



CITY OF BUELLTON

CITY COUNCIL AGENDA

**Regular Meeting of April 12, 2018 – 6:00 p.m.
City Council Chambers, 140 West Highway 246
Buellton, California**

Materials related to an item on this agenda, as well as materials submitted to the City Council after distribution of the agenda packet, are available for public inspection in the Office of the City Clerk, located at 107 West Highway 246, during normal business hours.

CALL TO ORDER

Mayor Holly Sierra

PLEDGE OF ALLEGIANCE

ROLL CALL

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

REORDERING OF AGENDA

PUBLIC COMMENTS

Speaker Slip to be completed and turned in to the City Clerk prior to commencement of meeting. 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. Public Speakers using a translator are allotted a total of six (6) minutes to speak, unless simultaneous translation equipment is used.

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 Any Council Member, the City Attorney, or the City Manager may request that an item be withdrawn from the Consent Agenda to allow for full discussion.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 March 22, 2018 City Council Meeting**
- 2. List of Claims to be Approved and Ratified for Payment to Date for Fiscal Year 2017/18**
- 3. Resolution No. 18-07 – “A Resolution of the City Council of the City of Buellton, California, Approving a 2.7% Cost of Living Adjustment (COLA) for all Regular Full-Time Employees, Effective, July 1, 2018”**
❖ (Staff Contact: Finance Director Shannel Zamora)

- 4. Extension of Existing Contract with Metro Ventures Ltd. for Irma L. Tucker to Provide Professional Planning Services**
❖ *(Staff Contact: City Manager Marc Bierdzinski)*
- 5. Approval of Extension of City Manager Employment Agreement**
❖ *(Staff Contact: City Attorney Steve McEwen)*
- 6. Receive and File the 2017 Annual Report on the Status of the General Plan**
❖ *(Staff Contact: City Manager Marc Bierdzinski)*

PRESENTATIONS

- 7. Proclamation Recognizing National Donate Life Month**

PUBLIC HEARINGS

COUNCIL MEMBER COMMENTS/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)

- 8. Discussion of Future Public Art Locations in the City of Buellton**
❖ *(Staff Contact: City Manager Marc Bierdzinski)*
- 9. Review of Engineering Charges in the City of Buellton Pursuant to Resolution No. 94-10**
❖ *(Staff Contact: Public Works Director Rose Hess)*
- 10. Discussion and Direction Regarding Ordinance and Local Policy for Commercial Cannabis Activities**
❖ *(Staff Contact: City Attorney Steve McEwen)*

CITY MANAGER'S REPORT

ADJOURNMENT

The next meeting of the City Council will be held on Thursday, April 26, 2018 at 6:00 p.m.

CITY OF BUELLTON

CITY COUNCIL MEETING MINUTES

Regular Meeting of March 22, 2018

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 Ed Andrisek, Art Mercado, Vice Mayor Dave King, and Mayor Holly Sierra

Staff: City Manager Marc Bierzinski, Public Works Director Rose Hess, City Attorney Steve McEwen, Finance Director Shannel Zamora, and City Clerk Linda Reid

PUBLIC COMMENTS

Richard Kusmitch, Buellton, stated there is no street light at Highway 246 and La Lata Drive and the crosswalk at this location is very dark. Public Works Director Hess stated she will speak to Caltrans about this issue.

CONSENT CALENDAR

1. **Minutes of March 8, 2018 Regular City Council Meeting**
2. **List of Claims to be Approved and Ratified for Payment to Date for Fiscal Year 2017/18**
3. **Monthly Treasurer's Report – February 28, 2018**
4. **Resolution No. 18-06 – “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 2018-19”**
5. **Acceptance of the 2016/2017 Road Maintenance Project**

MOTION:

Motion by Council Member Andrisek, seconded by Council Member Mercado approving Consent Calendar Items 1 through 5 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

None

PUBLIC HEARINGS

6. **Resolution No. 18-04 – “A Resolution of the City Council of the City of Buellton, California, Adopting the Measure A Five-Year Local Program of Projects for Fiscal Years 2018/19 – 2022/23”**

RECOMMENDATION:

That the City Council consider adoption of Resolution No. 18-04.

STAFF REPORT:

Public Works Director Hess presented the staff report.

SPEAKERS/DISCUSSION:

Mayor Sierra opened the public hearing at 6:11 p.m. There being no public comment, Mayor Sierra closed the Public Hearing at 6:12 p.m.

The City Council discussed future funding allocation for the trail system.

DOCUMENTS:

Staff report with attachments as listed in the staff report.

MOTION:

Motion by Mayor Sierra, seconded by Vice Mayor King approving Resolution No. 18-04 – “A Resolution of the City Council of the City of Buellton, California, Adopting the Measure A Five-Year Local Program of Projects for Fiscal Years 2018/19 – 2022/23”

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

COUNCIL MEMBER COMMENTS/ITEMS

Council Member Mercado congratulated the Buellton Chamber of Commerce for organizing the Wine and Chili Festival and said it was a great event.

Council Member Andrisek asked that staff look at the damaged asphalt at Calor and Second Street and other similar locations in town and repair as needed.

Mayor Sierra thanked Ranch Club Mobile Estates for allowing her to speak at their meeting last night.

WRITTEN COMMUNICATIONS

None

COMMITTEE REPORTS

Council Member Andrisek announced that he attended board meetings for Santa Barbara County Association of Governments (SBCAG) and Air Pollution Control District (APCD) and provided oral reports regarding the meetings.

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

Council Member Andrisek announced that he attended the Sustainable Groundwater Management Committee meeting and provided an oral report regarding the meeting.

Vice Mayor King announced that he and Mayor Sierra attended the Library Advisory Committee meeting and provided an oral report regarding the meeting.

BUSINESS ITEMS

- 7. Ordinance No. 18-01 – “An Ordinance of the City Council of the City of Buellton, California, Amending Section 8.04.030.C of the Buellton Municipal Code Relating to Parking of Recreational Vehicles, Trailers, and Boats” (Second Reading)**

RECOMMENDATION:

That the City Council consider adoption of Ordinance No. 18-01.

STAFF REPORT:

City Manager Bierdzinski presented the staff report.

SPEAKERS/DISCUSSION:

The City Council discussed the front yard setback of 2.5 feet versus 5 feet and how many properties are not in compliance.

DOCUMENTS:

Staff report with attachments as listed in the staff report.

MOTION:

Motion by Council Member Mercado, seconded by Council Member Andrisek approving the adoption of Ordinance No. 18-01 – “An Ordinance of the City Council of the City of Buellton, California, Amending Section 8.04.030.C of the Buellton Municipal Code Relating to Parking of Recreational Vehicles, Trailers and Boats” by title only and waive further reading.

VOTE:

Motion passed by a roll call vote of 3-1, with Vice Mayor King voting no.
Council Member Andrisek - Yes
Council Member Mercado - Yes
Vice Mayor King - No
Mayor Sierra – Yes

8. Determination of Employee Cost of Living Adjustment (COLA) for Fiscal Year 2018-19**RECOMMENDATION:**

That the City Council consider approval of a COLA for all full-time regular City employees for Fiscal Year 2018-19 in the amount of 2.7 percent.

STAFF REPORT:

Finance Director Zamora presented the staff report.

DOCUMENTS:

Staff report with attachments as listed in the staff report.

MOTION:

Motion by Council Member Mercado, seconded by Mayor Sierra, approving employee COLA for all full-time regular employees for Fiscal Year 2018-19 in the amount of 2.7 percent, effective July 1, 2018.

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

**9. Closed Session - California Government Code Section 54957 regarding:
PUBLIC EMPLOYEE PERFORMANCE EVALUATION (CONTRACT
EXTENSION)**

The City Council met in Closed Session regarding the City Manager’s performance evaluation. No reportable action was taken.

ADJOURNMENT

Mayor Sierra adjourned the regular meeting at 8:00 p.m. The next regular meeting of the City Council will be held on Thursday, April 12, 2018 at 6:00 p.m.

Holly Sierra
Mayor

ATTEST:

Linda Reid
City Clerk

CITY OF BUELLTON
City Council Agenda Staff Report

City Manager Review: MPB
Council Agenda Item No.: 2

To: The Honorable Mayor and City Council

From: Shannel Zamora, Finance Director

Meeting Date: April 12, 2018

Subject: List of Claims to be Approved and Ratified for Payment to Date for Fiscal Year 2017/18

BACKGROUND

Staff is required to submit a check register to the City Council for approval every council meeting for the most recently completed check register (Attachment 1).

The check register for the period 3/14/2018 through 4/03/2018 has been prepared in accordance to Government Code 37202 and City Code 3.08.070. The check register lists all vendor payments for the specified period above, along with claimant's name, a brief description of the goods or service purchased, amount of demand, check number, check date and the account number(s) associated with each payment.

The total amount of checks, 3/14/2018 through 4/03/2018, and electronic fund transfers issued for the period of 3/14/2018 through 04/03/2018 was \$812,209.08.

FISCAL IMPACT

Payments made to the various vendors were consistent with the approved City's Biennial Budget for FY 2017/18 and FY 2018/19. Cash is available for the payment disbursements of the above liabilities.

RECOMMENDATION

That the City Council review and accept the check register for the period 3/14/2018 through 4/03/2018.

ATTACHMENTS

Attachment 1 – Claims

CONSOLIDATED CLAIMS DISBURSEMENT

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 April 12, 2018 Council Meeting.

Listed below is a brief summary of the attached claims:

EXHIBIT A *	A/P Packet #APPKT00730	144,759.03
	A/P Packet #APPKT00726	5,217.50
	A/P Packet #APPKT00724	110,077.11
	A/P Packet #APPKT00718	270,079.03
	A/P Packet #APPKT00717	70,502.50
	Total A/P Packets:	<u>\$600,635.17</u> (9 pages)
	Utility Packet #UBPKT01052	113.95 (1 page)
	Total Packets:	<u>\$671,251.62</u>
EXHIBIT B		<u>\$53,185.89</u>
Staff Payroll	3/16/2018	42,584.57
CC Payroll	3/22/2018	1,797.54
Staff Payroll	3/30/2018	43,389.46
	Total Payroll:	<u>\$87,771.57</u>
		<u>\$812,209.08</u>

TOTAL AMOUNT OF CLAIMS:

* The A/P Packets above will be approved on Council Agenda date of 04/12/2018
 Checks to be signed on 04/12/2018 tie to A/P Packet #APPKT00730
 Checks previously signed by staff to avoid late fees relate to:
 A/P Packets # APPKT00717, APPKT00718, APPKT00724 and APPKT00726
 Utility Packet # UBPKT01052

53
4/3/18

Payments via Electronic Fund Transfer (EFT):
From 03/14/2018 through 04/03/2018

CalPERS - Classic	3/19/2018	6,137.93
Payroll Tax - EDD	3/19/2018	2,387.29
CalPERS - PEPRA	3/19/2018	2,345.93
Payroll Tax - IRS	3/19/2018	6,829.35
Payroll Tax - EDD	3/23/2018	100.96
Payroll Tax - IRS	3/23/2018	69.82
CalPERS - Classic	3/29/2018	146.08
CalPERS - PEPRA	3/29/2018	59.00
Bank Fee	3/30/2018	65.00
Bank Fee	3/30/2018	41.40
CalPERS - Classic	4/2/2018	5,915.02
CalPERS - PEPRA	4/2/2018	2,358.72
Payroll Tax - EDD	4/2/2018	2,365.29
Payroll Tax - IRS	4/2/2018	6,750.41
DCP-AUL	4/3/2018	17,613.69

Total

53,185.89



Check Report - APPKT#s 00717,00718,00724,00726,00730

City of Buellton, CA

By Payment Number

Payment Dates 03/14/2018 - 04/03/2018

Payment Number	Payment Date Payable Number	Vendor # Description	Vendor Name	Account Number	Project Account Key	Payment Amount Item Amount
36010	3/14/2018	000326	MNS ENGINEERS, INC.			70,502.50
	69864	1/1-31/2018	Calor ADA Sidewalk	092-313-60800		1,000.00
	69887	1/1-31/2018	CITY ENGINEER/PUBLIC	025-554-60800		13,762.50
	69888	1/1-31/2018	CITY/TRANSPORTATION	029-557-60800		655.00
	69889	1/1-31/2018	City Storm Water Mana	001-551-60800		14,435.00
	69890	1/1-31/2018	CITY/UPDATE WATER	020-601-60830		4,925.00
	69891	1/1-31/2018	CrsRdsCntr @ Village - T	001-22416	90010-070	700.00
	69892	1/1-31/2018	Hwy 246/Sycamore Dr-P	092-306-60800		16,315.00
	69893	1/1-31/2018	2nd Street Chumash Apt	001-22416	90013-070	992.50
	69894	1/1-31/2018	Nghbrhd Park @ Village	001-22416	90017-070	612.50
	69895	1/1-31/2018	Hampton Inn	001-22416	90019-070	732.50
	69896	1/1-31/2018	FF-RV Resort Expansion	001-22416	90040-070	840.00
	69897	1/1-31/2018	Backflow Prevention Pr	020-601-60830		4,625.00
	69898	1/1-31/2018	Village Townhomes	001-22416	90021-070	810.00
	69899	1/1-31/2018	Industrial Way Street Lig	092-311-60800		787.50
	69900	1/1-31/2018	Figueroa Mtn Brwry Exp	001-22416	90037-070	780.00
	69901	1/1-31/2018	2015/2016/2017 Road	092-313-60800		8,530.00
36012	3/14/2018	000509	ALAN NEEDHAM dba			18,498.25
	24135	2/6/2018 -	Irrigation Repair	001-556-60250		199.76
	24170	February 2018	Prks&Medians Landsc	001-552-60800		11,200.00
	24170	February 2018	Facilities & Sts Landsc	001-556-60800		3,960.00
	24238	2/25/2018	WO#7177 P-1 RVP Irrigati	001-552-60258		3,138.49
36013	3/14/2018	000019	AMERICAN INDUSTRIAL PIPE & SUPPLY			344.14
	0069033-IN	2/21/2018	Misc Repair/Maint Items	005-701-61140		121.43
	0069107-IN	2/28/2018	Misc Repair/Maint Items	005-701-61140		51.39
	0315979-IN	2/16/2018	Misc Maint/Repair Items	005-701-67600		171.32
36014	3/14/2018	000028	ARAMARK UNIFORM SERVICES INC			413.16
	INV0008985	February 2018	Mats/Towels Service	001-558-60800		330.53
	INV0008985	February 2018	Mats/Towels Service	005-701-60800		82.63
36015	3/14/2018	000062	BUELLTON MEDICAL CENTER			185.00
	INV0008970	February 2018	Pre-Emp Drug Screeni	001-410-60022		185.00
36016	3/14/2018	000076	CAL-COAST IRRIGATION, INC.			184.66
	777245	3/1/2018	WWTP Misc Maint/Repair I	005-701-60250		29.55
	777258	3/1/2018	WWTP Misc Maint/Repair I	005-701-60250		155.11
36017	3/14/2018	000088	CCI CENTRAL, INC.			35.71
	INST078165	3/8/2018	Postage Machine Supplies	001-410-61130		35.71
36018	3/14/2018	000091	CENTRAL COAST WATER AUTHORITY			46,075.18
	INV0008973	7/1-9/30/2018	Qtrly Variable Costs-C	020-15000		46,075.18
36019	3/14/2018	000112	CLARK PEST CONTROL			159.00
	21786601	3/5/2018	PD/LIB Pest Control Service	001-558-60800		159.00
36020	3/14/2018	000138	D.L. ELECTRIC, INC.			961.00
	18-194/2	3/6/2018 -	Supplies	001-558-60250		961.00
36021	3/14/2018	000142	DANIEL FITZGERALD dba			1,920.00
	INV0008972	February 2018 -	Janitorial Service	001-558-60800		1,920.00
36022	3/14/2018	001255	DELIVER-IT			150.00
	103130	February 2018 -	Water Sample Delive	005-701-60800		75.00

Payment Number	Payment Date Payable Number	Vendor # Description	Vendor Name	Account Number	Project Account Key	Payment Amount Item Amount
	103130	February 2018 - Water Sample Delive		020-601-60800		75.00
36023	3/14/2018 30002	000187 3/7/2018 Misc Chemicals	FARM SUPPLY COMPANY	001-552-61140		32.30 32.30
36024	3/14/2018 C16813 F16812 W16577	000649 2/28/2018 WWTP - Facility Repair M Jan-Mar 2018 Quarterly Maintenance 12/18/17-1/10/18 Facility Repair Inst	FLUID RESOURCE MANAGEMENT, INC.	092-706-74100 005-701-60800 092-706-74100		157,107.32 147,834.17 870.40 8,402.75
36025	3/14/2018 INV0008976	001089 2/10-3/12/2018 FLOW YO-YOGA/LIN	GINA SIGMAN	001-511-67140		128.00 128.00
36026	3/14/2018 INV0008974	001241 2/10-3/9/2018 YOGA/KUNDALINI YO	GIOIA MARCHESE	001-511-67140		75.50 75.50
36027	3/14/2018 INV0008984	001198 2/2-3/12/2018 FUN W/CHEMISTRY	Jessica Best	001-511-67140		476.00 476.00
36028	3/14/2018 INV0008979	011300 2/10-3/12/2018 KUNDALINI/FUN&FO	KAREN PALMER	001-511-67140		7.00 7.00
36029	3/14/2018 INV0008977	011306 2/10-3/12/2018 SOCCER CAMP	KARLIN LADERA	001-511-67140		956.20 956.20
36030	3/14/2018 11274 11812CM	000779 3/5/2018 Hwy192@AJSpurs - Replac 10/13/2017 - CREDIT - BILLING ERRO	LASH CONSTRUCTION, INC.	020-601-60250 020-601-60250		852.69 1,349.58 -496.89
36031	3/14/2018 INV0008981	011336 2/10-3/12/2018 FLAMENCO DANCE	LAURA GARCIA dba	001-511-67140		126.00 126.00
36032	3/14/2018 INV0008969 INV0008969 INV0008969	000280 2/13&15/2018 #119740-1 Pres Day C 1/30&2/1/2018 #119166-1 Free Class 2/6&8/2018 #119412-1 Free Weight	LEE CENTRAL COAST NEWSPAPERS	001-511-60510 001-511-60510 001-511-60510		339.60 79.92 129.84 129.84
36033	3/14/2018 INV0008975	001132 1/13-2/9/2018 BEGINNING PILATES	MAILE INEMAN	001-511-67140		378.00 378.00
36034	3/14/2018 INV0008982	011343 2/10-3/9/2018 YOGA CLASS	MARIANNE MADSEN	001-511-67140		400.00 400.00
36035	3/14/2018 INV0008986 INV0008986	000801 January 2018 Misc Maint/Repair Item January 2018 Misc Maint/Repair Item	O'REILLY AUTOMOTIVE STORES, INC.	001-558-60270 005-701-61140		46.05 22.37 23.68
36036	3/14/2018 INV0008968 INV0008968 INV0008968 INV0008968 INV0008968 INV0008968 INV0008968 INV0008968 INV0008968 INV0008968	000352 2/2-3/5/2018 Electrical Service 2/2-3/5/2018 Electrical Service	P G & E	001-410-61241 001-501-61241 001-510-61241 001-550-61241 001-552-61241 001-556-61241 001-565-61241 005-701-61241 020-601-61241		22,908.89 575.40 277.64 196.65 5,291.62 573.48 88.57 242.00 7,459.52 8,204.01
36037	3/14/2018 81518015	000380 1/20-2/20/2018 Cylinder Rental	PRAXAIR DISTRIBUTION, INC.	005-701-61111		145.29 145.29
36038	3/14/2018 1880029022365 1880029022381	000032 1/27-2/26/18 CH - Water Service 1/27-2/26/18 CC/LIB Water Service	READY REFRESH BY NESTLE	001-410-60800 001-410-60800		109.06 80.60 7.53

