



CITY OF BUELLTON

CITY COUNCIL AGENDA

**Regular Meeting of July 11, 2019 – 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 Dave King, Art Mercado, John Sanchez, Vice Mayor Ed Andrisek, 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 Any Council Member, the City Attorney, or the City Manager may request that an item be withdrawn from the Consent Agenda to allow for full discussion.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 June 27, 2019 Regular City Council Meeting**
- 2. List of Claims to be Approved and Ratified for Payment to Date for Fiscal Year 2018/19 and 2019/20**
- 3. Designation of Voting Delegate and Alternate for 2019 League of California Cities Annual Conference Business Meeting**
❖ (Staff Contact: City Clerk Linda Reid)

PRESENTATIONS

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)

- 4. Consideration of Proposition 68 Grant Application Requirements and Joint Operation of an Aquatics Complex**
 ❖ (Staff Contact: Recreation Supervisor Kyle Abello)
 - a) Resolution No. 19-18 – “A Resolution of the City Council of the City of Buellton, California, Approving the Application for the Statewide Park Development and Community Revitalization Program Grant Funds”**
 - b) Joint Use/Lease Agreement with Santa Ynez Valley Union High School District and Santa Ynez Valley Community Aquatics Foundation**
- 5. Discussion and Direction for Funding the Arts and Culture Committee**
 ❖ (Staff Contact: Finance Director Shannel Zamora)

CITY MANAGER’S REPORT

ADJOURNMENT

The next regular meeting of the City Council will be held on Thursday, July 25, 2019 at 6:00 p.m.

CITY OF BUELLTON

CITY COUNCIL MEETING MINUTES

Regular Meeting of June 27, 2019

**City Council Chambers, 140 West Highway 246
Buellton, California**

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

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

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

PUBLIC COMMENTS

Carolyn Abate, spoke regarding the dangers of legalizing marijuana.

Daniel Lahr, representing the Central Coast Film Society, discussed what the Film Society is doing in the Valley and requested financial support for the Film Society.

Peggy Brierton, Buellton, spoke about creating a Valley-wide Visitors Bureau.

CONSENT CALENDAR

- 1. Minutes of June 13, 2019 Regular City Council Meeting**
- 2. List of Claims to be Approved and Ratified for Payment to Date for Fiscal Year 2018/19**
- 3. Acceptance of Bid and Award of Construction Contract for the 2018/19 Road Maintenance Project**
- 4. Acceptance of Bid and Award of Construction Contract for the Highway 246 & Sycamore Drive Pedestrian Improvements Project**

5. Monthly Treasurer's Report – May 31, 2019**MOTION:**

Motion by Council Member King, seconded by Council Member Mercado, approving Consent Calendar Items 1 through 5 as listed.

VOTE:

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

Council Member King – Yes

Council Member Mercado – Yes

Council Member Sanchez - Yes

Vice Mayor Andrisek – Yes

Mayor Sierra – Yes

PRESENTATIONS**6. Recognition of Marc Bierdzinski's Dedicated Service to the City of Buellton**

Mayor Sierra presented Marc Bierdzinski with a gift and thanked him for his dedicated service to the City of Buellton and wished him much happiness in retirement. Mr. Bierdzinski thanked the City Council, Planning Commission, and staff for the good times and challenges.

PUBLIC HEARINGS

None

COUNCIL MEMBER COMMENTS/ITEMS

Vice Mayor Andrisek stated that Flag Day was honored by Boy Scout Troop 42 on the Avenue of Flags and requested that staff prepare a proclamation recognizing Boy Scout Troop 42.

Mayor Sierra spoke about an open-streets event coming to the Avenue of Flags and stated that the organizers would like to present the open-streets concept to the City Council at the July 25 meeting.

Mayor Sierra stated that the median on West Highway 246 is being constructed by Caltrans and the City had no input in the design. Concerns should be addressed to Caltrans.

Mayor Sierra announced that the City would be donating \$250 for the car show being sponsored by Steve Lykken in support of the Senior Center.

Mayor Sierra requested and the Council agreed by consensus to agendaize discussion of funding for the Central Coast Film Society.

Council Member Mercado requested that the flashing lights at La Lata Drive be reprogrammed to flash longer to allow pedestrians to cross the four lanes of Highway 246.

WRITTEN COMMUNICATIONS

None

COMMITTEE REPORTS

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

Mayor Sierra announced that she attended board meetings for Santa Barbara County Association of Governments (SBCAG) and Air Pollution Control District (APCD) and provided oral reports regarding the meetings.

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

Council Member Mercado announced that he attended the Buellton Chamber of Commerce Board meeting and provided an oral report regarding the meeting.

BUSINESS ITEMS

7. Presentation of the Fiscal Year 2019-20 Visitors Bureau's Budget and Request for Additional Funding

RECOMMENDATION:

That the City Council receive the Buellton Visitors Bureau's Fiscal Year 2019-20 Budget and provide direction on the request for additional funding in the amount of \$50,000.

STAFF REPORT:

Finance Director Zamora presented the staff report.

SPEAKERS/DISCUSSION:

Kathy Vreeland, Executive Director of the Buellton Visitors Bureau provided her presentation via telephone and discussed what the Visitors Bureau has accomplished in the past year and what they hope to accomplish in the next fiscal year.

Peggy Brierton, spoke about what the \$50,000 was originally planned for to help the Visitors Bureau.

The City Council discussed the following issues:

- A budget of \$400,000 being sufficient to run the Visitors Bureau
- How the Visitors Bureau and the Arts and Culture Committee can work together to promote Buellton
- A comparison of the transient occupancy tax from this fiscal year to the prior fiscal year
- Obtaining feedback from the Visitors Bureau Board to see if they would prefer a fixed amount allocation or a percentage of the transient occupancy tax

DOCUMENTS:

Staff report with attachments as listed in the staff report.

MOTION:

Motion by Council Member Sanchez, seconded by Council Member Mercado approving the Visitors Bureau's funding request for an additional \$50,000.

VOTE:

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

Council Member King - No

Council Member Mercado – Yes

Council Member Sanchez - Yes

Vice Mayor Andrisek – Yes

Mayor Sierra – No

CITY MANAGER'S REPORT

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

ADJOURNMENT

Mayor Sierra adjourned the regular meeting at 7:00 p.m. The next regular meeting of the City Council will be held on Thursday, July 11, 2019 at 6:00 p.m.

Holly Sierra
Mayor

ATTEST:

Linda Reid
City Clerk

CITY OF BUELLTON
City Council Agenda Staff Report

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

To: The Honorable Mayor and City Council

From: Shannel Zamora, Finance Director

Meeting Date: July 11, 2019

Subject: List of Claims to be Approved and Ratified for Payment to Date for Fiscal Year 2018/19 and 2019/20

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 06/19/2019 through 07/02/2019 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, 06/19/2019 through 07/02/2019, and electronic fund transfers issued for the period of 06/19/2019 through 07/02/2019 was \$737,652.15.

FISCAL IMPACT

Payments made to the various vendors were consistent with the approved City's Budget for FY 2018/19 and FY 2019/20. 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 06/19/2019 through 07/02/2019.

