



CITY OF BUELLTON

SPECIAL MEETING - CITY COUNCIL AGENDA

**Special Meeting of May 21, 2020 – 5:00 p.m.
City Council Chambers, 140 West Highway 246
Buellton, California**

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

CORONAVIRUS (COVID-19) ADVISORY NOTICE

Consistent with Executive Orders N-25-20 and N-29-20 from the Executive Department of the State of California and a Declaration of Local Health Emergency from the County of Santa Barbara, City Council meetings will not be physically open to the public and one or more (or even all) City Council Members may be teleconferencing into the meeting. To maximize public safety while still maintaining transparency and public access, members of the public can observe the meeting through the City's website, via City TV Live Stream at: <http://www.cityofbuellton.com/government/cityTV.php> and may provide public comment by sending comments via email to council@cityofbuellton.com (reference subject matter or agenda item in the subject line of email). Please include name and address in contents of message. Comments will then be read into the record, with a maximum allowance of 3 minutes per individual comment, subject to the Mayor's discretion. All comments should be a maximum of 500 words, which corresponds to approximately 3 minutes of speaking time. If a comment is received after the agenda item is heard but before the close of the meeting, the comment will still be included as a part of the record of the meeting but will not be read into the record.

Any member of the public who needs accommodations can contact the City Clerk at (805) 688-5177 and best efforts will be made to provide reasonable accommodations to provide as much accessibility as possible while also maintaining public safety in accordance with the City of Buellton's procedure for resolving reasonable accommodation requests.

CALL TO ORDER

Mayor Holly Sierra

PLEDGE OF ALLEGIANCE

ROLL CALL

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

PUBLIC COMMENTS

Speaker Slip to be completed and turned in to the City Clerk prior to commencement of meeting. Limited to matters not otherwise appearing on the agenda. Limited to three (3) minutes per speaker. No action will be taken at this meeting.

BUSINESS ITEMS

(POSSIBLE ACTION)

- 1. Resolution No. 20-17 – “A Resolution of the City Council of the City of Buellton, California, Authorizing the City Manager to Work with the County of Santa Barbara, the County Sheriff’s Department, and the County Fire Department to Ease Restrictions on Businesses Reopening from Covid-19 Related Restrictions”**
❖ *(Staff Contact: City Manager Scott Wolfe)*

ADJOURNMENT

The next regular meeting of the City Council will be held on Thursday, May 28, 2020 at 6:00 p.m.

CITY OF BUELLTON
City Council Agenda Staff Report

City Manager Review: SW
Council Agenda Item No.: 1

To: The Honorable Mayor and City Council

From: Scott Wolfe, City Manager

Meeting Date: May 21, 2020

Subject: Resolution No. 20-17 – “A Resolution of the City Council of the City of Buellton, California, Authorizing the City Manager to Work with the County of Santa Barbara, the County Sheriff’s Department, and the County Fire Department to Ease Restrictions on Businesses Reopening from Covid-19 Related Restrictions”

BACKGROUND

On May 18, 2020 the City Manager was notified by the County of Santa Barbara that the County had been authorized to apply for progression to “Late Stage 2” of the Governor’s Resiliency Roadmap. The recent action by the Governor to change the thresholds for movement to Late Stage 2 and remove the incarcerated population at Lompoc Federal Penitentiary from the County’s COVID-19 counts means that local businesses identified on the Late Stage 2 list, which include dine-in restaurants and retail stores and shopping centers, may be allowed to re-open (with modifications to business practices) as soon as this week.

Staff anticipates that in order to operate at a level which will be economically viable, some businesses, particularly restaurants, will need to expand their business areas to meet social distancing requirements and other modifications. The most likely places for these expansions will be parking lots and sidewalk/street surfaces immediately outside the business location.

Generally speaking, Buellton’s Municipal Code prohibits the exercise of business operations in required parking lots or in the public rights-of-way. However, it is anticipated that allowances will need to be made in this regard in order to expedite the economic recovery and allow as many businesses as possible to remain viable moving forward.

To this end, staff is suggesting that the City Council authorize the City Manager to allow temporary deviations from Municipal Code requirements, conditions of approval, and similar regulatory instruments. The City Manager would be required to work in

consultation with relevant regulatory agencies, including but not limited to Santa Barbara County (including the Department of Public Health), the Santa Barbara County Sheriff's Department, and the Santa Barbara County Fire Department, as well as the City departments with regulatory authority over the spaces and issues being modified. Such authorization would be temporary, lasting only so long as the restrictions on operations due to the health orders preclude full-capacity operations, or until the restrictions on operations are made permanent outside of a temporary public health order. The City Manager will periodically report to the City Council on the various types of deviations issued, problems which may arise through the process, and the need for additional actions which may be beyond the scope of the City Manager's authorization.