Payment Number	Payment Date Payable Number	Vendor # Description	Vendor Name	Account Number	Project Account Key	Payment Amount Item Amount
	18B0029154614	1/27-2/26/2018 Planning - Water Ser		001-410-60800		20.93
36039	3/14/2018 113779	001002 2/28/2018 WWTP Supplies	ROBERTSON SUPPLY	005-701-67600		221.05 221.05
36040	3/14/2018 AIO3180052	000706 ->02/28/2018 Satellite Sim Card #881	SATCOM GLOBAL, INC.	001-410-60014		51.09 51.09
36041	3/14/2018 3428089686	000681 2/16/2016 Install Signs	STATEWIDE SAFETY & SIGNS, INC.	001-558-60560		1,935.00 1,935.00
36042	3/14/2018 INV0008978	001236 2/10-3/12/2018 BALLETTAP	SUZIE URICH	001-511-67140		28.00 28.00
36043	3/14/2018 INV0008980	000979 2/10-3/12/2018 WRESTLING	THADDEUS JECKELL	001-511-67140		181.30 181.30
36044	3/14/2018 INV0008971 INV0008971 INV0008971 INV0008971 INV0008971	000521 February 2018 Misc Maint/Repair Ite February 2018 Misc Maint/Repair Ite February 2018 Misc Maint/Repair Ite February 2018 - Misc Maint/Repair It February 2018 Misc Maint/Repair Ite	TODD PIPE & SUPPLY	001-552-61140 001-558-60250 005-701-60250 020-601-60250 020-601-61240		371.56 64.71 125.22 87.90 42.87 50.86
36045	3/14/2018 220180071 220180071	000535 3/1/2018 New Ticket Charges/Mnthl 3/1/2018 New Ticket Charges/Mnthl	UNDERGROUND SERVICE ALERT	005-701-60800 020-601-60800		26.50 13.25 13.25
36046	3/14/2018 45649	000677 -> 02/28/2018 Services FY17-18 COB	WALLACE GROUP	005-701-60800		12,332.77 12,332.77
36047	3/14/2018 53341300 53341300 53341300 53341300	000768 February 2018 Fuel Charges February 2018 Fuel Charges February 2018 Fuel Charges February 2018 Fuel Charges	WEX BANK	001-511-61280 001-558-61280 005-701-61280 020-601-61280		1,871.56 415.52 485.34 485.35 485.35
36048	3/14/2018 INV0008983	001246 2/10-3/12/2018 TAI CHI	YOSHIE FREEMAN	001-511-67140		46.20 46.20
36049	3/21/2018 18007.00-0000001	000035 1/16-2/28/2018 Prof Srvs-Speed Surv	ASSOC TRANSPORTATION ENGINEERS	025-557-60800		8,505.00 8,505.00
36050	3/21/2018 INV0009008	000868 3/1&3/15/2018 Planning Commission	BRIAN DUNSTAN	001-565-50010		100.00 100.00
36051	3/21/2018 099962 099963	000107 April 2018 - Monthly Transit Service January 2018 - Live Scan Billing	CITY OF LOMPOC	027-559-67445 001-410-60022		1,686.66 1,666.66 20.00
36052	3/21/2018 75723	000788 FY 2017-18 Breeze 200 Operating Cos	CITY OF SANTA MARIA	027-559-67115		25,121.73 25,121.73
36053	3/21/2018 INV0009025	000121 March 2018 - Visitors Bureau	COC/BBA/VISITORS INFORMATION	001-410-67790		33,333.34 33,333.34
36054	3/21/2018 INV0009021	000122 3/18-4/17/2018 CC Chambers Intern	COMCAST CABLE	001-410-61292		135.71 135.71
36055	3/21/2018 INV0009019	000137 4/1/2018-3/31/2018 Membership R	CWEA TRI-COUNTIES SECTION	005-701-60650		180.00 180.00
36056	3/21/2018 82X00004	000598 2/1-2/28/2018 WWTP Bio Solids Coll	ENGEL & GRAY, INC.	005-701-60800		6,337.05 6,337.05

Payment Number	Payment Date Payable Number	Vendor # Description	Vendor Name	Account Number	Project Account Key	Payment Amount Item Amount
36057	3/21/2018 07365 07366 07532	000176 Apr-Jun2018 CH Alarm Service Apr-Jun2018 Planning - Alarm Service Apr-Jun2018 CC/PO Alarm Service	EXCLUSIVE ALARMS INC	001-558-60800 001-558-60800 001-558-60800		636.00 120.00 102.00 414.00
36058	3/21/2018 5768611	000191 2/22/2018 Misc Maint/Repair Items	FERGUSON ENTERPRISES, INC #1350	020-601-60250		707.81 707.81
36059	3/21/2018 INV0009011 INV0009011 INV0009012 INV0009013 INV0009013 INV0009014 INV0009014 INV0009014 INV0009014 INV0009014 INV0009014 INV0009015 INV0009015 INV0009016 INV0009017	000193 KAbello - CC thru 3/16/2018 KAbello - CC thru 3/16/2018 EAndrisek - CC thru 3/16/2018 RHess - CC thru 3/16/2018 RHess - CC thru 3/16/2018 BKnecht - CC thru 3/16/2018 LReid - CC thru 3/16/2018 LReid - CC thru 3/16/2018 PSmith - CC thru 3/16/2018 SZamora - CC thru 3/16/2018	FIRST NATIONAL BANK OF OMAHA	001-511-60800 001-511-67140 001-401-60900 005-701-61130 005-701-61140 001-511-60510 001-511-60800 001-511-67135 001-511-67135 001-511-67140 001-401-60900 001-410-60900 001-511-67140 001-420-60650	53004-040 54003-040 53004-040	1,927.39 79.95 35.00 70.00 18.19 208.85 16.19 80.00 30.10 262.87 64.99 165.06 44.73 416.46 435.00
36060	3/21/2018 F16273	000649 Oct-Dec 2017 Quarterly Maintenance	FLUID RESOURCE MANAGEMENT, INC.	005-701-60800		870.40 870.40
36061	3/21/2018 0028823-IN 0028823-IN	001028 2017-Q1 Sales Tax Contract Services 2017-Q3 Sales Tax Audit Services	Hinderliter de Llamas & Associates (hdl)	001-420-60800 001-420-60800		1,549.56 900.00 649.56
36062	3/21/2018 1114	000395 Mar 2018 - Monthly Janitorial Service	JOSE RAFAEL RUIZ dba	001-552-60800		1,650.00 1,650.00
36063	3/21/2018 1707.1-006	000812 2/28/2018 ED Services 2017-2018 - A	KOSMONT & ASSOCIATES, INC.	001-565-60800		158.60 158.60
36064	3/21/2018 120735	000280 3/8/2018 NtcPblcHrng - Res#18-04	LEE CENTRAL COAST NEWSPAPERS	001-403-60520		120.75 120.75
36065	3/21/2018 INV0009010	001225 3/15/2018 Planning Commission Mee	MARCILO SARQUILLA	001-565-50010		50.00 50.00
36066	3/21/2018 INV0009020 INV0009020 INV0009020	000059 February 2018 Misc Maint/Repair February 2018 Misc Maint/Repair February 2018 Misc Maint/Repair	MOTOR PRODUCTS INC. dba	001-558-60270 005-701-60270 020-601-60270		16.12 3.76 8.89 3.47
36067	3/21/2018 INV0009022	000342 Feb-2018 Misc Maint/Repair Items	NIELSEN BUILDING MATERIALS, INC	001-552-60258		42.34 42.34
36068	3/21/2018 30187307	000669 3/1/2018 USPO - Pest Control Service	O'CONNOR & SONS dba	001-558-60800		105.00 105.00
36069	3/21/2018 INV0009009	001187 3/1&3/15/2018 Planning Commission	PATTY J HAMMEL	001-565-50010		100.00 100.00
36070	3/21/2018 INV0009007 INV0009007	000379 March 2018 Postage - Water/Sewer B March 2018 Postage - Water/Sewer B	POSTMASTER	005-701-61131 020-601-61131		550.00 275.00 275.00
36071	3/21/2018 INV0009018 INV0009018	000438 February 2018 Misc Items February 2018 Misc Items	SANTA YNEZ VALLEY HARDWARE	001-511-60250 001-558-60250		362.16 148.42 86.17

Payment Number	Payment Date Payable Number	Vendor # Description	Vendor Name	Account Number	Project Account Key	Payment Amount Item Amount
	INV0009018	February 2018 Misc Items		001-558-60270		1.71
	INV0009018	February 2018 Misc Items		001-558-61140		15.06
	INV0009018	February 2018 Misc Items		005-701-61140		110.80
36072	3/21/2018	000978	Staples Credit Plan			222.28
	INV0009023	2/16-3/15/2018 Misc Office Supplies		001-410-61130		117.86
	INV0009023	2/16-3/15/2018 Misc Office Supplies		001-511-61130		42.01
	INV0009023	2/16-3/15/2018 Misc Office Supplies		001-558-61130		62.41
36073	3/21/2018	000681	STATEWIDE SAFETY & SIGNS, INC.			311.86
	03009433	2/19/2018 Job# 998 Signs-Thumbelin		001-558-60560		311.86
36074	3/21/2018	000521	TODD PIPE & SUPPLY			235.88
	658588-1	2/15/2018 - Oak Park - Restroom Rep		001-552-60256		235.88
36075	3/21/2018	000529	TRANSFIRST HEALTH & GOVERNMENT SVCS			150.62
	ARINV104306	Feb 2018 Monthly Merchant Fees		001-410-60900		150.62
36076	3/21/2018	000556	VERIZON WIRELESS			536.20
	9803101733	3/9-4/8/2018 PW/CM Wireless Servic		001-410-67705		67.50
	9803101733	3/9-4/8/2018 PW/CM Wireless Servic		001-511-61290		31.28
	9803101733	3/9-4/8/2018 PW/CM Wireless Servic		001-558-67705		125.28
	9803101733	3/9-4/8/2018 PW/CM Wireless Servic		001-558-67705		128.38
	9803101733	3/9-4/8/2018 PW/CM Wireless Servic		020-601-67705		183.76
36077	3/21/2018	000894	VISITSYV			24,247.65
	CM0000074	February 2018 - TBID - Admin Fees		001-44250		-494.85
	INV0009024	February 2018 SYVTBID Amount		001-22160		24,742.50
36078	3/21/2018	001207	WAGeworks INC.			127.00
	592790	February 2018 FSA/AFLAC Admin Fee		001-401-50400		21.69
	592790	February 2018 FSA/AFLAC Admin Fee		001-402-50400		10.85
	592790	February 2018 FSA/AFLAC Admin Fee		001-403-50400		10.85
	592790	February 2018 FSA/AFLAC Admin Fee		001-420-50400		18.52
	592790	February 2018 FSA/AFLAC Admin Fee		001-511-50400		12.25
	592790	February 2018 FSA/AFLAC Admin Fee		001-558-50400		14.55
	592790	February 2018 FSA/AFLAC Admin Fee		001-565-50400		9.45
	592790	February 2018 FSA/AFLAC Admin Fee		005-701-50400		14.42
	592790	February 2018 FSA/AFLAC Admin Fee		020-601-50400		14.42
36081	3/28/2018	000019	AMERICAN INDUSTRIAL PIPE & SUPPLY			254.10
	0069205-IN	3/8/2018 Misc Maint/Repair Items		005-701-61127		78.93
	0069361-IN	3/21/2018 Misc Maint/Repair Items		005-701-61140		23.49
	0317122-IN	3/21/2018 Misc Maint/Repair Items		005-701-61127		76.92
	0317181-IN	3/22/2018 Misc Maint/Repair Items		005-701-61127		74.76
36082	3/28/2018	001214	AVAYA Financial Services			384.38
	31663780	April 2018 Telephone Lease		001-410-60310		384.38
36083	3/28/2018	000105	CITY OF BUELLTON			173.12
	INV0009039	2/25-3/25/2018 Irrigation Srvc 595 2		001-552-61211		173.12
36084	3/28/2018	000655	COAST NETWORKX, INC.			308.75
	20047	3/6/2018 IT Server Maintenance		001-410-60210		23.75
	20050	3/19&21/2018 IT Internet/Server Mai		001-410-60210		285.00
36085	3/28/2018	000118	COASTAL COPY, INC.			338.81
	781556	2/18-3/17/2018 CH - Overage Fees		001-410-61130		319.20
	781604	2/16-3/15/2018 HR Overages		001-410-61130		19.61
36086	3/28/2018	000122	COMCAST CABLE			176.79
	INV0009040	3/25-4/24/2018 REC Internet/Phone		001-511-61290		176.79

Payment Number	Payment Date Payable Number	Vendor # Description	Vendor Name	Account Number	Project Account Key	Payment Amount Item Amount
36087	3/28/2018 103886 103886	001255 3/1-31/2018 Delivery Service/Water 3/1-31/2018 Delivery Service/Water	DELIVER-IT	005-701-60800 020-601-60800		150.00 75.00 75.00
36088	3/28/2018 INV0009038 INV0009038 INV0009038 INV0009038	001040 3/19-7/18/2018 - Telephone Summar 3/19-7/18/2018 - Telephone Summar 3/19-7/18/2018 - Telephone Summar 3/19-7/18/2018 - Telephone Summar	FRONTIER COMMUNICATIONS	001-410-67705 001-565-67705 005-701-67705 020-601-67705		1,771.04 325.90 407.64 548.65 488.85
36089	3/28/2018 1651	000286 2018 Membership Dues	LEAGUE OF CALIFORNIA CITIES	001-410-60650		200.00 200.00
36090	3/28/2018 INV0009041	001253 1/22/2018 - REFUND - JUNIOR GOLF -	LOWELL DICKE	001-511-67140		10.00 10.00
36091	3/28/2018 1222118	000861 3/15/2018 BOL# 6566742 - Chemicals	POLYDYNE INC.	005-701-61111		1,202.49 1,202.49
36092	3/28/2018 1236	001051 3/15/2018 WWTP - Valve Repair	THOMAS T PETERSEN dba	005-701-60250		98.25 98.25
36093	3/28/2018 68184873	001063 5/1-31/2018 REC - Copier Lease	Wells Fargo Vendor Fin Serv	001-511-60310		149.77 149.77
36094	4/3/2018 INV0009054 INV0009055	000228 NOV-DEC2017 SBCAG/C3H/VAFB/VE JAN-FEB-2018 SBCAG/SBA/VAFB AW	HOLLY SIERRA	001-401-60710 001-401-60710		282.22 131.61 150.61
36095	4/3/2018 18-228	000450 APRIL 2018 - CONTRACT SERVICES	SB CO SHERIFF'S DEPARTMENT	001-501-60800		141,616.00 141,616.00
36096	4/3/2018 238399 238399	000832 6/1/2018-5/31/2019 Clear SCADA An 6/1/2018-5/31/2019 Clear SCADA An	SCHNEIDER ELECTRIC USA, INC.	020-15000 020-601-60210		2,520.00 2,310.00 210.00
36097	4/3/2018 68160859	001063 5/1-31-2018 CH- COPIER LEASE	Wells Fargo Vendor Fin Serv	001-410-60310		340.81 340.81
Payment Total:						600,635.17

Report Summary

Fund Summary

Fund	Payment Amount
001 - General Fund	265,909.61
005 - Sewer Fund	32,527.73
020 - Water Fund	69,617.52
025 - Gas Tax Fund	22,267.50
027 - Local Transportation Fund	26,788.39
029 - Transportation Planning	655.00
092 - Capital Improvement Proj Fund	182,869.42
Grand Total:	600,635.17