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 for the period of June 19, 2019 through July 02, 2019 for ratification by the City Council at the July 11, 2019 City Council Meeting.

EXHIBIT A - A/P Packets processed

A/P Packet #APPKT01041	224,437.32
A/P Packet #APPKT01039	65,921.66
A/P Packet #APPKT01034	<u>120,187.62</u>
Total A/P Packets:	<u>\$410,546.60</u> (6 pages)

Utility Packet #UBPKT01598	52.33 (1 page)
Total of checks issued:	<u>\$410,598.93</u>

EXHIBIT B - Payments via Electronic Fund Transfer (EFT)

EFT Total:	<u>\$253,974.75</u>
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Payroll processed

Staff Payroll	6/21/2019	43,028.51
Special Payroll	6/21/2019	9,511.10
CC Payroll	6/27/2019	2,265.47
Special Payroll	7/1/2019	18,273.39
Total Payroll:		<u>\$73,078.47</u>

TOTAL AMOUNT OF CLAIMS:	<u><u>\$737,652.15</u></u>
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88 7/3/19

Payments via Electronic Fund Transfer (EFT):
From 06/19/2019 through 07/02/2019

CalPERS - Classic		6/24/2019	5,600.95
Payroll Tax - EDD		6/24/2019	3,025.54
CalPERS - PEPRA		6/24/2019	2,941.68
Payroll Tax - IRS		6/24/2019	8,272.62
Bank Fees		6/24/2019	12.00
Payroll Tax - EDD		6/26/2019	976.59
CalPERS - PEPRA		6/26/2019	66.08
Payroll Tax - IRS		6/26/2019	2,440.88
Bank Fees		6/28/2019	34.80
CalPERS - Classic		6/28/2019	150.94
Payroll Tax - EDD		6/28/2019	108.20
CalPERS - PEPRA		6/28/2019	60.57
Payroll Tax - IRS		6/28/2019	70.48
Payroll Tax - IRS		7/1/2019	7,863.82
Payroll Tax - EDD		7/1/2019	3,306.33
CalPERS - Classic	Unfunded Liability	7/2/2019	194,835.00
CalPERS - PEPRA	Unfunded Liability	7/2/2019	2,189.00
CalPERS - Medical		7/2/2019	20,531.96
CalPERS - Classic		7/2/2019	1,487.31

Total

253,974.75



City of Buellton

Check Disbursements - City Council - July 11, 2019

By Payment Number

Payment Dates 06/19/2019 - 07/02/2019

Payment Number	Payment Date Payable Number	Vendor # Description	Vendor Name	Account Number	Project Account Key	Payment Amount Item Amount
38064	6/25/2019 2523 2524	000718 5/21/2019 - DWTP - MAT'L SWITCH CHEM TREATMENT 6/4/2019 - WWTP - SCADA - IT/PROGRAMMING	AUTOSYS, INC.	020-601-60800 005-701-60800		1,555.61 1,265.61 290.00
38065	6/25/2019 BPI951667	001372 6/6/2019 - BL#3032624-00 - SODIUM HYPOCHLORITE	BRENNTAG PACIFIC, INC.	020-601-61111		1,526.89 1,526.89
38066	6/25/2019 INV0010778	000121 June 2019 - Buellton Visitor's Bureau per Contract	BUELLTON VISITORS BUREAU	001-410-67790		37,500.00 37,500.00
38067	6/25/2019 1906-549459 1906-549640	000076 6/7/2019 - PW - MAINT/REPAIR ITEMS 6/10/2019 - DWTP - MAINT/REPAIR ITEMS	CAL-COAST IRRIGATION, INC.	001-558-60250 020-601-60250		13.47 3.94 9.53
38068	6/25/2019 6689 6692	000800 6/18/2019 - PW - Safety Boots 6/18/2019 - PW - Uniforms	CARR'S BOOT SHOP, INC. dba	001-558-67600 001-558-60131		391.42 184.86 206.56
38069	6/25/2019 857415 858166	000118 5/16-6/15/2019 - CH/HR - Copier Overage Charges 5/18-6/17/2019 - CH/FD/RS - Copier overage charges	COASTAL COPY, INC.	001-410-61130 001-410-61130		436.76 49.79 386.97
38070	6/25/2019 INV0010788	000122 6/18-7/17/2019 - CC - Internet Services	COMCAST CABLE	001-410-61292		150.42 150.42
38071	6/25/2019 INV0010785	000140 6/6/2019 - PLANNING COMMISSION MEETING	DAN HEEDY	001-565-50010		50.00 50.00
38072	6/25/2019 122367 122367	001255 MAY 2019 - SAMPLE DELIVERIES - ABALONE MAY 2019 - SAMPLE DELIVERIES - ABALONE	DELIVER-IT	005-701-60800 020-601-60800		165.00 82.50 82.50
38073	6/25/2019 95X00002	000598 May 2019 - PW - Waste Handling Bio Solids	ENGEL & GRAY, INC.	005-701-60800		9,096.02 9,096.02
38074	6/25/2019 08743	000176 6/20/2019 - USPS - FIRE/TEST SYSTEM	EXCLUSIVE ALARMS INC	001-558-60800		175.00 175.00
38075	6/25/2019 S100005765-001	001364 6/17/2019 - MISC MAINT/REPAIR ITEMS	FAMCON PIPE & SUPPLY-SM	092-610-74100		1,583.39 1,583.39
38076	6/25/2019 915430	000543 6/5/2019 - WWTP - COMPACT PORTABLE SAMPLER	HD SUPPLY FACILITIES MAINTENANCE, LTD.	005-701-73500		4,688.32 4,688.32
38077	6/25/2019 INV0010789 INV0010789 INV0010789	000813 June 2019 - Misc Maint/Repair Items June 2019 - Misc Maint/Repair Items June 2019 - Misc Maint/Repair Items	HOME DEPOT CREDIT SERVICES	001-552-61140 005-701-61127 020-601-60250		548.19 86.49 341.41 120.29
38078	6/25/2019 1319 1320	000395 JUNE 2019 - RVP&OVP - MONTHLY CLEANING JUNE 2019 - RVP - EXTRA CLEANING JOBS	JOSE RAFAEL RUIZ dba	001-552-60800 001-552-60800		2,620.00 1,750.00 870.00
38079	6/25/2019 14593-14594	000779 5/7&8/2019 - Install new hydrant "T"s and valves	LASH CONSTRUCTION, INC.	092-610-74100		4,009.39 4,009.39
38080	6/25/2019 4634588	000310 5/31/2019 - WWTP - 11 YD ROLL OFF RENTAL	MARBORG INDUSTRIES	092-706-74100		201.50 201.50

