailed cost estimate for the project and possible partnership with the Santa Ynez Valley Youth Recreation.

STAFF REPORT:

Recreation Supervisor Abello and Youth Recreation Coordinator Smith presented the staff report.

SPEAKERS/DISCUSSION:

The City Council discussed the following issues:

- Whether the bike paths would cross each other and if this could become a liability for the City. Youth Recreation Coordinator Smith stated the area is large enough to see other bikers coming from the other direction
- Cost to maintain the bike skills course and using stronger materials that don't break down through the years
- Making the bike skills course as safe as possible for bike riders and eliminate the figure eight bike path design

DOCUMENTS:

Staff report with attachments as listed in the staff report.

MOTION:

Motion by Council Member King, seconded by Vice Mayor Mercado providing conceptual approval of a Bike Skills Course at River View Park and directing staff to return with a detailed cost estimate and course design for the project (without figure eight crossings) and partnership with the Santa Ynez Valley Youth Recreation.

VOTE:

Motion passed by a roll call vote of 5-0.
Council Member Andrisek – Yes
Council Member King – Yes
Council Member Sanchez– Yes
Vice Mayor Mercado – Yes
Mayor Sierra – Yes

13. Appointment of Two Council Members to Serve on the Aquatics Ad Hoc Committee

RECOMMENDATION:

That the City Council appoint two members of the Council to serve on the Aquatics Ad Hoc Committee and participate in discussions regarding the future of the Santa Ynez Valley Community Aquatics Complex.

STAFF REPORT:

Recreation Supervisor Abello presented the staff report.

DOCUMENTS:

Staff report with attachments as listed in the staff report.

CONCENSUS:

The City Council agreed by consensus to appoint Vice Mayor Mercado and Council Member King to serve on the Aquatics Ad Hoc Committee regarding the future of the Santa Ynez Valley Community Aquatics Complex.

VOTE:

Motion passed by a roll call vote of 5-0.
Council Member Andrisek – Yes
Council Member King – Yes
Council Member Sanchez– Yes
Vice Mayor Mercado – Yes
Mayor Sierra – Yes

14. Resolution No. 20-07 – A Resolution of the City Council of the City of Buellton, California, Recognizing the Importance of the 2020 Census and Encouraging Residents of the City of Buellton to Promote and Complete the Census to Ensure a Fair and Complete Count”

RECOMMENDATION:

That the City Council consider adoption of Resolution No. 20-07.

STAFF REPORT:

Planning Assistant Meche presented the staff report.

SPEAKERS/DISCUSSION:

Kenneth Maryanski, Partnership Specialist with the Los Angeles Regional Census Center submitted comments regarding this item, which were read into the record.

DOCUMENTS:

Staff report with attachments as listed in the staff report.

MOTION:

Motion by Council Member King, seconded by Council Member Andrisek approving Resolution No. 20-07 – “A Resolution of the City Council of the City of Buellton, California, Recognizing the Importance of the 2020 Census and Encouraging Residents of the City of Buellton to Promote and Complete the Census to Ensure a Fair and Complete Count”

VOTE:

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

Council Member Andrisek – Yes

Council Member King – Yes

Council Member Sanchez – Yes

Vice Mayor Mercado – Yes

Mayor Sierra – Yes

15. Determination of Employee Cost of Living Adjustment (COLA) for Fiscal Year 2020-21

RECOMMENDATION:

That the City Council consider approval of a COLA for all full-time regular City employees for Fiscal Year 2020-21 in the amount of 3.2 percent.

STAFF REPORT:

Finance Director Zamora presented the staff report.

SPEAKERS/DISCUSSION:

The City Council discussed the following issues:

- Support for a 3.0 percent COLA
- Deferring the COLA until the April 23 City Council meeting, due to the COVID-19 global pandemic

DOCUMENTS:

Staff report with attachments as listed in the staff report.

MOTION:

Motion by Mayor Sierra, seconded by Council Member Andrisek approving a 3.0 percent COLA for all full-time regular City employees for Fiscal Year 2020-21 and requesting that staff return with the a resolution solidifying the COLA approval.