Account Summary

Account Number	Account Name	Payment Amount
001-22160	SYVTBID Payable	24,742.50
001-22416	Developer Deposit	5,467.50
001-401-50400	Medical Benefit	21.69
001-401-60710	Travel & Training	282.22
001-401-60900	Miscellaneous	235.06
001-402-50400	Medical Benefit	10.85
001-403-50400	Medical Benefit	10.85
001-403-60520	Advertising - Legal	120.75
001-410-60014	Emergency Operations	51.09
001-410-60022	Recruitment Expense	205.00
001-410-60210	Computer Maintenance	308.75
001-410-60310	Equipment Rental	725.19
001-410-60650	Membership & Publicati	200.00
001-410-60800	Contract Services	109.06
001-410-60900	Miscellaneous/CalPERS	195.35
001-410-61130	Office Supplies	492.38
001-410-61241	Utilities - Electric	575.40
001-410-61292	Internet Access/ Websit	135.71
001-410-67705	Telephone	393.40
001-410-67790	Visitors Bureau	33,333.34
001-420-50400	Medical Benefit	18.52
001-420-60650	Membership & Publicati	435.00
001-420-60800	Contract Services	1,549.56
001-44250	Miscellaneous	-494.85
001-501-60800	Contract Services	141,616.00
001-501-61241	Utilities - Electric	277.64
001-510-61241	Utilities - Electric	196.65
001-511-50400	Medical Benefit	12.25
001-511-60250	Maintenance/Repair	148.42
001-511-60310	Equipment Rental	149.77
001-511-60510	Advertising	355.79
001-511-60800	Contract Services	159.95
001-511-61130	Office Supplies	42.01
001-511-61280	Fuel-Vehicles	415.52
001-511-61290	Telephone/Internet	208.07
001-511-67135	Buellton Rec Program Tr	292.97
001-511-67140	Buellton Recreation Pro	3,328.65
001-550-61241	Utilities - Electric	5,291.62
001-551-60800	Contract Services	14,435.00
001-552-60256	Maintenance/Repair-Oa	235.88
001-552-60258	Maintenance/Repair-Riv	3,180.83
001-552-60800	Contract Services	12,850.00
001-552-61140	Operational Supplies	97.01
001-552-61211	Utilities - Water	173.12
001-552-61241	Utilities - Electric	573.48
001-556-60250	Maintenance/Repair	199.76

Account Summary

Account Number	Account Name	Payment Amount
001-556-60800	Contract Services	3,960.00
001-556-61241	Utilities - Electric	88.57
001-558-50400	Medical Benefit	14.55
001-558-60250	Maintenance / Repair	1,172.39
001-558-60270	Maintenance - Vehicles	27.84
001-558-60560	Signs	2,246.86
001-558-60800	Contract Services	3,150.53
001-558-61130	Office Supplies	62.41
001-558-61140	Operational Supplies	15.06
001-558-61280	Fuel - Vehicles	485.34
001-558-67705	Telephone	253.66
001-565-50010	Planning Commission Sal	250.00
001-565-50400	Medical Benefit	9.45
001-565-60800	Contract Services	158.60
001-565-61241	Utilities - Electric	242.00
001-565-67705	Telephone	407.64
005-701-50400	Medical Benefit	14.42
005-701-60250	Maintenance / Repair	370.81
005-701-60270	Maintenance - Vehicles	8.89
005-701-60650	Membership & Publicati	180.00
005-701-60800	Contract Services	20,656.50
005-701-61111	Chemicals / Analysis	1,347.78
005-701-61127	Tools	230.61
005-701-61130	Office Supplies	18.19
005-701-61131	Postage	275.00
005-701-61140	Operational Supplies	539.64
005-701-61241	Utilities - Electric	7,459.52
005-701-61280	Fuel - Vehicles	485.35
005-701-67600	Safety Equipment	392.37
005-701-67705	Telephone	548.65
020-15000	Pre-Paid Expense	48,385.18
020-601-50400	Medical Benefit	14.42
020-601-60210	Computer Maintenance	210.00
020-601-60250	Maintenance / Repair	1,603.37
020-601-60270	Maintenance - Vehicles	3.47
020-601-60800	Contract Services	163.25
020-601-60830	Contract Services-Engine	9,550.00
020-601-61131	Postage	275.00
020-601-61240	Meter Expense	50.86
020-601-61241	Utilities - Electric	8,204.01
020-601-61280	Fuel - Vehicles	485.35
020-601-67705	Telephone	672.61
025-554-60800	Contract Services	13,762.50
025-557-60800	Contract Services	8,505.00
027-559-67115	Breeze Extension Pilot	25,121.73
027-559-67445	Lompoc- Wine Country	1,666.66
029-557-60800	Contract Services	655.00
092-306-60800	Contract Services	16,315.00
092-311-60800	Contract Services	787.50
092-313-60800	Contract Services	9,530.00
092-706-74100	Improvements	156,236.92
	Grand Total:	600,635.17

Project Account Summary

Project Account Key	Payment Amount
None	594,453.34
53004-040	451.46
54003-040	262.87

Project Account Summary

Project Account Key	Payment Amount
90010-070	700.00
90013-070	992.50
90017-070	612.50
90019-070	732.50
90021-070	810.00
90037-070	780.00
90040-070	840.00
Grand Total:	<u>600,635.17</u>



UBPKT01052 - Refunds 01 UBPKT01051 Regular

Account	Name	Date	Check #	Amount	Code	Receipt	Amount	Type
02-05300-009	BANKS, JULIE	3/27/2018	36079	45.25			45.25	Generated From Billing
04-15600-002	MARKEY, DAVID	3/27/2018	36080	68.70			68.70	Generated From Billing
Total Refunds: 2				Total Refunded Amount:	113.95			

Revenue Code Summary

Revenue Code	Amount
996 - UNAPPLIED CREDITS	113.95
Revenue Total:	113.95

General Ledger Distribution

Posting Date: 03/27/2018

Account Number	Account Name	Posting Amount	IFT
Fund: 020 - WATER FUND			
020-10000	Claim On Pooled Cash	-113.95	Yes
020-22420	Unapplied Credits	113.95	
	020 Total:	0.00	
Fund: 999 - POOLED CASH			
999-10001	Pooled Cash - General Checking	-113.95	
999-27000	Due To Other Funds	113.95	Yes
	999 Total:	0.00	
	Distribution Total:	0.00	

*Added to Check Reg.
8/3/22/15*

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: Shannel Zamora, Finance Director

Meeting Date: April 12, 2018

Subject: Resolution No. 18-07 – “A Resolution of the City Council of the City of Buellton, California, Approving a 2.7% Cost of Living Adjustment (COLA) for all Regular Full-Time Employees, Effective, July 1, 2018”

BACKGROUND

Buellton Municipal Code Section 2.08.060 authorizes the City Manager to prepare and submit a proposed annual salary plan to the City Council for its approval. On March 22, 2018, the City Council authorized a 2.7 percent Cost of Living Adjustment (COLA) for all regular full-time employees, effective, July 1, 2018 and requested that staff bring back a resolution formally approving the COLA for Fiscal Year 2018-19.

FISCAL IMPACT

The fiscal impact of the COLA will be reflected in the Fiscal Year 2018-19 Budget and the overall increase including benefits would be \$10,600.

RECOMMENDATION

That the City Council approve and adopt Resolution No. 18-07 – “A Resolution of the City Council of the City of Buellton, California, Approving a 2.7% Cost of Living Adjustment (COLA) for all Regular Full-Time Employees, Effective, July 1, 2018”

ATTACHMENTS

Resolution No. 18-07

RESOLUTION NO. 18-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUELLTON, CALIFORNIA, APPROVING A 2.7% COST OF LIVING ADJUSTMENT (COLA) FOR ALL REGULAR FULL-TIME EMPLOYEES, EFFECTIVE JULY 1, 2018

WHEREAS, Section 2.08.060 of the Buellton Municipal Code authorizes the City Manager to prepare and submit a proposed annual salary plan to the City Council for its approval; and

WHEREAS, the City Council has reviewed and approved the 2.7% COLA submitted on March 22, 2018; and

WHEREAS, the City Council values the work performed by its regular full-time employees; and

WHEREAS, based on financial information provided by the Finance Director, the City Council has determined that it is financially prudent to provide for an increase in salaries of regular full-time employees.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BUELLTON DOES RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

SECTION 1. The City Council hereby finds that the above recitations are true and correct and, accordingly, are incorporated as a material part of this Resolution.

SECTION 2. The City Council hereby directs adjustments to regular full-time employees' salaries to reflect a 2.7% cost of living adjustment, effective July 1, 2018.

SECTION 3. The fiscal impact of the salary adjustment will be reflected in the Fiscal Year 2018-19 City Budget.

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

PASSED, APPROVED and ADOPTED this 12th day of April, 2018.

Holly Sierra
Mayor

ATTEST:

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 Bierdzinski, City Manager

Meeting Date: April 12, 2018

Subject: Extension of Existing Contract with Metro Ventures Ltd. for Irma L. Tucker to Provide Professional Planning Services

BACKGROUND

The contract for Irma L. Tucker, President of Metro Ventures, for professional planning services, expires on May 8, 2018. Ms. Tucker has assisted with the Planning Department workload and continues to be an excellent fit for the City. She has worked on numerous important projects and has been responsible for vital tasks, including the following:

- Team leader for the approved Avenue of Flags Specific Plan
- Completion of the Housing Element
- Processing and plan check of the Hampton Inn and Tilton Engineering
- Processing of the Commons project to the Planning Commission
- Assistance on the Live Oak Lanes project
- Processing the Kamran and ARCO projects on the Avenue of Flags
- Answers planning questions at the counter and over the phone
- Member of the Green Team
- Developed and runs the monthly project development meeting between staff, MNS Engineers, Tetra Tech, County Fire, and County Building, and prepares monthly project status updates for the City Council

The Planning Department workload continues to be heavy. Therefore, staff would like to extend the contract with Irma Tucker for one year for Planning Department assistance.

The current one-year contract is for 1040 hours (20 hours per week average) at \$81 an hour for a not-to-exceed cost of \$84,240. Staff recommends the same number of hours and hourly rate. Any additional extension of the contract would be brought back to the City Council for authorization.

This is a contract position and does not include any benefits.

FISCAL IMPACT

The City is still realizing a cost savings of not having a full time, benefitted, Planning Director while still having a contract planner on staff.

Through February, Ms. Tucker has spent 8.3% of her time on private development projects in which the City is reimbursed. She has spent 53% of her time on the Avenue of Flags Specific Plan and the remaining 38.7% on general planning duties.

The \$84,240 will be included in contract services for Fiscal Year 2018-2019. Since the City approved a two-year budget, a placeholder in this amount was included for Fiscal Year 2018-2019 subject to City Council approval of this contract extension.

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to extend the existing contract for professional services with Metro Ventures Ltd. for a period of one year with a rate of \$81 per hour for a maximum of 1040 hours.

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: Stephen A. McEwen, City Attorney

Meeting Date: April 12, 2018

Subject: Approval of Extension of City Manager Employment Agreement

BACKGROUND

Attachment 1 is the revised Employment Agreement extending the duties of City Manager with Marc Bierdzinski for one-year.

RECOMMENDATION

That the City Council approve the one-year extension of the City Manager Employment Agreement.

ATTACHMENTS

Attachment 1 – City Manager Employment Agreement

CITY MANAGER EMPLOYMENT AGREEMENT

This CITY MANAGER EMPLOYMENT AGREEMENT (“Agreement”) is entered into as of April 12, 2018, between the City of Buellton (“City”) and Marc Bierdzinski (“Bierdzinski”). In consideration of the mutual promises and agreements set forth below, City and Bierdzinski agree as follows:

A. Recitals.

(i) In September, 2005, Bierdzinski was appointed to the position of Planning Director of City; and,

(ii) On May 1, 2013, in addition to the duties of Planning Director, Bierdzinski was appointed to serve as Interim City Manager of City, and,

(iii) On September 26, 2013, in addition to the duties of Planning Director, Bierdzinski was appointed to serve as City Manager of City, and,

(iv) Bierdzinski has received acceptable performance reviews by the City for his duties as City Manager and Planning Director, and,

(iv) City and Bierdzinski agree that it is in the best interests of both to continue to coordinate the services as City Manager and Planning Director of City.

B. Agreement.

1. **EMPLOYMENT.** City agrees to employ Bierdzinski to render services as City Manager and Planning Director of City on the terms and conditions set forth in this Agreement and Bierdzinski accepts such employment on the terms and conditions set forth in this Agreement. If at any time during the term of this Agreement Bierdzinski and the City agree that it is in the best interests of both to have another employee serve as Planning Director of City, Bierdzinski may resign the position of Planning Director. Such resignation shall have no effect on any term or provision of this Agreement and this Agreement shall remain in full force and effect.

2. **TERM.** The term of Bierdzinski’s employment as City Manager of City shall be extended on April 12, 2018, and end on the earliest of:

A. April 11, 2019; or

B. The date of termination of Bierdzinski’s employment in accordance with Paragraph 4 below.

3. POSITION AND DUTIES. Bierdzinski shall serve as City Manager of City and Planning Director of City. Bierdzinski shall have those powers and duties set forth in City's Municipal Code Section 2.08.060 for service as City Manager as well as those powers and duties set forth in the City's Municipal Code and Personnel Rules for Planning Director. The City Council of the City ("City Council") shall have the power to determine such other specific duties and responsibilities which Bierdzinski must perform under this Agreement and the means and manner by which Bierdzinski must perform those duties and responsibilities. Bierdzinski agrees to devote all of his business time, skill, attention, and best efforts to the discharge of the duties and responsibilities assigned to him by the City Council during the term of his employment.

4. AT-WILL EMPLOYMENT STATUS, EXCLUSION FROM PERSONNEL SERVICE SYSTEM, AND TERMINATION.

A. Bierdzinski's employment is at-will. Bierdzinski shall serve at the will of the City Council. Thus, Bierdzinski's employment is at the mutual consent of Bierdzinski and City and either Bierdzinski or City may terminate the employment at-will. City may terminate Bierdzinski at any time, with or without cause, for any reason whatsoever that does not violate a public policy of the State of California. Termination shall be by a majority vote of the City Council. Bierdzinski may terminate his employment at any time, with or without cause, for any reason whatsoever. Bierdzinski is excluded from City's Personnel Service System and holds no property right in his employment.

B. Bierdzinski agrees that no representative of City has made or can make any promises, statements, or representations which state or imply that Bierdzinski is hired or retained under any terms other than at-will employment and is excluded from City's Personnel Service System, as set forth above. Bierdzinski agrees that no agreement can impliedly arise that Bierdzinski is employed under any terms other than at-will employment and exclusion from City's Personnel Service System, as set forth above.

C. Bierdzinski's status as at-will and as exempt from City's Personnel Service System may only be changed, revoked, amended, or superseded by a written document, signed by Bierdzinski and the Mayor following approval by the City Council.

5. COMPENSATION AND BENEFITS. Bierdzinski shall receive the following compensation and benefits:

A. Salary. Bierdzinski receives an annual base salary of one hundred fifty-three thousand eight hundred and four dollars and four cents (\$ 153,804.04), payable at the normal times as all Employees of City, which reflects the cost of living increases given to employees since the prior contract was approved in 2015. Bierdzinski shall receive the same

amount of cost of living adjustments and longevity pay as may be received by other City Employees as and when authorized by the City Council.

B. Benefits. Bierdzinski shall receive such benefits as are provided to exempt City Employees under the City Personnel Rules.

1. **Vacation.** Bierdzinski shall be entitled to twenty (20) days vacation per year of employment with the City which shall accrue in the same manner as all City Employees. The maximum number of vacation days that may be accumulated by Bierdzinski is forty (40) days. Once Bierdzinski reaches the maximum accumulation, he shall cease vacation accrual until his total number of vacation hours falls below the maximum allowable.

2. **Management Leave.** On the commencement date of this Amended Agreement, Bierdzinski shall be credited with eight (8) days accrued Management Leave for the full year of the Amended Agreement.

3. **Automobile Allowance.** Bierdzinski shall receive Three Hundred Dollars (\$300.00) each month as an automobile allowance. The allowance is in exchange for (1) Employee making available for his own use a personal automobile, and (2) for his use of his personal automobile for City related business and/or functions during, before and after normal work hours. Employee is not precluded from using City vehicles for City business during before, and after the normal workday. A City vehicle will not be provided to Employee for his exclusive use and no City vehicle shall be utilized by Employee for commuting purposes. Employee will be entitled to mileage reimbursement at the IRS standard reimbursement rate for trips outside the Counties of Santa Barbara, Ventura, and San Luis Obispo. Employee shall be responsible for paying for liability, property damage, and comprehensive insurance coverage upon such vehicle with liability limits not less than \$100,000 per occurrence/\$300,000 aggregate, and shall further be responsible for all expenses attendant to the purchase, operation, maintenance, repair, and regular replacement of said vehicle.

6. **PERFORMANCE REVIEW.** A performance review shall occur at the end of this contract term (one-year). The City Council will use the performance review to determine the extent, if any, that Bierdzinski's base salary and/or benefits should be increased. The evaluation shall be in accordance with specific criteria developed by the City Council after consultation with Bierdzinski. Such criteria may be added to or deleted as the City Council may from time to time determine after consultation with Bierdzinski.

7. **RENEWAL OF AGREEMENT.** City is under no obligation to renew this Agreement upon completion of the Agreement's term, and City may decide

to do so solely at its discretion. The City may extend this Agreement at any time prior to the expiration of this Agreement.

8. NOTICE OF TERMINATION. City need not provide Bierdzinski with any prior notice of its decision to terminate this Agreement. Due to the important nature of the City Manager's duties to City, if Bierdzinski terminates this Agreement, Bierdzinski should provide the City Council with at least thirty (30) days written notice prior to the date he ceases to perform his duties and responsibilities under this Agreement.

9. OPTION OF SEVERANCE PAYMENT OR RETIREMENT IN LIEU OF SEVERANCE.

A. If City terminates this Agreement, for any reason other than Employee's misconduct, as defined below, at Employee's sole option, City shall either pay Employee a severance payment of an amount equal to three (3) months of salary, with applicable payroll taxes withheld, or City agrees to accept, in lieu of such severance payment, the voluntary retirement of Bierdzinski as an employee of the City of Buellton.

B. If City terminates this Agreement at any time due to Employee's misconduct, as defined below, City shall not pay Employee any severance payment and need not take any action to accept Employee's retirement. Misconduct means Employee's dishonesty, fraud, self-dealing, or willful misconduct as that term is defined for purposes of unemployment insurance, committed in the performance of Employee's duties and responsibilities under this Agreement, or Employee's violation, at any time, of any law which can be punished as a felony. The determination of whether Employee was terminated due to misconduct is in City's reasonable discretion.

C. In the event that Employee is convicted of a crime involving an abuse of his office or position, as defined in California Government Code section 53243.4, City Manager shall be required to fully reimburse the City in accordance with California Government Code sections 53243, 53243.1, and/or 53243.2.