Check Disbursements - City Council - July 11, 2019

Payment Dates: 06/19/2019 - 07/02/2019

Payment #	Payment Date	Payable Number	Vendor #	Description	Vendor Name	Account Number	Project Account Key	Payment Amount	Item Amount
38081	6/25/2019	INV0010786	001225	6/6/2019 - PLANNING COMMISSION MEETING	MARCILO SARQUILLA	001-565-50010		50.00	50.00
38082	6/25/2019	INV0010783	001331	6/6/2019 - PLANNING COMMISSION MEETING	MICHAEL EGLIN	001-565-50010		50.00	50.00
38083	6/25/2019	INV0010781	000941	6/20/2019 - PW - Uniforms Work Pants	MICHAEL J. GREEN	001-558-60131		239.16	119.58
		INV0010781		6/20/2019 - PW - Uniforms Work Pants		020-601-60131		119.58	119.58
38084	6/25/2019	30224848	000669	6/19/2019 - USPO - PEST CONTROL	O'CONNOR & SONS dba	001-558-60800		105.00	105.00
38085	6/25/2019	4372-470550	000801	5/30/2019 - PW - LED LITE BAR	O'REILLY AUTOMOTIVE STORES, INC.	001-558-60250		102.35	102.35
38086	6/25/2019	INV0010784	001187	6/6/2019 - PLANNING COMMISSION MEETING	PATTY J HAMMEL	001-565-50010		50.00	50.00
38087	6/25/2019	127294	000382	6/19/2019 - misc supplies	PROCARE JANITORIAL SUPPLY, INC.	001-558-61140		526.20	526.20
38088	6/25/2019	INV0010787	001001	6/24/2019 - REC - Vehicle Maintenance	R & M ENTERPRISES DIESEL TOWING SERVICE	001-511-60270		2,817.66	2,817.66
38089	6/25/2019	4629	001336	6/7/2019 - AOF - SWAP OUT SIGNS	RANCH HANDS CONSTRUCTION, LLC	001-558-60800		900.00	900.00
38090	6/25/2019	INV0010782	001327	6/6/2019 - PLANNING COMMISSION MEETING	ROBERT PAUL BLOKDYK	001-565-50010		50.00	50.00
38091	6/25/2019	114096	001002	5/31/2019 - WWTP - SAFETY SUPPLIES	ROBERTSON SUPPLY	005-701-67600		3,822.33	3,161.86
		114098		6/11/2019 - SAFETY SUPPLIES		001-558-67600		220.17	220.17
		114098		6/11/2019 - SAFETY SUPPLIES		005-701-67600		220.15	220.15
		114098		6/11/2019 - SAFETY SUPPLIES		020-601-67600		220.15	220.15
38092	6/25/2019	CM0000134	000894	May 2019 - SYVTBID - Admin Fees	Santa Ynez Valley Hotel Assn., Inc. dba	001-44250		32,229.75	(657.75)
		INV0010777		May 2019 - SYVTBID Fees Collected		001-22160		32,887.50	32,887.50
38093	6/25/2019	4302	001116	6/20/2019 - REC - Advertisement - June B Issue	SANTA YNEZ VALLEY STAR	001-511-60510		128.00	128.00
38094	6/25/2019	INV0010779	000978	June 2019 - Misc Office Supplies	Staples Credit Plan	001-410-61130		142.17	103.84
		INV0010779		June 2019 - Misc Office Supplies		001-565-61130		38.33	38.33
38095	6/25/2019	18168.1.2	000551	6/7/2019 - AOF - PLATFORM EQUIP RENTAL	VALLEY TOOL RENTALS	001-558-60250		318.72	318.72
38096	6/25/2019	01-1353138	000563	6/12/2019 - OAK PARK - RESTROOM DOOR REPAIRS	VORTEX INDUSTRIES, INC.	001-552-60258		400.00	400.00
38097	6/25/2019	2052534	001207	May 2019 - FSA/AFLAC Administration Fees	WAGeworks INC.	001-401-50400		141.00	21.69
		2052534		May 2019 - FSA/AFLAC Administration Fees		001-402-50400		10.85	10.85
		2052534		May 2019 - FSA/AFLAC Administration Fees		001-403-50400		10.85	10.85
		2052534		May 2019 - FSA/AFLAC Administration Fees		001-420-50400		18.52	18.52
		2052534		May 2019 - FSA/AFLAC Administration Fees		001-511-50400		19.25	19.25
		2052534		May 2019 - FSA/AFLAC Administration Fees		001-558-50400		17.35	17.35
		2052534		May 2019 - FSA/AFLAC Administration Fees		001-565-50400		9.45	9.45
		2052534		May 2019 - FSA/AFLAC Administration Fees		005-701-50400		16.52	16.52
		2052534		May 2019 - FSA/AFLAC Administration Fees		020-601-50400		16.52	16.52