VOTE:

Motion passed by a roll call vote of 3-2, with Council Member King and Vice Mayor Mercado voting no.

Council Member Andrisek – Yes

Council Member King – No

Council Member Sanchez – Yes

Vice Mayor Mercado – No

Mayor Sierra – Yes

MOTION:

Motion by Council Member King, seconded by Vice Mayor Mercado requesting that the COLA for all full-time regular City employees for Fiscal Year 2020-21 be brought back at the April 23rd Council meeting. This motion was not voted on due to the fact that the prior motion passed by a 3-2 roll call vote.

16. Presentation and Discussion of Administrative Steps Taken in Response to COVID-19 and County Declaration of Local Health Emergency

City Manager Wolfe discussed the administrative actions regarding the City's response to COVID-19 and the County Declaration of Local Health Emergency.

The City Council discussed the following issues:

- Deferring water shutoffs and waiving penalties and interest
- Thanking City Manager Wolfe for providing comprehensive and prompt reports to the City Council regarding the COVID-19 global pandemic and its effects on Buellton's residents and businesses

17. Resolution No. 20-08 – “A Resolution of the City Council of the City of Buellton, California, Authorizing the Deferral of Payments of Transient Occupancy Tax and the Waiving of Penalties and Interest in Certain Instances”**RECOMMENDATION:**

That the City Council consider adoption of Resolution No. 20-08.

STAFF REPORT:

City Manager Wolfe presented the staff report.

SPEAKERS/DISCUSSION:

Kathy Vreeland, Executive Director of the Buellton Chamber of Commerce and Visitors Bureau, submitted a letter regarding this item, which was read into the record.

Daryl Nielsen Jr., General Manager of Pea Soup Andersen's Inn, submitted comments regarding this item, which were read into the record.

The City Council discussed their support for Resolution No. 20-08 and the effort to help Buellton's businesses.

DOCUMENTS:

Staff report with attachments as listed in the staff report.

MOTION:

Motion by Council Member Sanchez, seconded by Council Member Andrisek approving Resolution No. 20-08 – “A Resolution of the City Council of the City of Buellton, California, Authorizing the Deferral of Payments of Transient Occupancy Tax and the Waiving of Penalties and Interest in Certain Instances”

VOTE:

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

Council Member Andrisek – Yes

Council Member King – Yes

Council Member Sanchez – Yes

Vice Mayor Mercado – Yes

Mayor Sierra – Yes

CITY MANAGER’S REPORT

City Manager Wolfe provided an informational report to the City Council. City Manager Wolfe and City Attorney Murphy detailed a potential urgency ordinance to suspend evictions during the COVID-19 global pandemic. The City Council agreed by consensus to agendize an urgency ordinance to suspend evictions during the COVID-19 global pandemic via a special meeting during the week of March 30, 2020.

CLOSED SESSION ITEMS

- 18. Closed Session Pursuant to Government Code Section 54956.8 Conference with Real Property Negotiator**
Property: 264 La Lata Drive, Buellton, CA (APN: 099-450-012)
Agency Negotiator: Scott Wolfe, City Manager
Negotiating Party: ECCUMENICAL III, LLC, Property Owner
Under Negotiation: Price and Terms of Payment

- 19. Closed Session Pursuant to Government Code Section 54956.8**
Conference with Real Property Negotiator
Property: 202 Dairyland Road, Buellton, CA (APN: 099-66-032, -033, -034, -035; and 099-67-005)
Agency Negotiator: Scott Wolfe, City Manager
Negotiating Party: Greg Willemsen, Successor Trustee for Willemsen Living Trust, Property Owner
Under Negotiation: Price and Terms of Payment

**20. Closed Session Pursuant to Government Code Section 54956.9(d)(4)
Potential Initiation of Litigation**

The City Council met in closed session to discuss Items 18, 19, and 20. No reportable action was taken.

ADJOURNMENT

Mayor Sierra adjourned the regular meeting at 8:53 p.m. The next regular meeting of the City Council will be held on Thursday, April 9, 2020 at 6:00 p.m.

Holly Sierra
Mayor

ATTEST:

Linda Reid
City Clerk