D. Upon the termination of this Agreement, Employee is not entitled to any other compensation or payment, except for accrued and unused vacation leave and management leave, and as provided in this Paragraph 9.

10. REIMBURSEMENT. City shall reimburse Bierdzinski according to standard City practices for all actual and necessary expenses he incurs in the performance of his official duties as City Manager, including those incurred when traveling on business pertaining to City.

11. BOND. Bierdzinski shall furnish a corporate surety bond in the amount of One Hundred Thousand Dollars (\$100,000.00) from a surety approved

by the City Council for the faithful performance of the duties imposed upon Bierdzinski as City Manager. The premium for such bond shall be a proper charge against the City.

12. NONASSIGNMENT. Bierdzinski's duties and obligations under this Agreement are personal and are not assignable.

13. ARBITRATION. Any and all controversies or claims arising out of or relating to Bierdzinski's employment with City or the termination of Bierdzinski's employment with City shall be settled by binding arbitration in accordance with the Rules of the American Arbitration Association and judgment on the award rendered by the Arbitrator may be entered in any court having jurisdiction thereof.

14. ENTIRE AGREEMENT. This Agreement contains the entire agreement and understanding between the parties and contains all of the terms and conditions of the parties' agreement. This Agreement is the complete and final expression of the parties' agreement and supersedes all prior or contemporaneous oral or written negotiations, discussions, representations, or agreements, if any. Bierdzinski acknowledges that he has not relied on any promises, statements, representations, or warranties except as set forth expressly in this document.

15. AMENDMENT. This Agreement, and any and all terms and conditions contained herein, may only be changed, revoked, amended, or superseded by a written document signed by both Bierdzinski and the Mayor following approval of the City Council.

16. GOVERNING LAW. This Agreement will be governed by and construed in accordance with the laws of the State of California.

17. NO WAIVER. No party's failure to enforce any provision or provisions of this Agreement will be construed in any way as a waiver of any such provision or provisions, or prevent that party thereafter from enforcing each and every other provision of this Agreement.

18. PARTIAL INVALIDITY. The invalidity or unenforceability of any provision or portion of this Agreement will not affect the validity or enforceability of the other provisions or portions of this Agreement.

19. INTERPRETATION. No interpretation or construction of any provision or provisions of this Agreement will be influenced by the identity of the party drafting the Agreement.

20. HEADINGS. Paragraph headings used in this Agreement are for convenience only and shall not be considered part of the terms of the Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement.

(Signatures on following page)

BIERDZINSKI

CITY OF BUELLTON

Marc Bierdzinski

Holly Sierra, Mayor

Attest:

Linda Reid, City Clerk

Approved as to Form:

Stephen A. McEwen, City Attorney

CITY OF BUELLTON
City Council Agenda Staff Report

City Manager Review: MPB
Council Agenda Item No.: 6

To: The Honorable Mayor and Council Members

From: Marc P. Bierdzinski, City Manager

Meeting Date: April 12, 2018

Subject: Receive and File the 2017 Annual Report on the Status of the General Plan

BACKGROUND

Section 65400(a) of the California Government Code requires that an annual report be furnished to the City Council regarding the status of General Plan implementation. Annual reports are due on April 1st of each year and must be submitted to the State Office of Planning and Research (“OPR”) and Department of Housing and Community Development (“HCD”). The 2017 Annual Report on the Status of the Buellton General Plan is attached (Attachment 1).

RECOMMENDATION

That the City Council receive and file the 2017 General Plan Annual Report and direct staff to file the Report with the State Housing and Community Development Department and Office of Planning and Research on such forms as dictated by the State of California.

ATTACHMENTS

Attachment 1 - City of Buellton 2017 General Plan Annual Report

CITY OF BUELLTON
Annual Report on Status of the General Plan and Programs in Support of
Affordable Housing
Reporting Period 1/1/2017 through 12/31/2017

BACKGROUND

By law, every community in California is required to adopt a General Plan as the policy framework by which to guide future growth and development. At a minimum, each such Plan must contain seven mandatory elements (Land Use, Circulation, Housing, Conservation, Open-Space, Noise and Safety). Once adopted, zoning and development regulations that follow must be consistent with the policies of the General Plan.

Section 65400(a) of the California Government Code requires that an annual report be furnished to the City Council regarding the status of General Plan implementation. Annual reports are due on April 1st of each year and must be submitted to the State Office of Planning and Research (“OPR”), the Department of Housing and Community Development (“HCD”), and the Buellton City Council.

For Buellton, the annual report is also used as barometer in evaluating progress in meeting the City’s fair share of regional housing needs.

ANALYSIS

General Plan Overview: The Land Use and Circulation Elements were revised in 2005. The Conservation and Open Space, Economic Development, Noise, Parks and Recreation, Public Facilities and Services elements were revised in 2007. The safety element was revised in 2017. The City updated its Housing Element in February 2015. The updated Housing Element was certified by the State Housing and Community Development Department on May 12, 2015. This report is based on the 2015 Housing Element Update. The complete Buellton 2025 General Plan is available for review on the City’s website, www.cityofbuellton.com. Copies are also available by contacting the Planning Department at 805-688-7474.

Housing Element Overview: The Regional Housing Needs Allocation (“RHNA”) process is part of a statewide mandate to address housing related to future growth in the State. The needs assessment process sets numeric targets with the overriding goal of assuring an equitable geographic distribution of needs and responsibilities. The number assigned to the City of Buellton in July 2013 for 2015-2022 is 275 of which roughly 55% is assigned to target income groups. Table B reflects the current adjusted requirement, taking into account construction that has occurred since the beginning of the current RHNA planning cycle.

The 2015 Housing Element relies upon four basic means by which to address the City’s RHNA goals: Second Dwellings, Multifamily Infill, Mixed Use Development, and the

Affordable Housing Overlay Zone (“AHOZ”). Of these, the establishment of an AHOZ is viewed as the principal means for accommodating the City’s RHNA goals.

Housing Performance Assessment: Ordinance No. 05-05 was adopted by the City Council on October 13, 2005, and established the AHOZ and the sites to which the AHOZ will initially apply. This timeframe is consistent with the year-end deadline (December 2005) established by HCD in their certification of the 2004 Housing Element. The City has been actively marketing the AHOZ sites for affordable housing development through e-mails to affordable housing developers and proponents and via an AHOZ brochure to hand out to interested parties. The 2015 Housing Element has kept the AHOZ program in place and is the basis for the “Adequate Sites” requirement.

As a summary, the AHOZ shall: (i) allow “stand alone” residential projects irrespective of the underlying zone designation with a minimum base density of 25 units/acre; (ii) grant a 2:1 density bonus (two market rate units above the base density for each affordable low and very low income unit) up to a maximum combined density of 50% above the base; (iii) impose an inclusionary requirement, mandating that at least 20% of the base density be affordable to very low, low and moderate income households; (iv) compute the distribution of inclusionary units based on the apportionment of net RHNA goals (a defined and determined below); and (v) institute a bifurcated land use entitlement process that allows for streamlined processing for projects that meet specified criteria.

In August 2006, the City Council approved the first AHOZ project on AHOZ Site V (Juliette Walk). The project consists of 44 condominium units of which four are affordable to very low income persons and three are affordable to low income persons. An \$85,635 housing in-lieu fee was also collected. All units have been constructed and are occupied.

In April 2008, the Zoning Administrator approved a second AHOZ project on AHOZ Site IV. The project consisted of 53 apartment units of which five are affordable to very low income persons, three are affordable to low income persons, and the remainder, since they are apartments, would qualify as moderate income units. Unfortunately, this project was not constructed and the Development Plan expired on April 23, 2014.

In September 2013, the City Council approved a third AHOZ project on AHOZ Site X. The project consists of 62 apartment units of which five are affordable to very low income persons, four are affordable to low income persons, and the remainder, since they are apartments, would qualify as moderate income units. Three units are designated specifically as moderate income units which the applicant must qualify based upon their income. Construction was completed in January 2017, and all units are currently occupied.

The City is in the process of implementing the new and updated programs in the adopted Housing Element.

Annual Programmatic Calibrations: Since Ordinance No. 05-05 (AHOZ) was adopted in October 2005, three AHOZ projects with fourteen very low income units, ten low

income units, and 98 moderate income units have been approved. One of these projects also included a housing in-lieu fee of \$85,635. Construction has been completed on two projects; Juliette Walk and Buellton Apartments (Avenue Heights). In addition, interest has been shown in developing other AHOZ sites. Based on the interest shown for the AHOZ concept, it appears that it is an effective method for providing affordable housing in the City of Buellton.

Ordinance No. 06-10 implementing several 2004/2015 Housing Element Programs has been in effect for several years. However, no projects have been submitted during this reporting period that have taken advantage of these revised standards. The City has a Community Development Block Grant Committee to review applications.

In compliance with State HCD reporting requirements, a general accounting of permits issued and construction completed during the current Housing Element cycle is set forth in Tables A and B. During the third year of reporting under the new 2015 Housing Element, the first three phases of the Vineyard Village Townhomes project have been completed (8 buildings, 51 units), and Phases 4 through 6 are currently under construction (6 buildings, 38 units). A secondary dwelling unit at 431 Odense Street is currently under construction. The details of the projects are as follows:

Construction has continued at the Vineyard Village Townhomes site. There are a total of 11 construction phases for the project, and 155 townhome units. Phases 1 through 3, which consists of 8 buildings and 51 units, have been completed and are occupied. Phases 4 through 6, which consists of 6 buildings and 38 units, are currently under construction.

The 431 Odense Street secondary dwelling unit consists of a one bedroom, 547 square-foot attached secondary dwelling unit of a single family home. Final Certificate of Occupancy has not been given for this project, therefore it is still under construction.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
 (CCR Title 25 §6202)

Jurisdiction City of Buellton
Reporting Period 1/1/2017 - 12/31/2017

Table A

Annual Building Activity Report Summary - New Construction
Very Low-, Low-, and Mixed-Income Multifamily Projects

Housing Development Information							Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions		
1	2	3	4				5	5a	6	7	8
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project	Est. # Infill Units*	Assistance Programs for Each Development	Deed Restricted Units	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.
			Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income			See Instructions	See Instructions	
(9) Total of Moderate and Above Moderate from Table A3 ▶▶					1	38		0			
(10) Total by income Table A/A3 ▶▶					1	38		0			
(11) Total Extremely Low-Income Units*			0								

* Note: These fields are voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
 (CCR Title 25 §6202)

Jurisdiction City of Buellton
Reporting Period 1/1/2017 - 12/31/2017

Table A2
Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)

Please note: Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity	0	0	0	0	
(2) Preservation of Units At-Risk	0	0	0	0	
(3) Acquisition of Units	0	0	0	0	
(5) Total Units by Income	0	0	0	0	

* Note: This field is voluntary

Table A3
Annual building Activity Report Summary for Above Moderate-Income Units (not including those units reported on Table A)

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for Moderate	0	0	0	1	0	1	
No. of Units Permitted for Above Moderate	0	0	38	0	0	38	

* Note: This field is voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
 (CCR Title 25 §6202)

Jurisdiction City of Buellton
Reporting Period 1/1/2017 - 12/31/2017

Table B

Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.		2015	2016	2017	2018	2019	2020	2021	2022		Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8			
Very Low	Deed Restricted	66	5	0	0	0	0	0	0	0	5	61
	Non-deed restricted		0	0	0	0	0	0	0	0	0	
Low	Deed Restricted	44	4	0	0	0	0	0	0	0	4	40
	Non-deed restricted		0	0	0	0	0	0	0	0	0	
Moderate	Deed Restricted	41	3	0	0	0	0	0	0	0	3	-21
	Non-deed restricted		57	1	1	0	0	0	0	0	59	
Above Moderate		124	0	51	38	0	0	0	0	0	89	35
Total RHNA by COG. Enter allocation number:		275	69	52	39	0	0	0	0	0	160	115
Total Units ▶ ▶ ▶												
Remaining Need for RHNA Period ▶ ▶ ▶ ▶ ▶												

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

Table C
HOUSING ELEMENT PROGRAM PERFORMANCE (2017)

PROGRAM SUMMARY		HOUSING ELEMENT PROGRAMS			
Housing Program		Eight-Year Objective	Implementation Time Frame	Status of Implementation	
ADEQUATE HOUSING SITES	1	Affordable Housing Overlay Zone (AHOZ)	Maintain AHOZ Sites	Ongoing	Program being maintained.
	2	Secondary Units and Multifamily Infill	Amended Zoning Ordinance	Ongoing for Secondary Units and 2018/2019 for Zoning Ordinance Amendments	Secondary unit program being maintained.
	3	RHNA Allocation	Amended Zoning Ordinance	2018	Zoning ordinance to be amended in upcoming years.
AFFORDABLE HOUSING SUPPLY	4	Inclusionary Housing and Density Bonus	Affordable Housing Units	Ongoing; 2018/2019 for Review and Updates to Density Bonus Requirements	Programs to be maintained and implemented.
	5	Affordable Housing Overlay Zone	Maintain AHOZ	Ongoing	Program being maintained.
	6	Secondary Dwelling and Infill Inducements	Financial Assistance Programs	Ongoing	Support State and Federal Grants for Secondary Units, and Tax Increments for Multifamily Infill
	7	Targeted Assistance	Capitalization of Housing Trust Funds	2019 for Affordable Housing Ordinance Ongoing for Grant Applications as NOFAs are released Ongoing/Project-Specific Non-Profit Collaboration and Large Lot Development Facilitation	Redevelopment Agency dissolved per State action. Balance of activities ongoing.
	8	Public-Private Partnerships	Affordable Housing Projects	Ongoing	City Continues to Confer with Developers and Non-Profit Housing Sponsors on Affordable Housing Opportunities.

		HOUSING ELEMENT PROGRAMS			
Housing Program		Eight-Year Objective	Implementation Time Frame	Status of Implementation	
HOUSING IMPEDIMENTS	9	Multi-Family Infill	Amended Municipal Code	2016-2018	Program being maintained and will be implemented.
	10	Special Needs Housing	Development of Special Needs Housing Units	2019 for Residential Motel Amnesty Program, Ongoing for other services	Program being maintained and will be implemented.
	11	Persons with Disabilities	Continuation of the Adaptive Retrofit and Universal Design Programs	Ongoing	Continue to maintain and implement this program.
	12	Land Use Modifications – Transitional and Supportive Housing	Amended Municipal Code	2016	Municipal Code has been amended
	13	Property Rehabilitation	Emergency Repairs & Property Rehabilitation	Ongoing for Emergency Mobile Home Repair Program; 2019 for Program Expansion to Rental Properties and Outreach to Rental Properties	City has Appropriated Funds for Continuation of the Emergency Mobile Home Repair Program.
CONSERVATION & REHABILITATION	14	Code Enforcement	Amended Municipal Code and Affordable Housing Ordinance & Residential Motel Amnesty Program	2019	Program to be implemented in upcoming years.
	15	Energy Conservation	Increased Energy Awareness	Ongoing	City has and will continue to pursue energy conservation grants.

		HOUSING ELEMENT PROGRAMS			
Housing Program		Eight-Year Objective	Implementation Time Frame	Status of Implementation	
EQUAL HOUSING OPPORTUNITIES	16	Fair Housing Services	Local Access to Fair Housing Services	2017	City will maintain HOME and CDBG Programs to fund these services.
	17	Information & Referral	Distribution of Information Regarding Equal Access to Housing	2017/8 for Fair Housing Seminar; 2017 for Mailing & Website; Ongoing for Information Dissemination & Interagency Cooperation	Outreach and Referral is Ongoing.
	18	Public Participation and Monitoring	Integrative Policy Development and Performance Review	Ongoing	Noticing and Annual HCD Reports are Ongoing.
PRESERVATION OF AT RISK UNITS	19	Affordable Housing Monitoring	Annually Updated “At Risk” Units List and Notification of Central Gardens I	Ongoing for Annual Year-End Reports	Noticing and Annual HCD Reports are ongoing. .



City of Buellton

PROCLAMATION RECOGNIZING NATIONAL DONATE LIFE MONTH

WHEREAS, organ, tissue, marrow and blood donation are life-giving acts recognized worldwide as expressions of compassion to those in need; and more than 114,000 individuals nationwide and more than 21,000 in California are currently on the national organ transplant waiting list, and on average, 20 people die each day while waiting due to the shortage of donated organs;

WHEREAS, more than 600,000 units of blood per year are needed to meet the need in California; and at any given time, 6,000 patients are in need of volunteer marrow donors;

WHEREAS, a single individual's donation of the heart, lungs, liver, kidneys, pancreas and small intestine can save up to eight lives; donation of tissue can save and heal the lives of more than 75 others; and a single blood donation can help three people in need;

WHEREAS, millions of lives each year are saved and healed by donors of organs, tissues, marrow, and blood and the spirit of giving and decision to donate are not restricted by age or medical condition;

WHEREAS, over fourteen million Californians have signed up with the state-authorized Donate Life California Donor Registry to ensure their wishes to be organ, eye, and tissue donors are honored; and

WHEREAS, California residents can sign up with the Donate Life California Donor Registry when applying for or renewing their driver's licenses or ID cards at the California Department of Motor Vehicles.

NOW, THEREFORE, I, Holly Sierra, Mayor of the City of Buellton, hereby recognize and proclaim April 2018 as National Donate Life Month in the City of Buellton and in doing so, encourage all Californians to check "YES!" when applying for or renewing their driver's license or I.D. card, or by signing up at www.donatelifecalifornia.org or www.donevidacalifornia.org.

PRESENTED this 12th day of April 2018



Holly Sierra

Mayor

CITY OF BUELLTON
City Council Agenda Staff Report

City Manager Review: MPB
Council Agenda Item No.: 8

To: The Honorable Mayor and City Council

From: Marc Bierdzinski, City Manager

Meeting Date: April 12, 2018

Subject: Discussion of Future Public Art Locations in the City of Buellton

BACKGROUND

The Economic Development Task Force discussed the concept of rotating public art in various locations within the City. Specifically, the “Runaway” art noted in Attachment 1 that has been moving from place to place in the County. Currently it is at Lake Cachuma.