Check Disbursements - City Council - July 11, 2019

Payment Dates: 06/19/2019 - 07/02/2019

Payment #	Payment Date	Vendor #	Vendor Name	Account Number	Project Account Key	Payment Amount
Payable Number	Description	Description	Vendor Name	Account Number	Project Account Key	Item Amount
38098	6/25/2019	000677	WALLACE GROUP			13,403.90
48475		SRVCS->5/31/2019 - REG COMPLIANCE SRVCS 18-19		005-701-60800		13,403.90
38100	7/2/2019	000326	MNS ENGINEERS, INC.			62,381.01
72886		5/1-31/2019 - City Engineer/Public Works		025-554-60800		4,017.50
72887		5/1-31/2019 - City/Transportation Planning		029-557-60800		2,917.50
72888		5/1-31/2019 - City Storm Water Management Plan		001-551-60800		8,369.76
72889		5/1-31/2019 - City/Update Water		020-601-60830		262.50
72890		5/1-31/2019 - City/McMurray Road Signal Upgrade		092-307-70005		875.00
72891		5/1-31/2019 - Ped Safety Imprvmnts - Hwy246/SycDr		092-306-70005		5,070.00
72892		5/1-31/2019 - Backflow Prevention Program		020-601-60830		4,000.00
72893		5/1-31/2019 - 2018-19 RdMaint&CitywideConcreteRpr		092-317-70000		19,923.75
72894		5/1-31/2019 - Median 2 Parking Lot		092-215-70000		11,217.50
72895		5/1-31/2019 - North Park and Ride		092-308-70005		1,040.00
72896		5/1-31/2019 - SD Inlet Retrofit & Safety Imprvmnts		001-551-60800		4,687.50
38101	7/2/2019	001111	TETRA TECH, INC.			3,540.65
51455513		EngrngSrvcs->5/24/2019 - Encroachment Permits		025-557-60800		269.10
51455514		EngrngSrvcs->5/24/2019 - Townhomes		001-22416	90021-070	782.80
51455515		EngrngSrvcs->5/24/2019 - 73 Ind Way Figueroa		001-22416	90037-070	489.25
51455516		EngrngSrvcs->5/24/2019 - 5-Acre Bldng at Ind Way		001-22416	90044-070	538.18
51455517		EngrngSrvcs->5/24/2019 - Nghbrhd Park/OpnSpc@Vllg		001-22416	90017-070	464.79
51455518		EngrngSrvcs->5/24/2019 - 518 Avenue of Flags		001-22416	90052-070	996.53
38102	7/2/2019	000509	ALAN NEEDHAM dba			23,575.09
26385		MAY 2019 - PARKS/MEDIANS/FAC/STRTS - LNDSCP MAINT		001-552-60800		11,200.00
26385		MAY 2019 - PARKS/MEDIANS/FAC/STRTS - LNDSCP MAINT		001-556-60800		3,960.00
26417		5/23/2019 - CH - IRRIGATION REPAIR		001-556-60250		428.76
26482		3/27-4/26/2019 - AOF MEDIAN - IRRIGATION REPAIR		001-556-60250		2,666.33
26483		4/29/2019 - RVP - REMOVE TREE - E DRNG CHNL		001-552-60258		500.00
26484		4/29-5/21/2019 - RVP - CLEAN-UP EASE DRAINAGE CHNL		001-552-60258		3,690.00
26485		5/22/2019 - S-10 - TREE TRIMMING		001-556-60250		130.00
26486		5/30-31/2019 - RVP - TREE TRIMMING		001-552-60258		1,000.00
38103	7/2/2019	001184	ALBERTSONS/SAFEWAY			26.19
INV0010818		June 2019 - CH - Misc Office Supplies		001-410-61131		26.19
38104	7/2/2019	000168	ALLIANT INSURANCE INC.			750.00
ACIP53		7/1/19-7/1/20 - GOV'T CRIME POLICY ANNUAL RENEWAL		001-410-50600		250.00
ACIP53		7/1/19-7/1/20 - GOV'T CRIME POLICY ANNUAL RENEWAL		005-701-50600		250.00
ACIP53		7/1/19-7/1/20 - GOV'T CRIME POLICY ANNUAL RENEWAL		020-601-50600		250.00
38105	7/2/2019	000661	AQUA-METRIC SALES, CO.			5,810.47
INV0074187		6/24/2019 - 2" OMNI T2 100CFT		020-601-61240		5,810.47
38106	7/2/2019	000718	AUTOSYS, INC.			8,605.00
2530		6/10-19/2019 - DWTP - IN FIELD IT/TECH SERVICE		020-601-60800		8,605.00
38107	7/2/2019	001214	AVAYA Financial Services			384.38
33657393		JULY 2019 - CH - TELEPHONE EQUIPMENT LEASE		001-410-60310		384.38
38108	7/2/2019	001087	BPMS Software			232.00
1906		7/1/19-6/30/20 - BPMS Bckflw Sftwr V7 - LicRnwl		020-601-60210		232.00
38109	7/2/2019	000090	CalPERS LONG-TERM CARE PROGRAM			84.25
12935194		06/16-30/2019 - CalPERS Long Term Care Program		001-22166		84.25
38110	7/2/2019	000800	CARR'S BOOT SHOP, INC. dba			219.38
6782		6/26/2019 - DWTP - Uniform Pants (2)		020-601-60131		140.00
6784		6/26/2019 - DWTP - Uniform - Pants (1)		020-601-60131		79.38
38111	7/2/2019	000909	CHANNEL ISLANDS YOUNG MEN'S CHRISTIAN ASSOCIATION			304.00
INV0010825		JUNE 2019 - REC - POOL USAGE - SUMMER DAY CAMP		001-511-67140	51004-040	304.00

Check Disbursements - City Council - July 11, 2019

Payment Dates: 06/19/2019 - 07/02/2019

Payment #	Payment Date	Vendor #	Vendor Name	Account Number	Project Account Key	Payment Amount
Payable Number	Description	Description				Item Amount
38112	7/2/2019	000105	CITY OF BUELLTON			204.44
INV0010810		5/25-6/25/2019 - Irrigation - 595 2nd/Oak Valley		001-552-61211		204.44
38113	7/2/2019	000107	CITY OF LOMPOC			1,666.66
575		JULY 2019 - MONTHLY TRANSIT SERVICE		027-559-67445		1,666.66
38114	7/2/2019	000112	CLARK PEST CONTROL			282.00
24067734		6/22/2019 - CH - PEST CONTROL		001-558-60800		123.00
24067772		6/21/2019 - PD/LIB - PEST CONTROL		001-558-60800		159.00
38115	7/2/2019	000655	COAST NETWORKX, INC.			795.00
21197		7/1-31/2019 - Guardian Mnthly Dsktp/Server Mntrng		001-410-60210		795.00
38116	7/2/2019	000122	COMCAST CABLE			286.01
INV0010811		6/26-7/25/2019 - CH/Plng - Internet Services		001-410-61292		286.01
38117	7/2/2019	000122	COMCAST CABLE			236.01
INV0010824		6/29-7/28/2019 - WWTP - Internet Services		005-701-60210		236.01
38118	7/2/2019	000122	COMCAST CABLE			176.22
INV0010812		6/25-7/24/2019 - REC - Internet/Phone Services		001-511-61290		176.22
38119	7/2/2019	000172	ECHO COMMUNICATIONS			122.10
INV0010822		June2019/Msgs - July2019/AnsSrv		001-558-60800		40.70
INV0010822		June2019/Msgs - July2019/AnsSrv		005-701-60800		40.70
INV0010822		June2019/Msgs - July2019/AnsSrv		020-601-60800		40.70
38120	7/2/2019	000187	FARM SUPPLY COMPANY			52.65
38697		6/26/2019 - DWTP - MISC MAT'L/SUPPLIES		020-601-61140		52.65
38121	7/2/2019	000197	FOODBANK OF SB COUNTY			5,400.00
INV0010826		FY2019-2020 - NON-PROFIT COMMUNITY SUPPORT		001-410-67200		5,400.00
38122	7/2/2019	001040	FRONTIER COMMUNICATIONS			2,026.03
INV0010820		6/19-7/18/2019 - CH - Telephone Services		001-410-67705		378.61
INV0010820		6/19-7/18/2019 - CH - Telephone Services		001-565-67705		447.07
INV0010820		6/19-7/18/2019 - CH - Telephone Services		005-701-67705		632.42
INV0010820		6/19-7/18/2019 - CH - Telephone Services		020-601-67705		567.93
38123	7/2/2019	000203	Gary Brown Service & Repair, Inc.			300.00
1033		6/29/2019 - WWTP - PANELS FOR SOLIDS MACHINE		005-701-60250		300.00
38124	7/2/2019	001233	Government Finance Officers Association			345.00
584188		2019-2020 Budget Award Submission		001-420-60650		345.00
38125	7/2/2019	001084	James Porter Tilley, Jr. dba			575.00
SI-1544		4/10/2019 - REC - EQUIP - MAINTENANCE		001-511-60250		125.00
SI-1593		5/30/2019 - REC - EQUIP - PREVENTATIVE MAINT		001-511-60250		225.00
SI-1620		3/17/2019 - REC - EQUIP - PREVENTATIVE MAINT		001-511-60250		225.00
38126	7/2/2019	000252	JIM VREELAND FORD			140.25
27495		6/24/2019 - REC - Vehicle Maintenance		001-511-60270		140.25
38127	7/2/2019	001173	JV Outdoor Power Equipment			51.78
1813		6/11/2019 - EQUIP - MAINT/REPAIR		020-601-60250		51.78
38128	7/2/2019	000825	JWC ENVIRONMENTAL, Inc.			8,501.38
97914		6/20/2019 - WWTP - ROTOR ASSY (PO00030)		005-701-60250		8,501.38
38129	7/2/2019	001385	LAUREN RASMUSSEN			400.00
INV0010815		6/22/2019 - REFUND - RVP SECURITY DEPOSIT		001-22510		400.00
38130	7/2/2019	000835	METRO VENTURES LTD			7,533.00
2019-0626-buel		June 2019 - PLNG - Prof Svcs - City Planner		001-565-60800		7,533.00