Should the City Council find that the proposed authorization will give the City the flexibility needed to allow for the most expeditious economic recovery, a draft resolution granting authority to the City Manager accompanies this staff report.

FISCAL IMPACT

No direct fiscal impact is associated with any action requested of the City Council in this report. However, indirect fiscal impacts may be realized in the ability of the City to allow businesses to return to operations more quickly.

RECOMMENDATION

That the City Council consider adoption of Resolution No. 20-17 – “A Resolution of the City Council of the City of Buellton, California, Authorizing the City Manager to Work with the County of Santa Barbara, the County Sheriff's Department, and the County Fire Department to Ease Restrictions on Businesses Reopening from Covid-19 Related Restrictions”

ATTACHMENTS

Resolution No. 20-17

RESOLUTION NO. 20-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUELLTON, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO WORK WITH THE COUNTY OF SANTA BARBARA, THE COUNTY SHERIFF'S DEPARTMENT, AND THE COUNTY FIRE DEPARTMENT TO EASE RESTRICTIONS ON BUSINESSES REOPENING FROM COVID-19 RELATED RESTRICTIONS

WHEREAS, on March 4, 2020, Governor Newsom declared a state of emergency for conditions caused by COVID-19, which the Centers for Disease Control and Prevention considers a very serious public health threat; and

WHEREAS, on March 12, 2020, the Santa Barbara County Health Officer issued a Declaration of Local Health Emergency, ordering cancellations of large gatherings and implementation of social distancing for all areas of Santa Barbara County; and

WHEREAS, on March 19, 2020, Governor Newsom issued an executive order (N-33-20) requiring residents to stay at home unless required to work in a critical infrastructure setting, effectively closing or severely limiting businesses throughout California, resulting in a sharp rise in unemployment; and

WHEREAS, the Santa Barbara County and State orders have been amended multiple times, resulting in over eight weeks of severely limited operations for businesses within the City of Buellton and across the County; and

WHEREAS, on May 4, 2020, Governor Newsom issued an Executive Order (N-60-20) adopting a four-stage framework for State businesses and residents to resume various activities; and

WHEREAS, on May 7, 2020, the State Public Health Officer issued certain guidelines for counties to enter the various stages of resumption of activities; and

WHEREAS, on May 18, 2020, Governor Newsom relaxed some of the guidelines in a manner that will make it possible in short order for certain businesses in the City of Buellton to resume operations, albeit in a limited manner; and

WHEREAS, it is the desire of the City Council to provide interim operational assistance to businesses, in particular restaurants, that have been struggling with the impacts of the COVID-19 pandemic and the related public health mandates and that may continue to struggle due to the social distancing requirements imposed on their operations; and

WHEREAS, other jurisdictions within the County of Santa Barbara have begun to allow restaurants to operate with additional outdoor seating, including on temporarily-closed parking lots, sidewalks, and streets, for the purpose of enhancing the financial viability of the business operations while ensuring proper social distancing is maintained.

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1. The City Council of the City of Buellton hereby authorizes the City Manager to consult with the County of Santa Barbara (“County”), the Santa Barbara County Sheriff’s Office (“Sheriff”), the Santa Barbara County Fire Department (“Fire Department”), and any other public agency having oversight of restaurant operations for the purpose of easing restrictions on restaurant operations so as to allow for greater capacity while maintaining required social distancing.

SECTION 2. After such consultation and subject to conditions imposed as part of such consultation, the City Manager is further authorized to provide interim non-financial assistance to restaurants including but not limited to the ability to offer table seating in roped-off areas of parking lots, the closure of portions of sidewalks and streets for the offering of table seating, and such other operational assistance as will allow the restaurants to undertake interim operations in a financially feasible manner. The City Manager, or his designee, shall effectuate the provision of assistance via temporary permits that include those conditions that are necessary to ensure compliance with County, Sheriff, Fire Department, and City restrictions on the interim operations.

SECTION 3. The City Manager is further authorized to consult with the Sheriff and Santa Barbara County Fire Department regarding appropriate whether similar operational assistance for non-restaurant businesses is possible within the City of Buellton, and if it is deemed possible then the City Manager may effectuate the provision of assistance via temporary permits that include those conditions that are necessary to ensure compliance with County, Sheriff, Fire Department, and City restrictions on the interim operations.

SECTION 4. The authority granted the City Manager by this resolution shall expire at such time as both the State of California and County social distancing orders are modified to either remove social distancing requirements from restaurant operations or to impose new permanent social distancing requirements on restaurant operations that supersede or accompany existing occupancy restrictions for such businesses.

PASSED, APPROVED AND ADOPTED this 21st day of May, 2020.

Holly Sierra
Mayor

ATTEST:

Linda Reid
City Clerk