Mayor Sierra asked that this item be brought before the City Council for discussion.

RECOMMENDATION

That the City Council discuss the cost and location for public art within the City of Buellton and provide direction to staff.

ATTACHMENTS

Attachment 1 – “Runaway” Art Brochure

The Museum of Contemporary Art Santa Barbara

takepart | makeart: arte para todos 2017



takepart | makeart: RUNAWAY

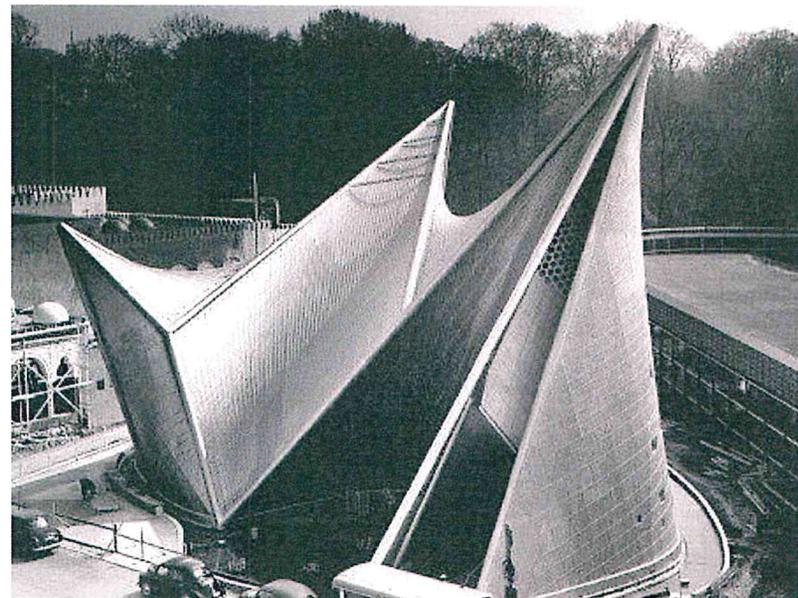
PAVILION OVERVIEW



The James Irvine
Foundation



HISTORY AND INSPIRATION



MIES VAN DER ROHE BARCELONA PAVILION 1929; LE CORBUSIER PHILIPS PAVILION, WORLD FAIR, BRUSSELS, 1959.

MCASB's *takepart | makeart* public art initiative was inspired by a long history of pavilions as temporary artistic sites for architects, and designers to explore new forms and materials.

PUBLIC ART INSTALLATIONS



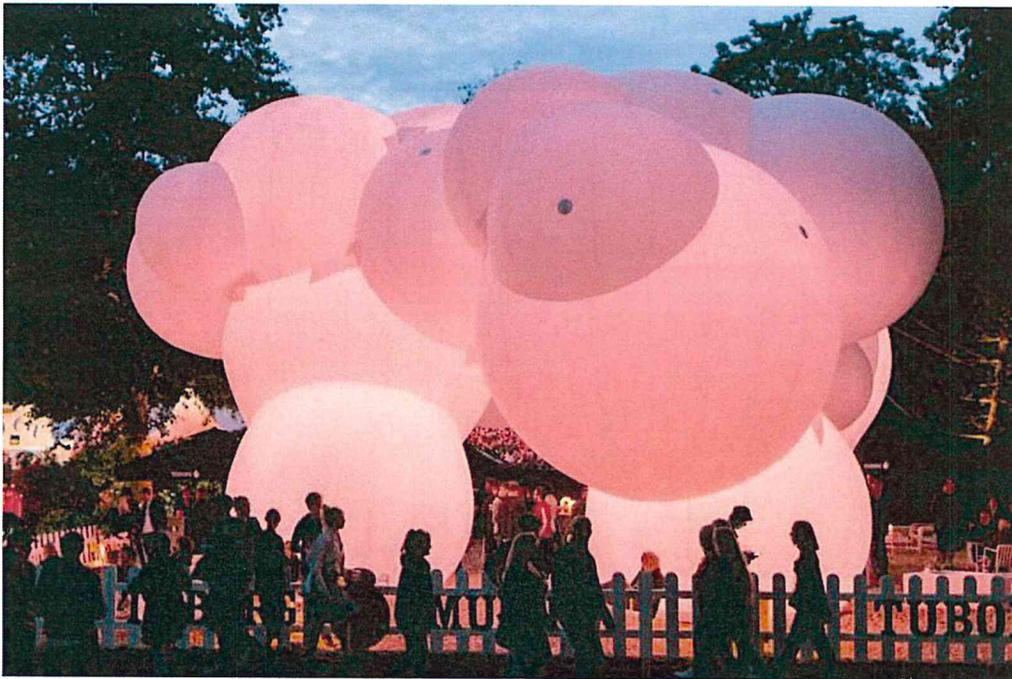
SERPENTINE GALLERIES PAVILION 2013.
ARCHITECT: SOU FUJIMOTO. LONDON, UK.



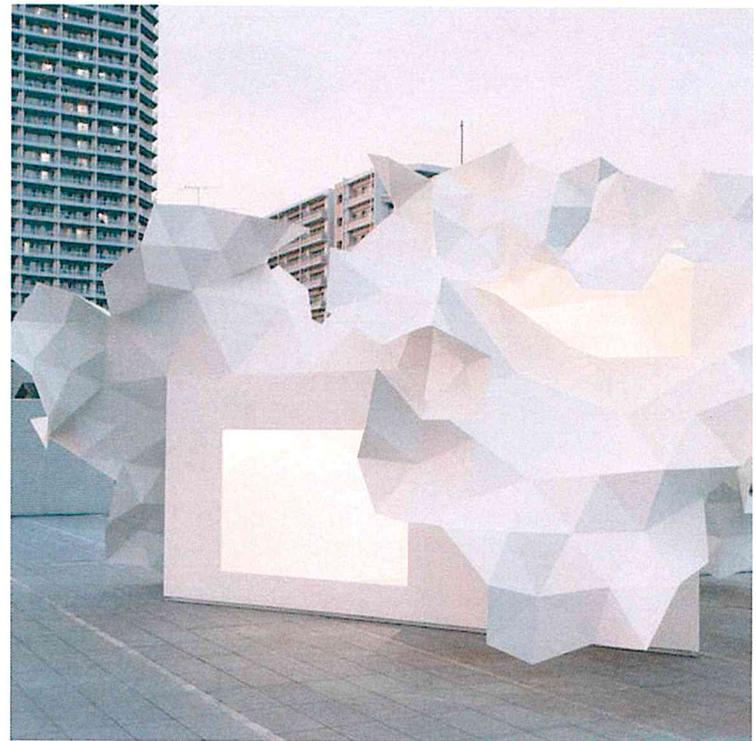
SERPENTINE GALLERIES PAVILION 2015.
ARCHITECT: SELGASCANO. LONDON, UK.

Contemporary pavilions also create opportunities for communities to engage with their everyday environments and routines in unexpected ways. With the commission of MCASB's 2017 *takepart | makeart* pavilion, Santa Barbara enters into a global dialogue of similar initiatives in cities and public parks around the world, from London, to Tokyo, New York, Denmark, Chicago, and Los Angeles, among others.

PUBLIC ART INSTALLATIONS



ROSKILDE FESTIVAL 2016 PAVILION, COPENHAGEN, DENMARK.
ARCHITECT: BJARK INGELS.



BLOOMBERG PAVILION, TOKYO MUSEUM OF
CONTEMPORARY ART. ARCHITECT: AKIHISA HIRATA.

MCASB 2017 DESIGN WINNER: SPORTS



SPORTS, THE DESIGN COLLABORATIVE OF GREG CORSO AND MOLLY HUNKER.

In 2016, MCASB hosted a design competition for a traveling, temporary installation that would be a central hub for *takepart | makeart*. Out of local, national, and international entries, MCASB chose to commission a proposal from design firm SPORTS, based in Syracuse, NY.

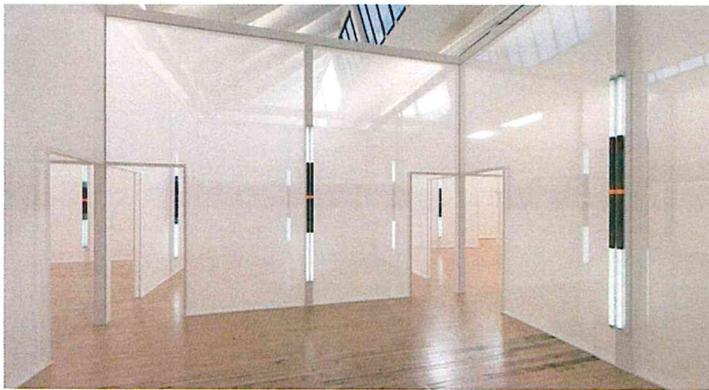
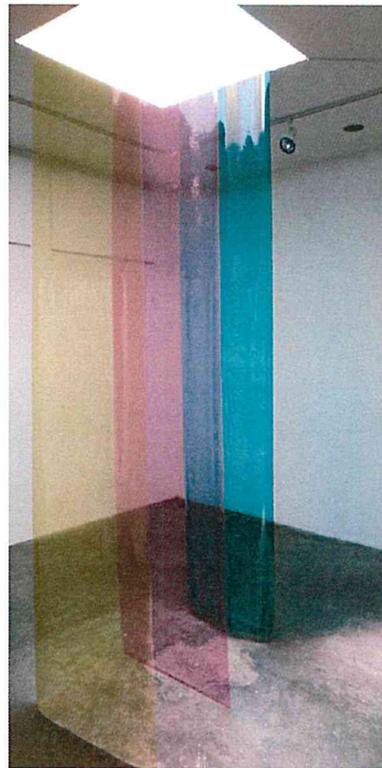
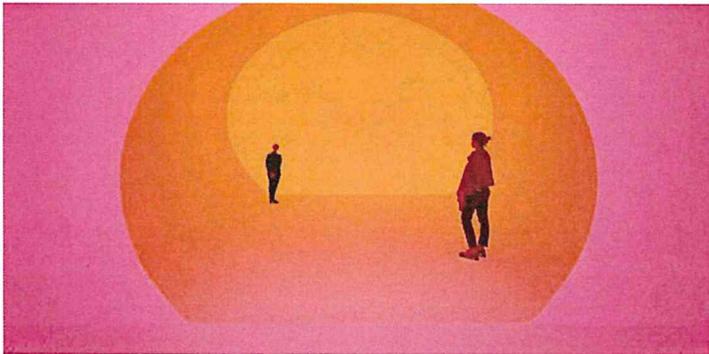
SPORTS: OVERVIEW



THE SOFT BULLETIN (LEFT); *LITTLE JOY* (RIGHT); BOTH DESIGNED BY SPORTS.

Know for their whimsical and playful designs, SPORTS is interested in creating opportunities for audiences to engage with the extraordinary or unexpected as part of everyday experiences.

SPORTS: INFLUENCED BY CALIFORNIA'S LIGHT AND SPACE MOVEMENT



SPORTS' practice is heavily influenced by California's Light and Space movement, specifically West Coast Minimalism of the 1960s -1970s, which explored how geometric shapes and use of light affected viewers' perceptions and interactions with the environment.

SPORTS: INSPIRED BY SANTA BARBARA'S LIGHT AND SKY



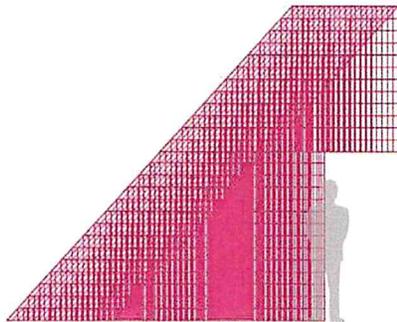
For this proposal, SPORTS was inspired by Santa Barbara's light and space, particularly the vast range of atmospheric qualities noted by residents and tourists alike: from June gloom, the marine layer, and wildfire smoke, to radiant sunshine, blue skies, and golden cotton-candy sunsets.

PUBLIC ART INSTALLATION: *RUNAWAY*

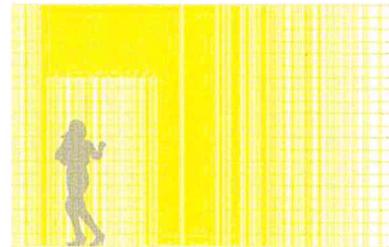


Chosen for its vibrant modularity, playful character, and nod to Santa Barbara's atmospheric elements, *Runaway* features bold contemporary design that encourages viewers to interact in new ways with everyday surroundings. *Runaway* is shown here on Stearn's Wharf.

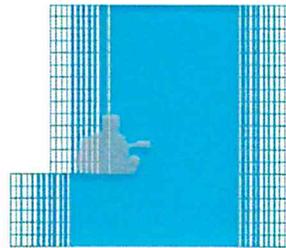
PUBLIC ART INSTALLATION



Orientation 1
Matrix as Pitched Shade Structure

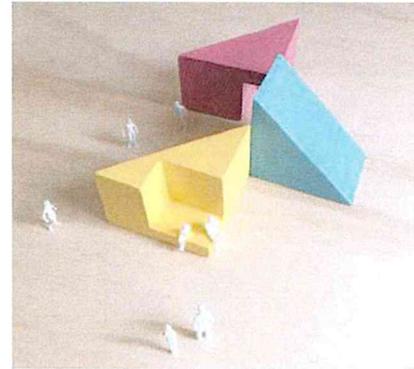


Orientation 2
Matrix as Walled Shade Structure

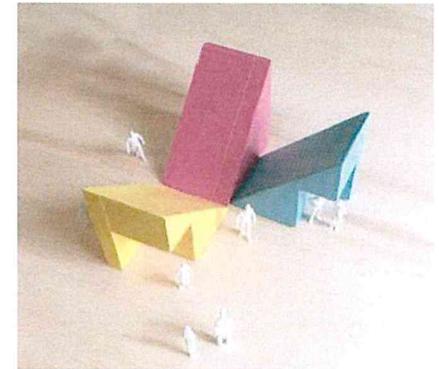


Orientation 3
Matrix as Performance Stage

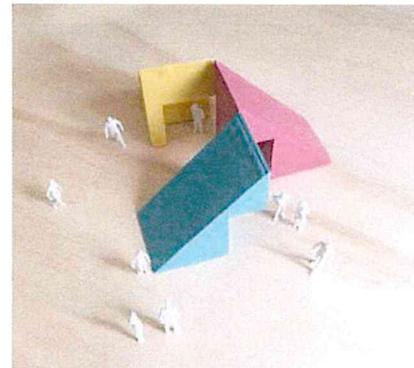
Runaway is made of three pieces of bright, playful, modular “urban décor” that can be reconfigured and installed in various ways to provide seating, dappled shade, a stage space, or a temporary gallery space.



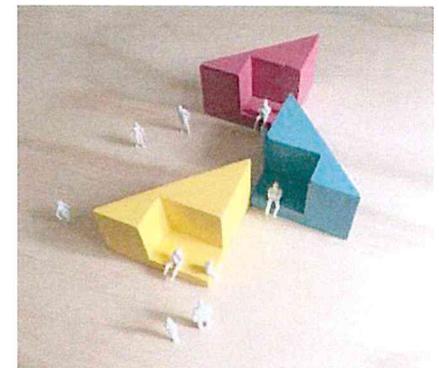
Possible Arrangement A1
Privileges Seize



Possible Arrangement C1
Privileges Shade, Facing Outward



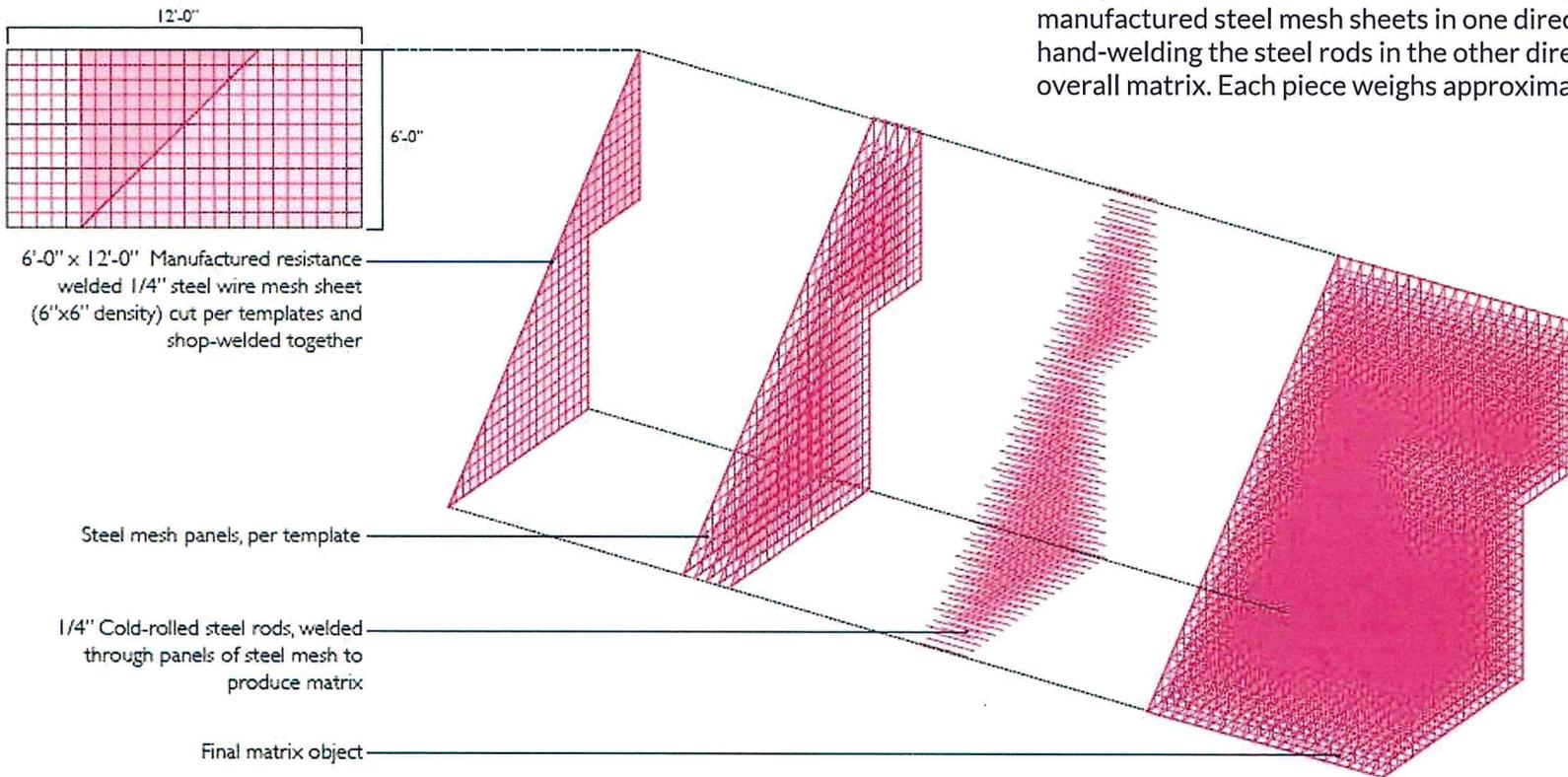
Possible Arrangement C2
Privileges Shade, Facing Inward



Possible Arrangement B1
Privileges Shade + Stage

PUBLIC ART INSTALLATION

Each piece is constructed with 1/4" steel rods, using manufactured steel mesh sheets in one direction and then hand-welding the steel rods in the other direction to create the overall matrix. Each piece weighs approximately 1500 lbs.