Check Disbursements - City Council - July 11, 2019

Payment Dates: 06/19/2019 - 07/02/2019

Payment #	Payment Date	Payable Number	Vendor #	Description	Vendor Name	Account Number	Project Account Key	Payment Amount
								Item Amount
38131	7/2/2019	4041	000353	7/2/2019 - COB WEBSITE MAINTENANCE	MICHAEL J. BOGGESS dba	001-410-61292		100.00
								100.00
38132	7/2/2019	3378	000365	FY2019-2020 - NON-PROFIT - COMMUNITY SUPPORT	PEOPLE HELPING PEOPLE	001-410-67200		8,600.00
								8,600.00
38133	7/2/2019	INV0010809	000379	July 2019 - UB Postage	POSTMASTER	005-701-61131		520.00
		INV0010809		July 2019 - UB Postage		020-601-61131		260.00
								260.00
38134	7/2/2019	90146222	000380	5/20-6/20/2019 - CYLINDER RENTALS	PRAXAIR DISTRIBUTION, INC.	005-701-61111		51.06
								51.06
38135	7/2/2019	E1739601	000390	6/13/2019 - PW - CATERPILLAR - EQUIPMENT	QUINN COMPANY	092-608-74100		49,903.23
								49,903.23
38136	7/2/2019	INV0010780	000445	FY2019-2020 - LAFCO Distribution	SB CO AUDITOR CONTROLLER	001-410-67430		1,457.00
								1,457.00
38137	7/2/2019	INV0010823	000507	5/24-6/25/2019 - VB - Utilities Gas	SoCalGas	001-410-61230		1.00
								1.00
38138	7/2/2019	INV0010814	000507	5/23-6/24/2019 - VB - Utilities Gas	SoCalGas	001-410-61230		16.78
								16.78
38139	7/2/2019	INV0010813	000507	5/23-6/24/2019 - CH - Utility Gas	SoCalGas	001-410-61230		21.76
								21.76
38140	7/2/2019	1-75597	000489	6/27/2019 - REC - VEHICLE MAINT (DISTRICT VAN)	STEVE'S WHEEL & TIRE	001-511-60270		919.64
								919.64
38141	7/2/2019	INV0010827	011475	FY2019-2020 - NON-PROFIT COMMUNITY SUPPORT	SUE EISAGUIRRE dba	001-410-67200		1,100.00
								1,100.00
38142	7/2/2019	INV0010816	000766	FY2019-2020 - NON-PROFIT FUNDING SUPPORT	SYV FRUIT & VEGETABLE RESCUE	001-410-67200		4,600.00
								4,600.00
38143	7/2/2019	INV0010821	000496	FY2019-2020 - Senior Center Support	SYV SENIOR CITIZENS FOUNDATION	001-410-67205		65,000.00
								65,000.00
38144	7/2/2019	INV0010819	000521	June 2019 - Misc Maint/Repair Items	TODD PIPE & SUPPLY	001-558-60250		149.42
		INV0010819		June 2019 - Misc Maint/Repair		001-558-60900		10.68
		INV0010819		June 2019 - Misc Maint/Repair Items		020-601-60250		0.06
		INV0010819		June 2019 - Misc Maint/Repair Items		020-601-61127		132.79
		INV0010819		June 2019 - Misc Maint/Repair Items		092-603-74100		3.87
								2.02
38145	7/2/2019	025-263418	000862	8/1/2019-07/31/2020 - Annual Maintenance Agreement	TYLER TECHNOLOGIES, INC.	001-410-60210		16,067.43
		025-263418		8/1/2019-07/31/2020 - Annual Maintenance Agreement		005-701-60210		5,355.81
		025-263418		8/1/2019-07/31/2020 - Annual Maintenance Agreement		020-601-60210		5,355.81
								5,355.81
38146	7/2/2019	388695553	000904	6/20-7/20/2019 - Plng - Copier Lease	US BANK EQUIPMENT FINANCE	001-565-60310		482.71
								482.71
38147	7/2/2019	970899-072019	001388	July 2019 - VB - HOA Fees - 597 AOF #101	VINTAGE WALK OWNERS ASSOCIATION	001-410-60900		124.00
								124.00
38148	7/2/2019	69758663	001063	JULY 2019 - REC - COPIER LEASE	Wells Fargo Vendor Fin Serv	001-511-60310		139.00
								139.00
38149	7/2/2019	827	001176	FY2019-2020 - NON-PROFIT - COMMUNITY SUPPORT	Zaca Center Preschool, Inc.	001-410-67200		6,100.00
								6,100.00
Payment Total:								410,546.60

Report Summary

Fund Summary

Fund	Payment Amount
001 - General Fund	231,716.05
005 - Sewer Fund	46,928.06
020 - Water Fund	29,205.95
025 - Gas Tax Fund	4,286.60
027 - Local Transportation Fund	1,666.66
029 - Transportation Planning	2,917.50
092 - Capital Improvement Proj Fund	93,825.78
Grand Total:	410,546.60

Account Summary

Account Number	Account Name	Payment Amount
001-22160	SYVTBID Payable	32,887.50
001-22166	Long-Term Care Deduction	84.25
001-22416	Developer Deposit	3,271.55
001-22510	Park/Damage Charge	400.00
001-401-50400	Medical Benefit	21.69
001-402-50400	Medical Benefit	10.85
001-403-50400	Medical Benefit	10.85
001-410-50600	Insurance - Liability	250.00
001-410-60210	Computer Maintenance &Software	6,150.81
001-410-60310	Equipment Rental	384.38
001-410-60900	Miscellaneous	124.00
001-410-61130	Office Supplies	540.60
001-410-61131	Postage	26.19
001-410-61230	Utilities - Gas	39.54
001-410-61292	Internet Access/ Website Maint	536.43
001-410-67200	Community Organization Support	25,800.00
001-410-67205	Senior Center Support	65,000.00
001-410-67430	LAFCO Contribution	1,457.00
001-410-67705	Telephone	378.61
001-410-67790	Visitors Bureau	37,500.00
001-420-50400	Medical Benefit	18.52
001-420-60650	Membership & Publications	345.00
001-44250	Miscellaneous	(657.75)
001-511-50400	Medical Benefit	19.25
001-511-60250	Maintenance/Repair	575.00
001-511-60270	Maintenance-Vehicles	3,877.55
001-511-60310	Equipment Rental	139.00
001-511-60510	Advertising	128.00
001-511-61290	Telephone/Internet	176.22
001-511-67140	Buellton Recreation Program	304.00
001-551-60800	Contract Services	13,057.26
001-552-60258	Maintenance/Repair-River View	5,590.00
001-552-60800	Contract Services	13,820.00
001-552-61140	Operational Supplies	86.49
001-552-61211	Utilities - Water	204.44
001-556-60250	Maintenance/Repair	3,225.09
001-556-60800	Contract Services	3,960.00
001-558-50400	Medical Benefit	17.35
001-558-60131	Laundry / Uniforms	326.14
001-558-60250	Maintenance / Repair	435.69
001-558-60800	Contract Services	1,502.70
001-558-60900	Miscellaneous	0.06
001-558-61140	Operational Supplies	526.20
001-558-67600	Safety Equipment	405.03
001-565-50010	Planning Commission Salaries	250.00
001-565-50400	Medical Benefit	9.45