SPECIFICATIONS FOR PUBLIC ART INSTALLATION

Material: ¼" Cold-rolled steel rods, welded into 3D matrix and painted with specialty paint. This paint can easily be "touched up" over the length of its lifetime.

Dimensions: Depending on orientation, the height range of each piece is 8'-6" to 13'-0". Each piece weighs approximately 1500 lbs.

Range of possible footprints: The square footage range of the installation is 300-500sf. Depending on composition of pieces, there may be space between the pieces, putting the "zone" of the pavilion beyond 500sf.

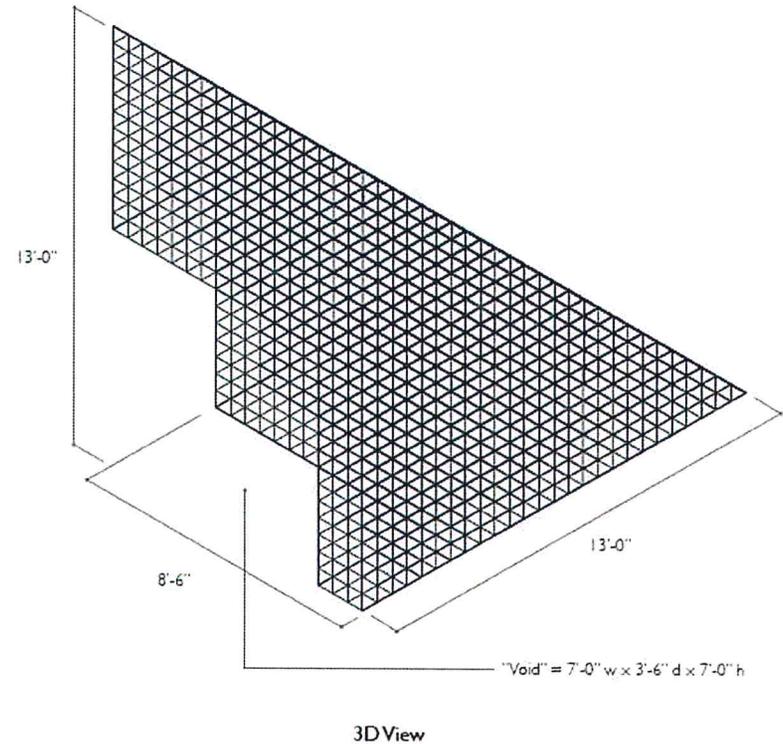
Lighting: We propose to have four recessed LED solar lamps for each pavilion piece to provide lighting at night, in accordance with City and Design guidelines. This lighting can be reduced or switched off when needed. Examples can be found [here](#).

Structural Engineering: Nous Engineering in Los Angeles has completed structural analysis, approved by City's Building & Safety Dept.

Water: No water will be used on City property for this installation or during its duration.

Wheelchair, ADA Accessibility, Safety, and Trip Hazards:

To ensure ADA accessibility, a 5-foot wide pathway will be maintained around each piece, between pieces, and away from the edges of La Placita for pedestrian traffic. There are no objects outside of the object footprints themselves that would be trip hazards. The installation can not be used as shelter or closed off in any way.

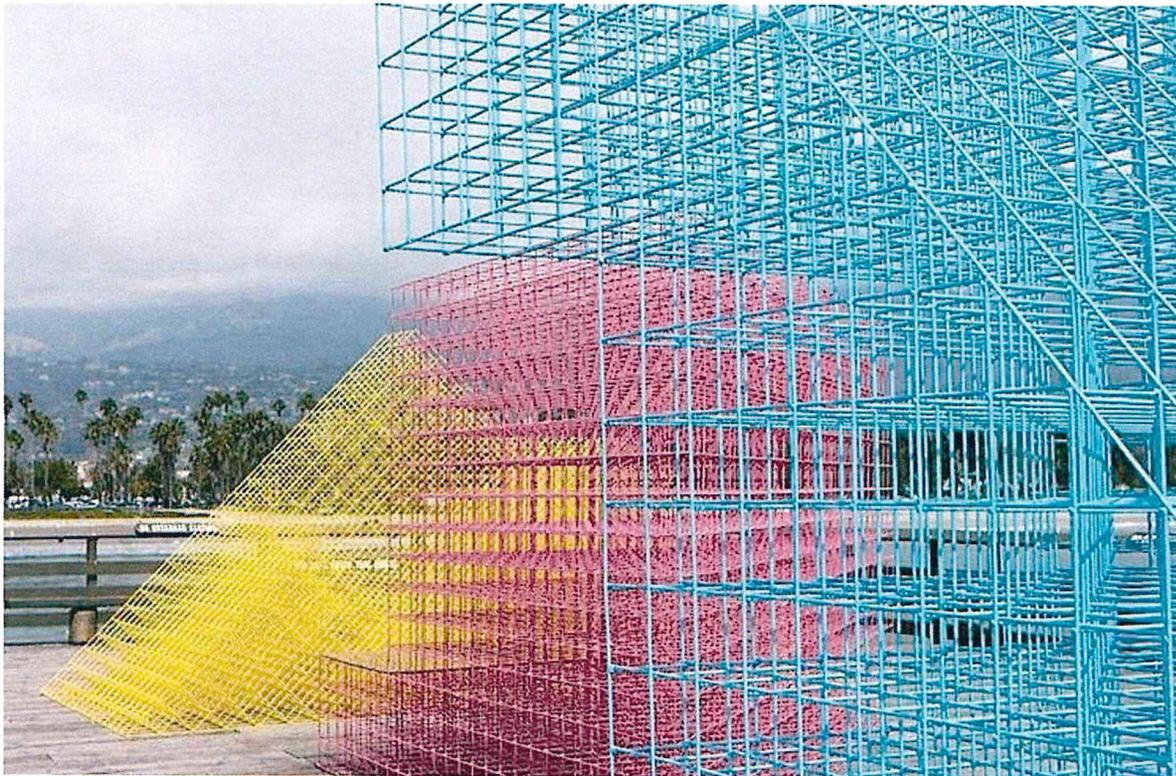


NOTES:

Number: Project will include *THREE* of identical steel matrix.

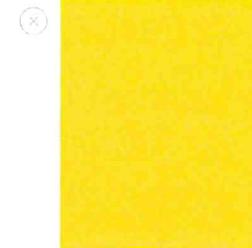
Material: 1/4" cold rolled steel rods and/or wire mesh sheets @ 6" x 6" increment.

PUBLIC ART INSTALLATION: *RUNAWAY*

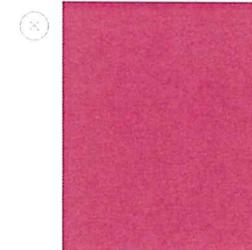


These images show a close up of materials at full density and the paint chip colors.

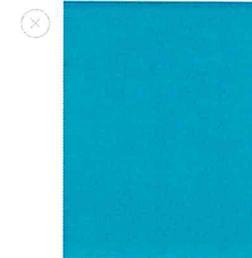
MONTANA BLACK 400ML
**BLK TR 1000
TRUE YELLOW**
PIGMENTS: N.A.
LIGHTFASTNESS: N.A.
COVERAGE: OPAQUE
CMYK: C7 M0 Y90 K0
RGB: R249 G233 B0
HEX: #FFED00
ARTIKEL-NR.: 254399
EAN: 4048500264399



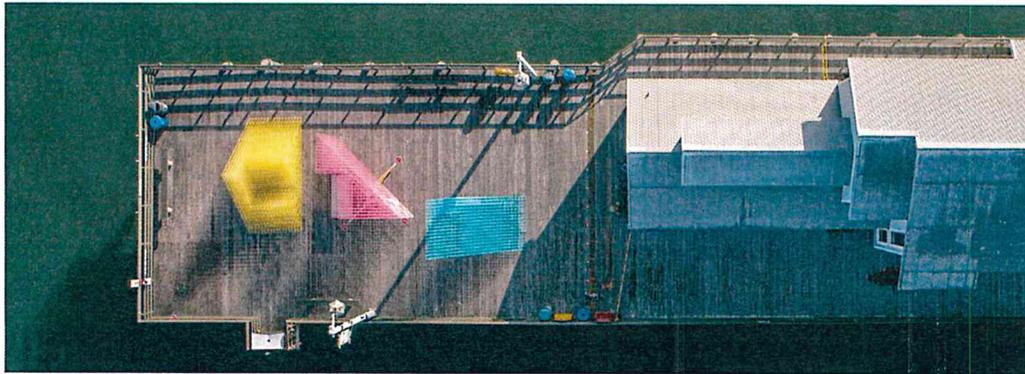
MONTANA BLACK 400ML
**BLK TR 4000
TRUE MAGENTA**
PIGMENTS: N.A.
LIGHTFASTNESS: N.A.
COVERAGE: OPAQUE
CMYK: C1 M97 Y15 K0
RGB: R229 G17 B117
HEX: #E51175
ARTIKEL-NR.: 264382
EAN: 4048500264382



MONTANA BLACK 400ML
**BLK TR 5000
TRUE CYAN**
PIGMENTS: N.A.
LIGHTFASTNESS: N.A.
COVERAGE: OPAQUE
CMYK: C72 M0 Y18 K0
RGB: R0 G184 B210
HEX: #00BFD2
ARTIKEL-NR.: 254375
EAN: 4048500264375



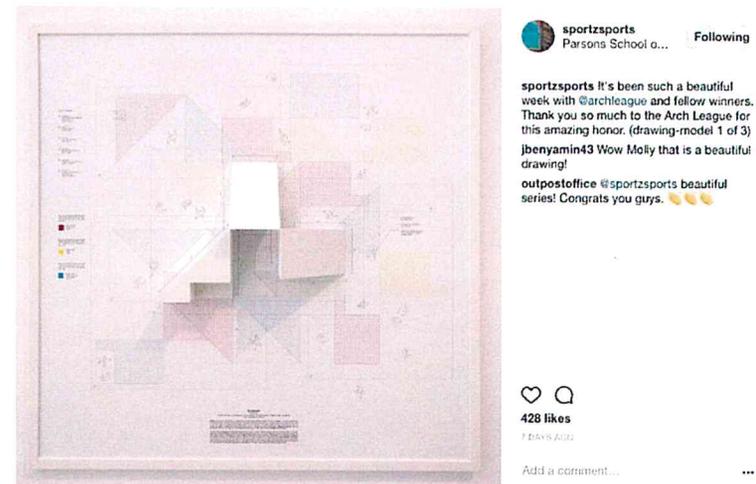
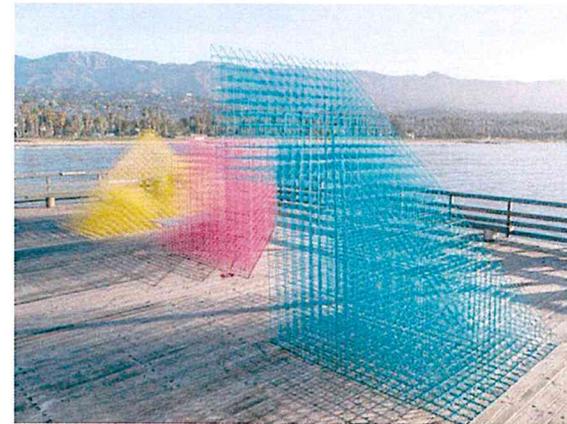
RECOGNITION FOR *RUNAWAY*



In May, *Runaway* was featured on DesignBoom's instagram. The post accumulated almost 15,000 likes.

Runaway was recognized as influential in the decision to award SPORTS the [2017 Architectural League Prize for Young Architects + Designers](#).

The League honored the artists for their playful approach to architecture as well as their ability “to destabilize and reimagine its “latent assets” of space, material, and site.”



PROPOSED SITES & DATES

Site 1

The Pier at Stearn's Wharf
Santa Barbara Waterfront
March 23 - April 7, 2017

Site 2

Estero Park
Isla Vista
April 19 - May 31, 2017

Site 3

Elings Park
Santa Barbara Mesa/Westside
May 5 - July 5, 2017

Site 4

Harding Elementary School
Santa Barbara Westside
July 5 - August 14, 2017

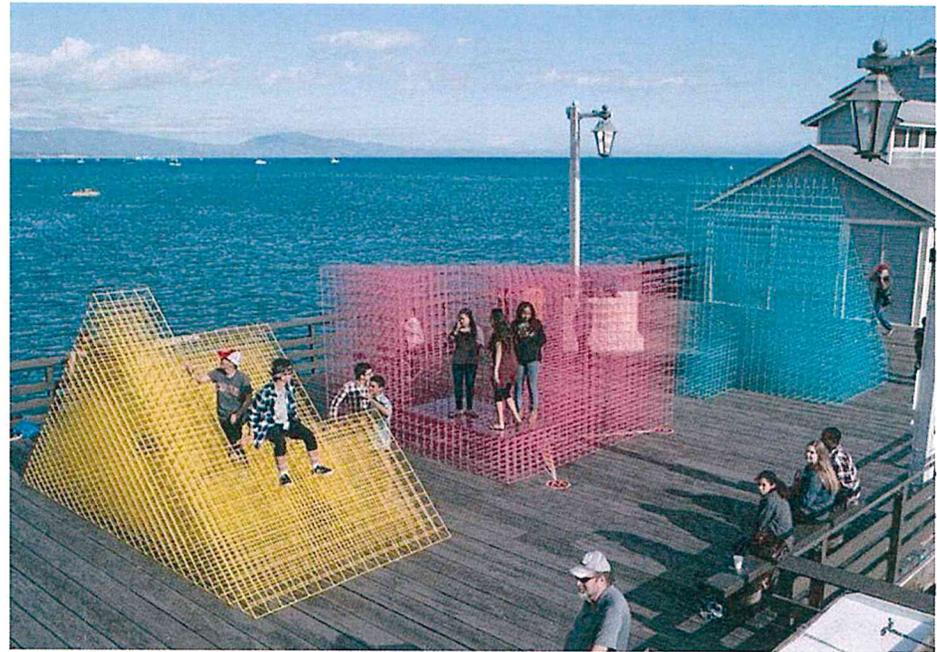
Site 5

Storke Placita
State Street
September 2 - 30, 2017

* All sites and dates based on conversations with and permission from property owners, the City of Santa Barbara, IVRPD, and other governing bodies.

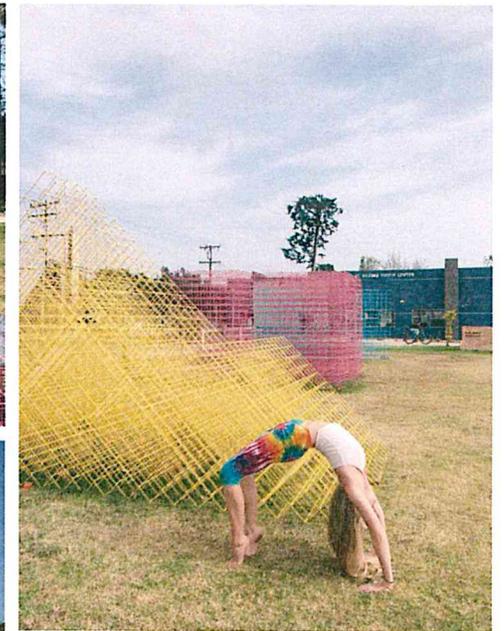
**Each site was chosen for its ADA and restroom accessibility, ease of installation logistics, and proximity to a community partner organization.

SITE 1: PIER



The Pier at Stearn's Wharf
March 23 - April 7, 2017

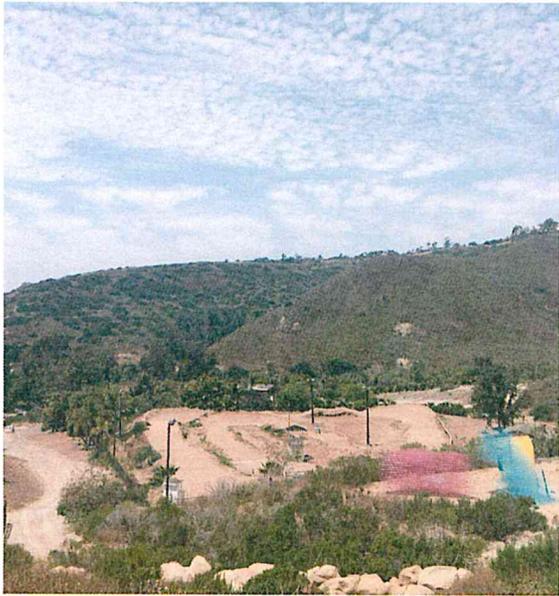
SITE 2: ESTERO PARK



Estero Park
April 19 - May 31, 2017

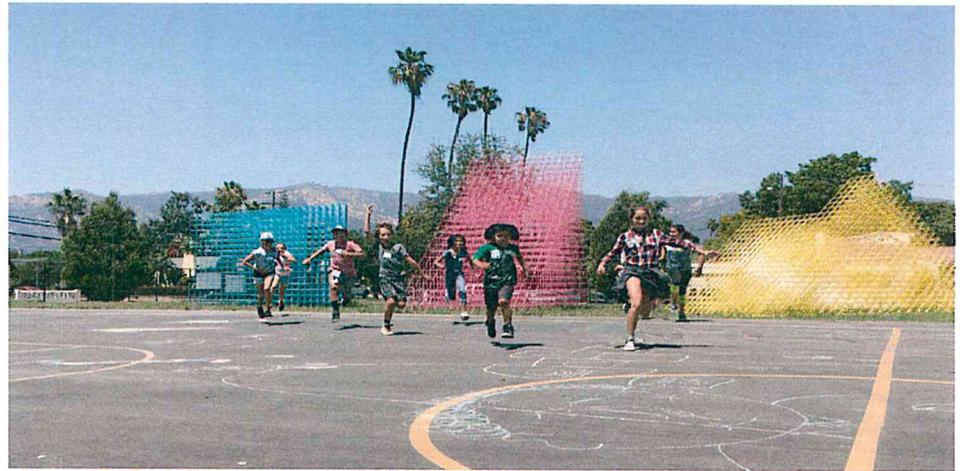


SITE 3: ELINGS PARK



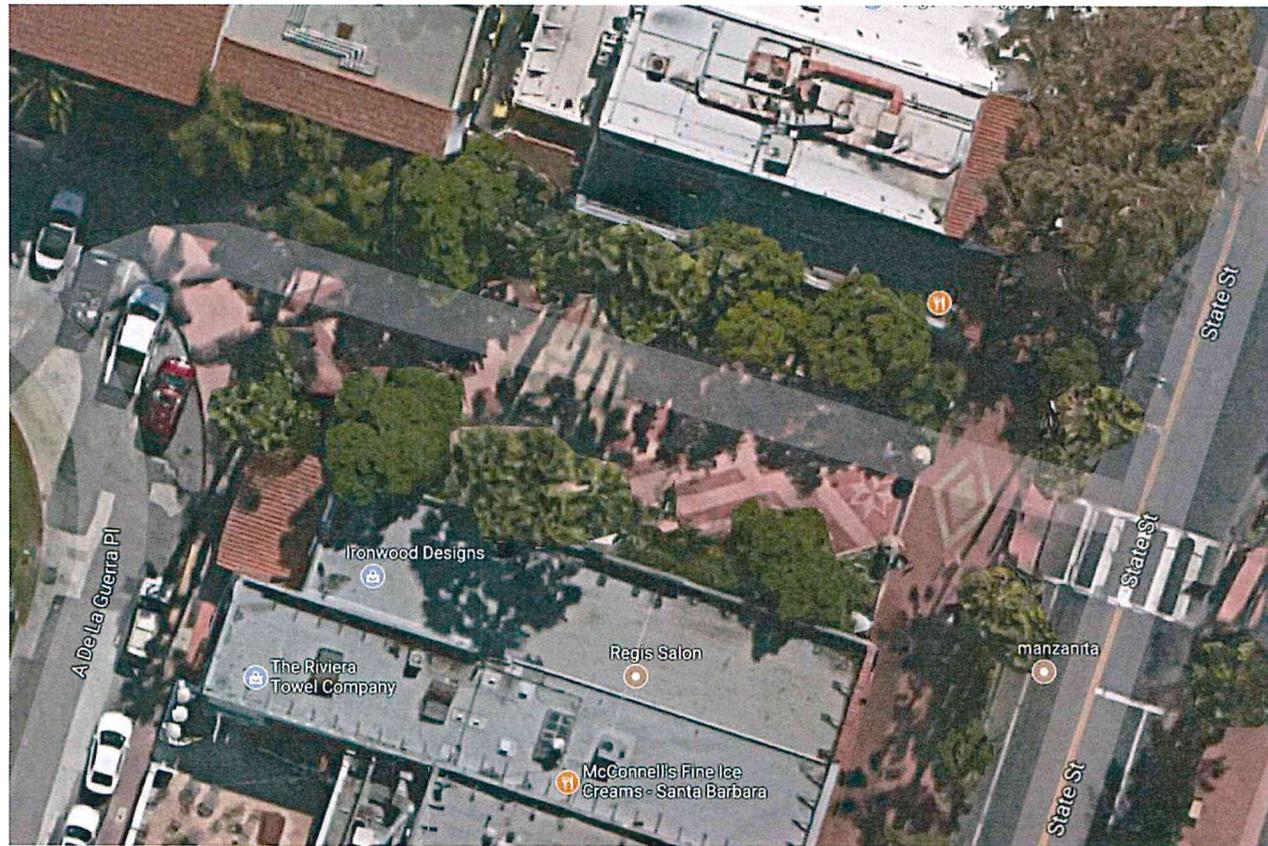
Elings Park
May 31 - July 5, 2017

SITE 4: HARDING ELEMENTARY SCHOOL



Harding Elementary School Athletic Field
July 5 - August 14, 2017

SITE 5: STORKE PLACITA

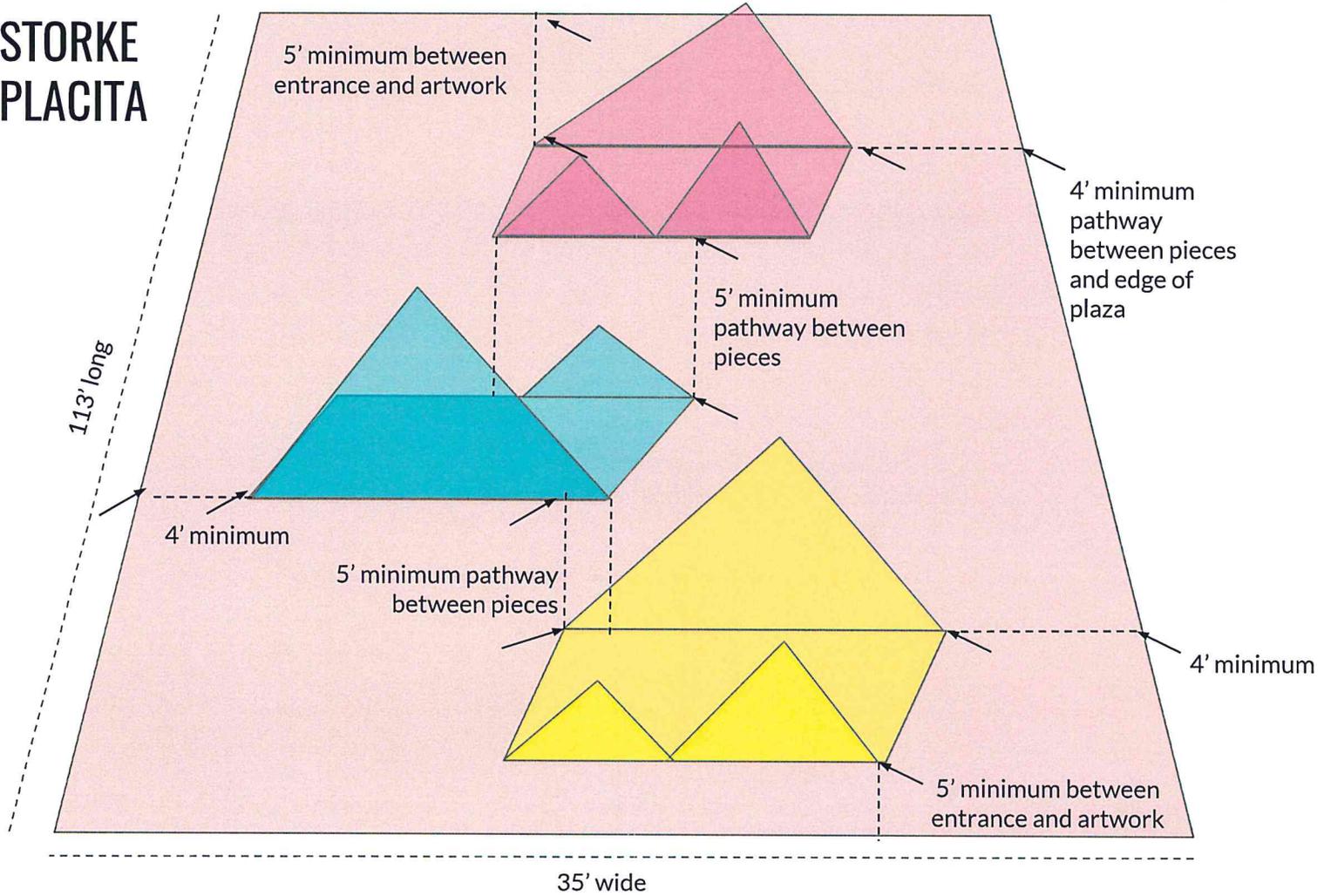


Storke Placita, State Street
September 2 - 30, 2017

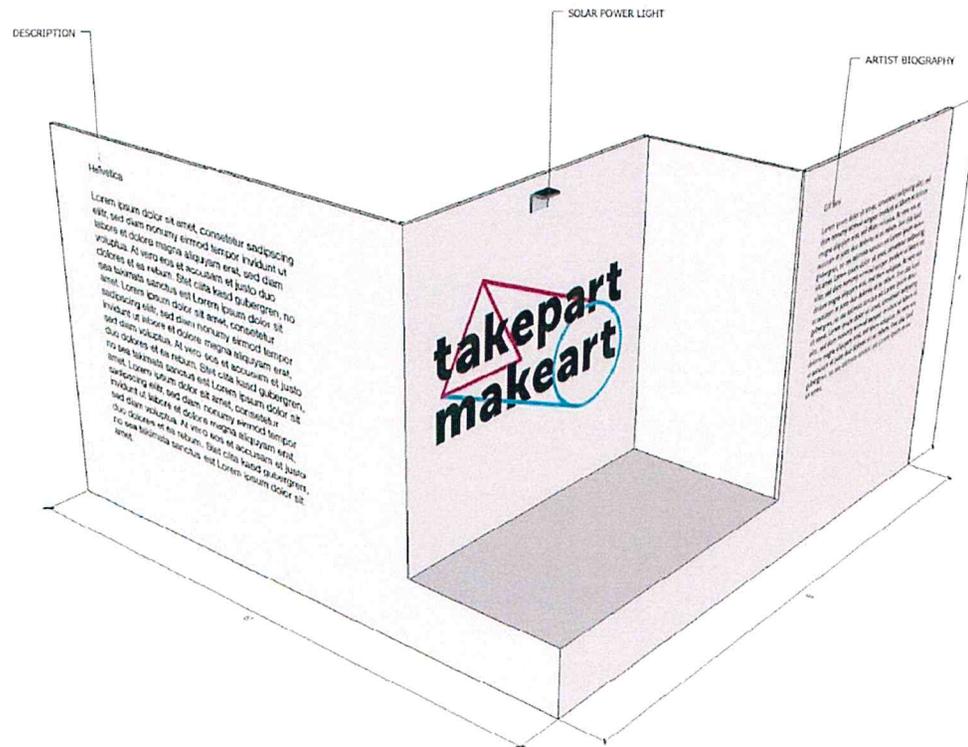
SITE 5: STORKE PLACITA



SITE 5: STORKE PLACITA



SIGNAGE



Concept: Signage will be installed at each site to provide a hub of information and interpretation about ongoing project activities. Text will be bilingual in Spanish and English.

Material: Signage will be constructed out of vinyl text applied to laminated plywood, along with a small solar lamp. This allows for easy touch ups to text, as well as refabrication if any damage occurs.

Dimensions: The signage is 6" x 5" x 3".

SIGNAGE: CONCEPT



Design: Signage was designed by MCASB Preparator, Arturo Herrera. Its form echoes that of the pavilion volumes.

PUBLIC ART PAVILION



We look forward to the ways in which *Runaway* can provide temporary opportunities for Santa Barbara's residents to engage with contemporary design - and their surroundings - in new ways.

THANK YOU



The James Irvine
Foundation



CONTACT INFORMATION

Audrey Lopez

Curator of Community Engagement
Museum of Contemporary Art Santa Barbara
alopez@mcasantabarbara.org
805.966.5373 x108

Miki Garcia

Executive Director and Chief Curator
Museum of Contemporary Art Santa Barbara
mgarcia@mcasantabarbara.org
805.966.5373

CITY OF BUELLTON
City Council Agenda Staff Report

City Manager Review: MPB
Council Agenda Item No.: 9

To: The Honorable Mayor and City Council

From: Rose Hess, Director of Public Works

Meeting Date: April 12, 2018

Subject: Review of Engineering Charges in the City of Buellton Pursuant to Resolution No. 94-10

BACKGROUND

Resolution No. 94-10 (Attachment 1) sets for the amounts for engineering charges in the city in relation to plan check and inspection services. This was established for providing services to applicants desiring permits within the City of Buellton. Exhibit “A” of this resolution provides the plan check and inspection services as deposit based – to be calculated at \$50 + 5% of the estimated construction costs (each for plan check and for inspection). Since this is deposit based, the actual costs are based on time and materials on the actual effort required performing those services. The cost is entirely born by the developer/applicant.

The current hourly rates are shown in Attachment 2, the hourly rate sheets approved in the Engineering Contracts by City Council in 2016.

To determine a project’s initial base deposit, the City reviews the construction cost estimate from the applicant’s engineers (typically a standard format is provided so there is consistency amongst the submitted cost estimates). The initial deposit for plan check is 5% of the approved cost estimate and similarly for permit/inspection is 5% of the approved cost estimate, for a total of 10%.

Historically, the City Engineer had the discretion to accept a reduced deposit amount if the project was a small scale. However, due to non-payment of costs incurred, the full deposit amount has been recently used.

In two recent developments, costs were calculated using the template form, but the total typically used for bonding amounts (which includes additional administration surcharges) was erroneously used in the initial deposit calculation (see Attachment 3). This created a larger than normal, and unnecessary, deposit amount.

To clarify this process for everyone in the future, the template has been modified as shown in Attachment 4. This specifies the correct total to be used in calculating the initial deposit. This is the methodology used in the past without issues.

Staff will also be using a smaller deposit amount (2.5% for plan check and 2.5% for inspection) for small projects such as single family homes and additions. A reduced amount should assist small property owners on the front end. The cost for services provided is still consistent and charged on a time and materials basis, but the initial deposit charge will be less of an impact for a small property owner. Full initial deposits would be required for all other typical projects.

FISCAL IMPACT

These City Engineering services are funded directly by the project applicant/developer through deposit accounts.

RECOMMENDATION

Staff recommends that Council discuss the development deposit and confirm the reduction of reduced initial deposit amounts for single family homes/additions for property owners.

ATTACHMENTS

- Attachment 1 – Resolution No. 94-10
- Attachment 2 – Hourly Fee Schedule for Engineering Services
- Attachment 3 – Old Template for Cost Estimate
- Attachment 4 – Revised Template for Cost Estimate

RESOLUTION NO. 94-10

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUELLTON
SETTING FORTH THE AMOUNTS FOR CERTAIN ENGINEERING CHARGES
IN THE CITY OF BUELLTON**

**I. THE CITY COUNCIL OF THE CITY OF BUELLTON DOES HEREBY
FIND AND DETERMINE AS FOLLOWS:**

A. Title 11 of the Buellton Municipal Code establishes and provides for the setting of certain fee amounts by resolution of the City Council that pertain to construction in City rights-of-way; and,

B. In the interest of general public welfare, health and safety, the city is required to regulate construction within City rights-of-way,

C. The purpose of these fees is to protect the public health, safety and general welfare by providing engineering plan check and inspection for the citizens of the City of Buellton and to financially provide for the cost of providing such service.

D. The fees collected pursuant to this resolution shall be used only to pay for the cost of providing these services to the applicants that desire permits within the City of Buellton.

E. There is a reasonable relationship between the types of service for which fees are imposed and the purpose for which such fees are imposed and the purpose for which such fees will be used.

F. There is a reasonable relationship between the amount of the fee and cost of services necessary to regulate construction within the rights-of-way in the City of Buellton.

G. A public hearing has been held by the City Council, at a regular meeting of same held on May 12, 1994, regarding the fees to be established by this Resolution as required by Government Code Section 66018, notice of that hearing was published as required by Governments Code Section 6062a and publication has been certified; and

H. The City Planning Director has determined that this Resolution is exempt from the California Environmental Quality Act pursuant to Section 21080 et seq. of the California Public Resources Code and Title 14, Section 15273 of the California Code of Regulations;

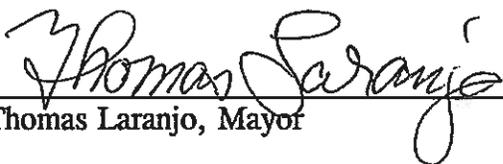
**II. NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF
BUELLTON DOES HEREBY AND RESOLVE AS FOLLOWS:**

A. The amounts of certain engineering charges shall be set as forth in Exhibit "A" which is attached hereto and incorporated herein by this reference.

B. This Resolution shall become effective on the effective date of Ordinance No. 94-06.

C. The Mayor shall execute this Resolution on behalf of the City and the City Clerk shall attest to his signature and certify the adoption of this Resolution.

APPROVED AND ADOPTED this 12th day of May, 1994.


Thomas Laranjo, Mayor

ATTEST:


Berkley Brannon, City Clerk

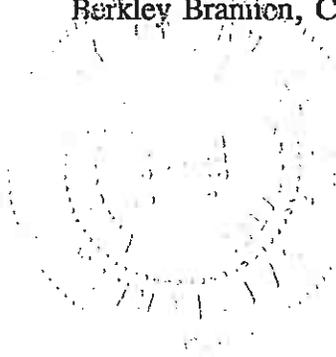


EXHIBIT "A"
CITY OF BUELLTON
ENGINEERING PERMIT CHARGES

CODE SECTION(S)	DESCRIPTION	FLAT FEE	DEPOSIT
11.05.160	Plan Checking* Inspection*	— —	\$50.00 +5% Estimated Construction Costs \$50.00 +5% Estimated Construction Costs
11.05.190	Restoration Costs	—	At Cost
11.05.570	Appeal Fee	\$100.00	—
11.10.010 (c)	Temporary Building Materials Encroachment	—	Cash bond for restoration
11.10.030	Architectural Encroachment	—	Must be approved by Planning Commission through Development Plan review process
11.15.020	Wide/Heavy Load Permit	\$100.00	—

*These apply to street construction, excavation, and grading permits.