Account Summary

Account Number	Account Name	Payment Amount
001-565-60310	Equipment Rental	482.71
001-565-60800	Contract Services	7,533.00
001-565-61130	Office Supplies	38.33
001-565-67705	Telephone	447.07
005-701-50400	Medical Benefit	16.52
005-701-50600	Insurance - Liability	250.00
005-701-60210	Computer Maintenance &Software	5,591.82
005-701-60250	Maintenance / Repair	8,801.38
005-701-60800	Contract Services	22,913.12
005-701-61111	Chemicals / Analysis	51.06
005-701-61127	Tools	341.41
005-701-61131	Postage	260.00
005-701-67600	Safety Equipment	3,382.01
005-701-67705	Telephone	632.42
005-701-73500	Equipment	4,688.32
020-601-50400	Medical Benefit	16.52
020-601-50600	Insurance - Liability	250.00
020-601-60131	Laundry / Uniforms	338.96
020-601-60210	Computer Maintenance &Software	5,587.81
020-601-60250	Maintenance / Repair	314.39
020-601-60800	Contract Services	9,993.81
020-601-60830	Contract Services-Engineering	4,262.50
020-601-61111	Chemicals / Analysis	1,526.89
020-601-61127	Tools	3.87
020-601-61131	Postage	260.00
020-601-61140	Operational Supplies	52.65
020-601-61240	Meter Expense	5,810.47
020-601-67600	Safety Equipment	220.15
020-601-67705	Telephone	567.93
025-554-60800	Contract Services	4,017.50
025-557-60800	Contract Services	269.10
027-559-67445	Lompoc- Wine Country Express	1,666.66
029-557-60800	Contract Services	2,917.50
092-215-70000	Conceptual Plan and Feasibility	11,217.50
092-306-70005	Design and Permitting	5,070.00
092-307-70005	Design and Permitting	875.00
092-308-70005	Design and Permitting	1,040.00
092-317-70000	Conceptual Plan and Feasibility	19,923.75
092-603-74100	Construction and Improvements	2.02
092-608-74100	Construction and Improvements	49,903.23
092-610-74100	Construction and Improvements	5,592.78
092-706-74100	Construction and Improvements	201.50
Grand Total:		410,546.60

Project Account Summary

Project Account Key		Payment Amount
None		406,971.05
51004-040	Summer Camp 2019	304.00
90017-070	Village Park	464.79
90021-070	Village Capital Pacific Townhomes	782.80
90037-070	Fig Mountain Brewing	489.25
90044-070	The Industrial Network	538.18
90052-070	518 Avenue of Flags	996.53
Grand Total:		410,546.60



UBPKT01598 - Refunds 01 UBPKT01596 Regular

Account	Name	Date	Check #	Amount	Code	Receipt	Amount	Type
04-14700-002	ASHLEY, DAVID	6/26/2019	38099	52.33			52.33	Generated From Billing
Total Refunds: 1			Total Refunded Amount:	52.33				

Revenue Code Summary

Revenue Code	Amount
996 - UNAPPLIED CREDITS	52.33
Revenue Total:	52.33

General Ledger Distribution

Posting Date: 06/26/2019

Account Number	Account Name	Posting Amount	IFT
Fund: 020 - WATER FUND			
020-10000	Claim On Pooled Cash	-52.33	Yes
020-22420	Unapplied Credits	52.33	
020 Total:		0.00	
Fund: 999 - POOLED CASH			
999-10001	Pooled Cash - General Checking	-52.33	
999-27000	Due To Other Funds	52.33	Yes
999 Total:		0.00	
Distribution Total:		0.00	

CITY OF BUELLTON
City Council Agenda Staff Report

City Manager Review: SW
Council Agenda Item No.: 3

To: The Honorable Mayor and City Council

From: Linda Reid, City Clerk

Meeting Date: July 11, 2019

Subject: Designation of Voting Delegate and Alternate for 2019 League of California Cities Annual Conference Business Meeting

BACKGROUND

The League of California Cities Annual Conference is scheduled for October 16 through 18, 2019 in Long Beach. An important part of the Annual Conference is the Annual Business Meeting, scheduled for Friday, October 18, at 12:30 p.m., at which time the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, the City Council must designate a voting delegate and alternate voting delegate. Designation of the voting delegate and alternate must be done by City Council action and cannot be accomplished by simply notifying the League office of the City's representatives to the Annual Business Meeting.

Typically, the Mayor and the Vice Mayor are designated as the City's representatives to the Annual Business Meeting. Upon the decision of the City Council as to the voting delegate and the alternate voting delegate, the City Clerk will submit the required designation form with affirmation by the City Clerk of the City Council's action.

FISCAL IMPACT

This item in itself will not cause any fiscal impact on the City.

RECOMMENDATION

That the City Council designate the Mayor as the City's voting delegate and the Vice Mayor as the alternate voting delegate to the League of California Cities Annual Business Meeting.

ATTACHMENTS

Attachment 1 - 2019 Annual Conference Voting Delegate/Alternate Form



CITY: BUELLTON

2019 ANNUAL CONFERENCE VOTING DELEGATE/ALTERNATE FORM

Please complete this form and return it to the League office by Friday, October 4, 2019. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

In order to vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

1. VOTING DELEGATE

Name: Holly Sierra

Title: Mayor

2. VOTING DELEGATE - ALTERNATE

Name: Ed Andrisek

Title: Vice Mayor

3. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.

OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: Linda Reid

Email lindar@cityofbuellton.com

Mayor or City Clerk _____
(circle one) (signature)

Date 7/12/19 Phone 805-686-7424

Please complete and return by Friday, October 4, 2019

League of California Cities
ATTN: Darla Yacub
1400 K Street, 4th Floor
Sacramento, CA 95814

FAX: (916) 658-8240
E-mail: dyacub@cacities.org
(916) 658-8254

CITY OF BUELLTON
City Council Agenda Staff Report

City Manager Review: SW
Council Agenda Item No.: 4

To: The Honorable Mayor and City Council

From: Kyle Abello, Recreation Supervisor

Meeting date: July 11, 2019

Subject: Consideration of Proposition 68 Grant Application Requirements and Joint Operation of an Aquatics Complex

a) Resolution No. 19-18 – “A Resolution of the City Council of the City of Buellton, California, Approving the Application for the Statewide Park Development and Community Revitalization Program Grant Funds”

b) Joint Use/Lease Agreement with Santa Ynez Valley Union High School District and Santa Ynez Valley Community Aquatics Foundation

BACKGROUND

At its regular meeting of June 13, the City Council approved acting as the lead applicant for a Proposition 68 Statewide Park Development Program Grant and conceptually approved entering into a Joint Use/Lease Agreement with the Santa Ynez Valley Union High School District and Santa Ynez Valley Community Aquatics Foundation for the purpose of securing grant funding for an aquatics complex. As part of the grant documentation, the State requires a resolution approving the grant application by the City, which is attached as Resolution No. 19-18.

At the June 13 meeting, the City Council also directed staff to return with a draft Joint Use/Lease Agreement for consideration. This agreement is required for the Proposition 68 grant. The City Attorney has worked with the District’s legal counsel to draft such an agreement and it is included as Attachment 1. The Agreement is structured to include State requirements including, but not limited to the thirty-year term and renewal options. In addition, it contains mutual indemnification language designed to protect each of the three entities and additional terms laying out each entity’s expected roles and responsibilities. In short, the District will maintain the facility and the City will handle scheduling and programming. The Foundation will continue as the fundraising arm and assist in programming when the facility is constructed. A Joint Use Committee will be formed with an elected official and staff member each from the City, the District, and the Foundation that will implement the Agreement and recommend operational policies and activities for the aquatics complex.

FISCAL IMPACT

While this item addresses the potential use of State grant funding by the City of Buellton, there are no anticipated expenditures of General Fund revenues associated with this action.

RECOMMENDATION

That the City Council consider two distinct motions:

- a) Approval of Resolution No. 19-18 – “A Resolution of the City Council of the City of Buellton, California, Approving the Application for the Statewide Park Development and Community Revitalization Program Grant Funds” and
- b) Approval of a Joint Use/Lease Agreement with Santa Ynez Valley Union High School District and Santa Ynez Valley Community Aquatics Foundation with direction to the City Attorney to finalize the language of the Agreement for execution by the parties.

ATTACHMENTS

Resolution No. 19-18
Attachment 1 - Joint Use/Lease Agreement

RESOLUTION NO. 19-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUELLTON, CALIFORNIA, APPROVING THE APPLICATION FOR THE STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM GRANT FUNDS

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Statewide Park Development and Community Revitalization Grant Program, setting up necessary procedures governing the application; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the Applicant to certify by resolution the approval of the application before submission of said application to the State; and

WHEREAS, successful Applicants will enter into a contract with the State of California to complete the Grant Scope project.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Buellton hereby:

APPROVES THE FILING OF AN APPLICATION FOR THE Santa Ynez Valley Community Aquatics Park and

1. Certifies that said Applicant has or will have available, prior to commencement of any work on the project included in this application, the sufficient funds to complete the project; and
2. Certifies that if the project is awarded, the Applicant has or will have sufficient funds to operate and maintain the project, and
3. Certifies that the Applicant has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Grant Administration Guide; and
4. Delegates the authority to the City Manager to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the Grant Scope; and
5. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines; and
6. Will consider promoting inclusion per Public Resources Code §80001(b)(8 A-G).

PASSED, APPROVED and ADOPTED this 11th day of July, 2019.

Holly Sierra
Mayor

ATTEST:

Linda Reid
City Clerk

JOINT-USE/LEASE AGREEMENT

SANTA YNEZ VALLEY UNION HIGH SCHOOL DISTRICT,

CITY OF BUELLTON,

and

SANTA YNEZ VALLEY COMMUNITY AQUATICS FOUNDATION

This JOINT-USE FACILITY AGREEMENT (“Agreement”) is made and entered into effective on the ___th day of ____, 2019, by and between the CITY OF BUELLTON, a California municipal corporation (“City”), and the SANTA YNEZ VALLEY UNION HIGH SCHOOL DISTRICT, a school district duly organized and operated under the laws of the State of California (“District”), and the SANTA YNEZ VALLEY COMMUNITY AQUATICS FOUNDATION (“Foundation”). Collectively, the City, District, and Foundation shall be referred to in this Agreement as the “Parties.”

1. RECITALS

A. Chapter 10 of Part 7 of the California Education Code (“Community Recreation Programs Law”) authorizes school districts and cities to organize, promote, and conduct programs of community recreation that will contribute to the attainment of general educational and recreational objectives for children and adults of the state.

B. The District owns Santa Ynez High School located at 2975 East Highway 246, Santa Ynez, California, 93560 (“High School”), as depicted in Exhibit A to the Agreement. The High School site includes an aquatics facility, as depicted in Exhibit B. The aquatics facility currently contains a single swimming pool that is unfit for high-level competition and that provides a minimal number of hours of community recreation due to the high demand for its use by organized groups.

C. The Foundation was formed in 2015 to raise and provide the necessary funds for design, development, installation and continued operations of two pools at a new Santa Ynez Valley Community Aquatics Park located at the High School: a competition pool and a recreational/therapeutic pool including ancillary facilities (“Project”).

D. Qualification for grant funding under Proposition 68 requires both a municipal partner and that a long-term lease agreement be in place for the operation of the Project.

2. AGREEMENT

NOW, THEREFORE, in consideration of the mutual promises, covenants and conditions contained herein, the City, District, and Foundation agree as follows:

A. Recitals

The above recitals are true and correct and material to this Agreement.

B. Lease Agreement

This Agreement creates a lease between the District (Lessor) and the City (Lessee) for the Project area as shown in Exhibit B.

C. Purpose of Agreement – Applicable Law

The purpose of this Agreement is for the Parties to work together to provide for the realization of the Project and thereafter the use and maintenance of the Project and to coordinate and schedule uses of the Project by the District, the City, and the surrounding communities that will benefit from the Project.

Chapter 10 of part 7 of the California Education Code (“Community Recreation Programs Law”) authorizes school districts and cities to organize, promote, and conduct programs of community recreation as will contribute to the attainment of general educational and recreational objectives for children and adults of the state. Moreover, the Civic Center Act (California Education Code sections 38130 et seq.) allows any school district to grant, upon terms and conditions the board deems proper, the use of school facilities as a civic center to allow community groups and public agencies use of the facilities for the public, literary, scientific, recreational, educational uses enumerated in the Civic Center Act.

D. Lease and Use of District Facilities by District, City, and Foundation

(1) The District hereby leases to the City the Project site and grants to the City the right and privilege of using the Project for public, community and/or recreational purposes in accordance with the terms and conditions of this Agreement and in accordance with applicable law.

(2) The Parties agree that upon completion of the Project they will share in the use of the Project and will coordinate the times and programs necessary to allow the best appropriate use of the Project. Each party shall be responsible for supervising their own respective activities at the Project.

(3) In the event that District’s governing Board should determine that City’s or Foundation’s lease and use of the Project with District’s use of the Project for school purposes or that such use interferes with the education programs and activities of District, the Parties agree to resolve such dispute pursuant to Section O of this Agreement.

E. Scheduling and Use of District Facilities

(1) The Joint Use Committee (as defined in Section I) shall be responsible for and shall have authority to schedule all use of the Project. District

recognizes that community use of the Project before, during, and after normal school hours is beneficial to the community and will not generally disrupt the education programs and activities of District. City and Foundation recognize that District education programs and activities may take place in the Project during normal school hours. All parties recognize that co-curricular and interscholastic District programs and activities must take place prior to and immediately following normal school hours and that such programs will take priority over community programs during those hours.