**EXHIBIT A
2016 - City of Buellton
HOURLY CHARGE RATE AND EXPENSE REIMBURSEMENT SCHEDULE**

<p>Project Management</p> <p>Project Manager \$165.00</p> <p>QA/QC Manager \$175.00</p> <p>Principal in Charge \$220.00</p> <p>Engineers</p> <p>Engineering Technician \$85.00</p> <p>Engineer 1 \$100.00</p> <p>Engineer 2 \$115.00</p> <p>Engineer 3 \$125.00</p> <p>Project Engineer 1 \$130.00</p> <p>Project Engineer 2 \$140.00</p> <p>Project Engineer 3 \$160.00</p> <p>Sr Engineer \$215.00</p> <p>Scientists / SWPPP Inspectors</p> <p>Scientist 1 \$80.00</p> <p>Scientist 2 \$100.00</p> <p>Scientist 3 \$133.00</p> <p>Sr Scientist \$160.00</p>	<p>Construction</p> <p>Construction Technician \$95.00</p> <p>Assistant Construction Manager \$135.00</p> <p>Senior Construction Manager \$170.00</p> <p>Construction Inspector \$125.00</p> <p>Senior Construction Inspector \$145.00</p> <p>General & Administrative</p> <p>Project Assistant \$85.00</p> <p>Graphic Artist \$130.00</p> <p>Technical Writer \$100.00</p> <p>Surveyors</p> <p>Survey Tech \$95.00</p> <p>Survey Associate \$120.00</p> <p>Party Chief \$120.00</p> <p>Licensed Land Surveyor \$140.00</p> <p>Sr. Licensed Land Surveyor \$160.00</p> <p>Two Man Survey Crew \$210.00</p> <p>Designers & Technicians</p> <p>CAD Designer \$95.00</p> <p>Sr CAD Designer \$120.00</p> <p>GIS Analyst \$105.00</p>
--	---

Engineering Review / Permit / Inspection Fees:

Encroachment Permits	\$1,000.00
Blanket Permits	\$250.00
Storage/Trash Bins	\$250.00
Driveway Improvements - Residential Widening	\$500.00
Driveway Improvements - Residential New Driveway	\$1,000.00
Driveway Improvements - Commercial	\$250.00
Sidewalk/Drainage (simple scope)	10% of construction cost
Sidewalk/Drainage (large area, complex scope)	10% of construction cost, \$200 min.
Underground Utilities (private sewer repairs, etc)	T&M
Major Underground Utilities	10% of construction cost, \$500 min.
Walls	No Fee
Newspaper Racks/Mailboxes	\$100.00

Development Review: Fees for review and inspection will be based on "Time and Materials" and will depend on the size of the development.

All other direct costs, such as production, special photography, postage, delivery services, overnight mail, printing and any other services performed by subcontractor will be billed at cost plus 15%.



Section G. Cost Proposal

STANDARD SCHEDULE OF FEES

PROJECT MANAGEMENT

Principal-in-Charge	(230)	\$250
Principal Project Manager	(220)	230
Project Manager	(185)	200
Project Coordinator		120



This fee schedule is proprietary to the City of Buellton only and shall not apply to any other jurisdiction. The prices shown in () are the job titles currently in use for the City on a regular basis with their associated discounted fees. These reductions are shown next to the standard fee schedule rate and are made part of this proposal. In the case where no () is shown, it is either because that service is not utilized or prevailing wage is in effect.

ENGINEERING

Principal Engineer	(200)	\$220
Principal Structural Engineer	(200)	220
Lead Engineer	(190)	200
Supervising Engineer	(175)	185
Senior Structural Engineer		185
Senior Project Engineer	(160)	170
Structural Engineer		170
Project Engineer	(135)	150
Associate Engineer	(125)	135
Assistant Engineer		115
Engineering Intern		95

SURVEYING

Principal Surveyor	(190)	\$200
Supervising Surveyor	(175)	185
Senior Project Surveyor		170
Project Surveyor		150
Senior Land Title Analyst		130
Assistant Project Surveyor		125
Party Chief		140
Chainperson		120
One-Person Survey Crew		180

CONSTRUCTION MANAGEMENT

Principal Construction Manager		\$200
Senior Construction Manager		185
Resident Engineer		170
Structure Representative		160
Construction Manager		150
Assistant Resident Engineer		145
Construction Inspector (PW)		138
Office Engineer		105

TECHNICAL SUPPORT

CADD Manager	(120)	\$140
Senior GIS Analyst		140
GIS Analyst		120
Supervising CADD/Engineering/GIS Technician		120
Senior CADD/Engineering/GIS Technician		110
CADD/Engineering/GIS Technician		100

ADMINISTRATIVE SUPPORT

Administrative Analyst		\$110
IT Technician		105
Graphics/Visualization Specialist		95
Administrative Assistant		70

GOVERNMENT SERVICES

City Engineer	(190)	\$200
Deputy City Engineer	(175)	185
Assistant City Engineer	(160)	175
Plan Check Engineer	(145)	160
Permit Engineer	(125)	140
Senior City Inspector		125
Senior City Inspector (PW)		138
Principal Program Manager		200
Senior Program Manager		175
Program Manager		150
Principal Stormwater Specialist		150
Senior Stormwater Specialist	(120)	135
Stormwater Specialist	(110)	120
Stormwater Technician		110
Principal Environmental Specialist		150
Senior Environmental Specialist	(125)	135
Environmental Specialist		115
Environmental Technician		95
Building Official		150
Senior Building Inspector		138
Building Inspector		125
Planning Director		185
Senior City Planner		160
Assistant Planner		145
Senior Grant Writer		160
Grant Writer		135

DIRECT EXPENSES

Use of outside consultants as well as copies, blueprints, survey stakes, monuments, computer plots, telephone, travel (out of area) and all similar charges directly connected with the work will be charged at cost plus fifteen percent (15%), but is not a part of this proposal and will not be charged. Mileage will be charged at the current federal mileage reimbursement rate, but no charges pertaining to mileage are part of this proposal. Expert Witness services will be charged at three (3) times listed rate and will include all time for research, deposition, court appearance and expert testimony, but are not charged as part of this proposal.

PREVAILING WAGE RATES

Rates shown with Prevailing Wage "(PW)" annotation are used for field work on projects subject to federal or state prevailing wage law.



**CITY OF BUELLTON
DEPARTMENT OF PUBLIC WORKS
Approved Unit Costs for Project Security**

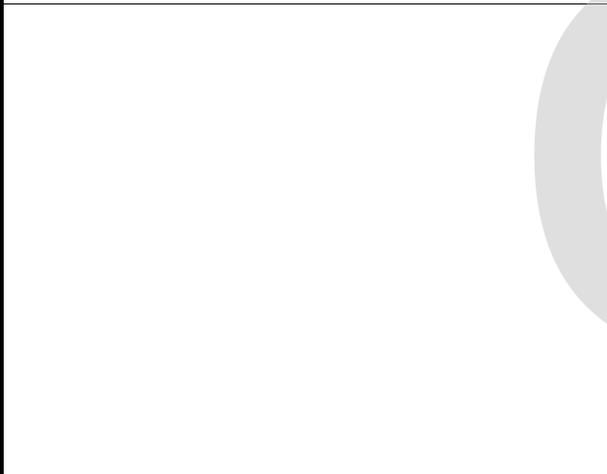


Project: _____
 Prepared by: _____
 Firm Name: _____
 Date: March 30, 2018

PRICE INDEX BASELINE, 2011 CALTRANS INDEX = 84.0
 CURRENT PRICE INDEX = 84.0

[Caltrans](#)

-ENGINEER'S SEAL-



-RESULTS-

Subtotal	\$0.00
Cost Index Factor	1.00
Adjusted Subtotal	\$0.00
Inflation (10%)	\$0.00
Administration (20%-40%)	\$0.00
Adjusted Subtotal	\$0.00
Contingency (10%)	\$0.00
TOTAL SECURITY TO BE POSTED: (rounded to the nearest \$100)	\$0

[FAQ](#)

Engineer's signature _____

date _____

**CITY OF BUELLTON
DEPARTMENT OF PUBLIC WORKS
Approved Unit Costs for Project Security**



Project: _____
 Prepared by: _____
 Firm Name: _____
 Date: March 30, 2018

PRICE INDEX BASELINE, 2011 CALTRANS INDEX = 84.0
 CURRENT PRICE INDEX = 84.0 [Caltrans](#)

-ENGINEER'S SEAL-

USE THIS Total for
 Deposit Cost
 Determination: **\$0.00**
 (plan check is 5%
 of total)
 (inspection is 5% of total)

-RESULTS-

Subtotal	\$0.00
Cost Index Factor	1.00
Adjusted Subtotal	\$0.00
FAQ	
Inflation (10%)	\$0.00
Administration (20%-40%)	\$0.00
Adjusted Subtotal	\$0.00
Contingency (10%)	\$0.00
TOTAL SECURITY TO BE POSTED:	\$0
(rounded to the nearest \$100)	

Engineer's signature _____

date _____

CITY OF BUELLTON
City Council Agenda Staff Report

City Manager Review: MPB
Council Agenda Item No.: 10

To: The Honorable Mayor and City Council

From: Stephen A. McEwen, City Attorney

Meeting Date: April 12, 2018

Subject: Discussion and Direction Regarding Ordinance and Local Policy for Commercial Cannabis Activities

INTRODUCTION

The purpose of this agenda item is to seek direction from the City Council regarding amendments to Buellton’s cannabis regulations. California cannabis laws have changed significantly with the passage of Proposition 64 and the enactment of clean-up legislation, including Senate Bill 94. There is now a single, comprehensive state regulatory system for medicinal and adult use cannabis businesses. Under this system, local governments have discretion to prohibit or allow commercial cannabis businesses. Currently, Buellton Municipal Code Chapter 9.08 prohibits medical marijuana dispensaries in all City zones and there is a temporary moratorium against all non-medical commercial cannabis activities under Ordinance Nos. 17-01, 17-03, and 17-05. This moratorium will expire in January 2019.

In order to ensure that the City maintains maximum local control over all cannabis land uses, the City should amend the Municipal Code to address the new state regulatory system. These amendments should address commercial cannabis businesses, cannabis deliveries, and private cannabis cultivation.

BACKGROUND

There have been four major developments in California’s cannabis laws over the past three years:

- On October 9, 2015, Assembly Bills 243 and 266 and Senate Bill 643 (collectively, the “Medical Cannabis Regulation and Safety Act” or “MCRSA”) were enacted to create a state regulatory and licensing system governing the cultivation, testing, and distribution of medical marijuana, the manufacturing of medical marijuana products, and physician recommendations for medical marijuana. MCRSA expressly preserved local control over medical marijuana facilities and land uses, including the authority to prohibit medical marijuana facilities and cultivation completely.

- On November 8, 2016, the voters of the State of California approved Proposition 64, entitled the “Control, Regulate and Tax Adult Use of Marijuana Act” (the “AUMA”). Under Proposition 64, individuals may possess and use specified amounts of marijuana and may cultivate up to six marijuana plants per private residence. Under Health and Safety Code section 11362.2(b), cities may prohibit private outdoor marijuana cultivation, but may not prohibit completely private indoor cultivation of six marijuana plants or less. Cities, however, may reasonably regulate private indoor cultivation of six marijuana plants or less. Proposition 64 also established a regulatory system for commercial marijuana businesses commencing at Business and Professions Code section 26000. Under Proposition 64, recreational marijuana cultivators, manufacturers, distributors, retailers, and testing laboratories may operate lawfully if they obtain a state license to operate and comply with local ordinances. The state will not issue licenses if the proposed marijuana business violates a local ordinance. Business and Professions Code section 26200, which is part of Proposition 64, expressly recognized the ability of cities to completely prohibit all recreational marijuana businesses or to regulate such businesses.
- On June 27, 2017, the Governor signed Senate Bill 94, which repealed MCRSA and included provisions from MCRSA regarding medical marijuana in the AUMA, so that the regulations governing both medical and non-medical marijuana were contained under one regulatory structure. Senate Bill 94 renamed the AUMA as the Medicinal and Adult-Use Cannabis Regulation and Safety Act (“MAUCRSA”). In addition to consolidating state laws regarding medical marijuana and adult-use marijuana, Senate Bill 94 introduced more uniform terminology. Senate Bill 94 revised references in existing law to “marijuana” or “medical marijuana” to instead refer to “cannabis” or “medicinal cannabis”, and revised references to “nonmedical” to “adult-use.”
- On September 16, 2017, the Governor signed Assembly Bill 133, which further revised MAUCRSA’s provisions regarding cannabis deliveries, the state licensing of cannabis businesses, and cannabis taxation.

In light of these developments, it is important for the City to update its cannabis regulations. That update may come in the form of a complete ban against commercial cannabis businesses or it may involve the issuance of regulatory permits for certain cannabis activities. Either way, an updated cannabis ordinance will provide clarity to the public and lessen the possibility for confusion among the state licensing agencies.

The following are the key issues that the City Council must consider:

Issue #1 –Commercial Cannabis Activities

The first task for the City Council is to determine how it wants to address commercial cannabis businesses. With regard to such businesses, the City Council has the following options:

- The City could prohibit all commercial cannabis businesses throughout the City (staff recommendation).

- The City could allow all or some of the cannabis businesses recognized under MAUCRSA. If the City Council decides to allow cannabis businesses under a regulatory scheme, it must consider the following additional questions:

- What type of restrictions should apply to cannabis land uses? Locational restrictions may include the designation of certain zoning districts as permissible locations and separation requirements to avoid clustering of cannabis land uses. Some cities have limited the number of cannabis establishment permits that they are willing to issue. Operating requirements can be extensive and include the following: the use of licensed security guards, designated hours of operation, prohibition against on-site cannabis consumption, installation of adequate odor control devices and ventilation systems, and limitations on access to minors.

- What type of permit or permits will be required? Some cities have imposed conditional use permit requirements for cannabis land uses, while others have required annual renewable regulatory permits.

- How will the City process cannabis land use applications? A city could take a number of approaches for processing applications: (1) first come, first serve; (2) lottery; and/or (3) scoring system. Under a lottery system, pre-qualified applicants are selected through a random lottery to apply for the required cannabis land use permit. Under a scoring system model, applicants would receive a score based on a review of their applications and, in some instances, an interview. Those applicants who receive the highest scores would then be recommended for approval to the decision making authority.

- What type of local taxes should the City impose? If approved by voters, the City could impose a local cannabis excise tax based on a percentage of gross receipts for retail businesses or the square footage of a cultivation or manufacturing site. In addition, the City could enact a cannabis business regulatory fee to pay for the cost of processing applications, issuing licenses, and performing the necessary inspections.

Issue # 2 – Personal Cultivation

The City Council will need to determine the extent to which it wants to prohibit or allow private cannabis cultivation. Cities cannot completely ban private indoor cultivation of six cannabis plants or less. The City could address private cannabis cultivation as follows:

“No person or entity may cultivate cannabis at any location in the City, except that a person may cultivate no more than six living cannabis plants inside his or her private residence, or inside an accessory structure to his or her private residence located upon the

grounds of that private residence that is fully enclosed and secured against unauthorized entry, provided that the owner of the property provides written consent expressly allowing the cannabis cultivation to occur, the person conducting the cannabis cultivation complies with all applicable Building Code requirements set forth in Title 17 of the Municipal Code, there is no use of gas products (CO₂, butane, propane, natural gas, etc.) on the property for purposes of cannabis cultivation, and the cannabis cultivation complies with Health and Safety Code section 11362.2(a)(3).”

Alternatively, the City could allow outdoor cannabis cultivation subject to certain reasonable regulations.

Issue #3 – Cannabis Deliveries

Finally, the City Council may consider adding express provisions regarding cannabis deliveries. Under MAUCRSA, a city retains the police power authority to prohibit cannabis deliveries that begin or end within the city’s boundaries. A city, however, cannot prevent a delivery service from using public roads to simply pass through its jurisdiction from a licensed dispensary to a delivery location outside of its boundaries. Under MAUCRSA, commercial cannabis deliveries can only be made by state-licensed retailers.

CANNABIS REGULATIONS IN SANTA BARBARA COUNTY

The following is a summary of commercial cannabis business regulations in Santa Barbara County jurisdictions:

Complete Prohibition

- Carpinteria
- Goleta (medicinal cannabis businesses existing before 2009)
- Santa Maria
- Solvang

Cannabis Businesses Permitted

- Guadalupe (adult-use cannabis businesses prohibited; medicinal cannabis businesses permitted subject to use permit approval)
- Lompoc (commercial dispensaries, cultivation, manufacturing allowed with cannabis use license issued by the City Manager)
- City of Santa Barbara (allows medicinal and adult use commercial cannabis activities subject to issuance of a local commercial cannabis business permit)
- County of Santa Barbara

Cannabis Deliveries

- Carpinteria (primary caregivers can deliver to qualified patients)
- Goleta (commercial deliveries from retailers outside Goleta are allowed)
- Guadalupe
- Lompoc (commercial deliveries allowed)
- City of Santa Barbara (commercial cannabis businesses allowed subject to issuance of a cannabis business permit; up to three cannabis retailers permitted)

RECOMMENDATION

That the City Council review the regulatory options and provide direction to staff on the amendment of the City's existing cannabis regulations. Based on this direction, City staff will present a proposed ordinance to the Planning Commission before final approval by the City Council.

Staff recommends the following:

- Issue #1 –Commercial Cannabis Activities – prohibit commercial cannabis activities in the City.
- Issue # 2 – Personal Cultivation – prohibit private outdoor cannabis cultivation, but allow private indoor cannabis cultivation in accordance with state cannabis laws.
- Issue #3 – Cannabis Deliveries – allow in accordance with state cannabis laws and regulations but do not allow the business to be based within the City Limits.