(2) Prior to Project completion, the Joint Use Committee shall be established and shall meet to create appropriate scheduling systems for the Project, including a procedure for establishing priorities for various public, civic and/or recreational uses. The parties agree that District shall have first priority for use of the Project during school hours and that City shall have first priority for use during non-school hours except that District interscholastic teams shall have first priority for practices and competitions held immediately after school hours.

(3) After the foregoing priorities, the Joint Use Committee will give community organizations, in an order determined by the Joint Use Committee, the next priority to the Project.

(4) The Parties shall ensure that as to the reservation of the use of the Project by persons and organizations that each such person or organization shall have in effect at the time of such use of the District Facility general liability insurance coverage in the amount of at least one million dollars (\$1,000,000.00) per occurrence and one million dollars (\$1,000,000.00) in the aggregate and that each of the District, City, and Foundation are named as additional insureds on the applicable insurance policies. Notwithstanding anything to the contrary herein, the Party responsible for administering the reservation, in its sole discretion, may in writing waive this provision at its sole risk. In the event of such waiver, the waiving Party hereby agrees to indemnify, hold harmless, and defend the other Parties, their governing bodies, officers, agents and employees from every claim, demand or expense of any nature whatsoever that arises from the permitted use of the Project.

F. Maintenance and Repair

The District shall provide and pay for regular janitorial service for the Aquatics Center, and shall pay for the cost of operating, maintaining, and repairing the improvements put in place by the Project.

G. Charges for Use of Facility

The Parties agree that, due to District's obligation to pay for janitorial services as well as all operations and maintenance of the Aquatics Center, a portion of the individual user fees and fees paid by third party group users and collected by City ("Remittance Portion") will be remitted to the District to help defray those janitorial and maintenance costs after the City. The Joint Use Committee shall set the Remittance Portion prior to completion of the Project and opening to the public. City shall include

the Remittance Portion in its calculations when determining the fee schedule for its recreation programs as set forth in Section V of this Agreement.

H. Term

The term of this Agreement shall be for 30 years commencing on the effective date first set forth in this Agreement. The term of the Agreement shall be automatically renewed for one-year periods on or after its 30th anniversary date unless a Party to the Agreement provides at least one year's written notice of intent to terminate to the other Parties.

I. Joint Use Committee

The City, District, and Foundation agree to establish a six-member Joint Use Committee composed of two persons appointed by each governing board of the City and the District as well as two representatives of the Foundation to oversee the implementation of this Agreement and compliance with applicable laws, and to recommend operational changes to the benefit of both parties. The City and the District shall each appoint one elected representative and one staff person to the Joint Use Committee. Additional ex officio, non-voting members may be added at the discretion of the Parties.

J. Sale of Project

In the event that the District intends to sell, transfer or otherwise dispose of the real and personal property that comprises the Project, subject to applicable law, the City and Foundation are hereby provided an option to purchase the property on the basis of an appraisal representing fair market value agreed to by a Member of the Appraisal Institute ("MAI" appraiser) representing the District and an MAI appraiser representing the City and Foundation. Should the selected appraisers be unable to agree, they in turn will select a third MAI appraiser whose determination as to fair market value shall be binding upon the parties. The City and Foundation agrees to waive their rights under the Naylor Act (Education Code § 17485, et seq.).

K. Indemnification and Insurance

(1) Each Party agrees to and does hereby indemnify, hold harmless and defend the other two Parties, their governing boards, officers, agents and employees from every claim or demand or expense of any nature whatsoever, including but not limited to injury to or death of person(s) or damage to any property which arises as a result of the negligence or willful misconduct of the indemnifying Party, its officers, agents or employees in the performance of this Agreement.

(2) Each Party agrees to maintain comprehensive general liability insurance either through an insurance carrier licensed to do business in the State of California or through a joint powers insurance authority with the amount of said insurance required to be at least one million dollars (\$1,000,000.00) per occurrence and two million dollars (\$2,000,000.00) aggregate. The Parties agree to provide 30 days

written notice to the other parties if any substitution, change, or other modification of the aforementioned insurance coverage which will result in a decrease in the scope or the amount of such coverage is proposed.

(3) The District agrees that it shall insure for its full replacement value the premises and all fixtures and equipment in, on, or at the Project. The fire and property insurance policies shall name the District, the City, and the Foundation as beneficiaries to the extent applicable.

(4) The Parties agree that it is their intent that any insurance proceeds received be used to the extent possible to replace and or restore the damaged property.

L. Notices

Any notices to be given hereunder by either party to the other in writing may be effected either by personal delivery or by mail. Mailed notices shall be addressed to the address of the parties to be notified which appears below, but each party may change its address by written notice given in accordance with this paragraph. Notices delivered personally will be deemed communicated as of actual receipt. Mailed notices will be deemed communicated and received as of 10 calendar days following the date of mailing of the notice.

CITY OF BUELLTON:

City of Buellton
Attn: City Manager
107 W. Highway 246
Post Office Box 1819
Buellton, CA 93427

**SANTA YNEZ VALLEY
UNION HIGH SCHOOL
DISTRICT:**

Santa Ynez Valley Union
High School District
Attn: Superintendent
P.O Box 398
Santa Ynez, CA 93460

**SANTA YNEZ VALLEY
COMMUNITY AQUATICS
FOUNDATION:**

Santa Ynez Valley Community
Aquatics Foundation
Attn: President
P.O Box 1617
Santa Ynez, CA 93460

M. Entire Agreement

This Agreement supersedes any and all agreements, either oral or written, between the Parties hereto with respect to the subject matter of this Agreement, and contains all of the covenants

N. Governing Law

This Agreement will be governed by and construed in accordance with the laws of the State of California. Any legal action in which enforcement of the terms and conditions of this Agreement is requested, or in which it is alleged that a breach of this Agreement has taken place, shall be filed and prosecuted in the County of Santa Barbara, California.

O. Breach of Agreement

If any Party defaults in the performance of any of the terms or conditions of this Agreement, it shall have 30 days after service upon it of written notice of such default in which to cure the default by rendering a satisfactory performance. In the event that the defaulting Party fails to cure its default within such period of time, each non-defaulting Party shall have the right, notwithstanding any other provision of this Agreement, to terminate this Agreement without further notice and without prejudice to any other remedy to which it may be entitled at law, in equity, or under this Agreement. This failure of a Party to object to any default in the performance of the terms and conditions of this Agreement shall not constitute a waiver of either that term or condition or any other term or condition of this Agreement.

P. Binding Arbitration

The Parties agree to submit any disputes arising out of this Agreement to a mutually agreeable mediator. Should this process fail to resolve the dispute, the Parties agree to submit the matter to binding arbitration, in accordance with the commercial arbitration rules of the American Arbitration Association.

Q. Attorney Fees

If any legal proceeding, including an action for declaratory relief, is brought to enforce or interpret the provisions of this Agreement, the prevailing Party or Parties will be entitled to reasonable attorney's fees, which shall be set by the court in the same action or in a separate action brought for that purpose, in addition to any other relief to which that Party or Parties may be entitled.

R. Severability

If any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions will nevertheless continue in full force without being impaired or invalidated in any way.

S. Successors and Assigns

(1) No Party may assign its interest in this Agreement without the express written consent of the other Parties.

(2) The terms and conditions of this Agreement shall be binding on the successors and assigns of the Parties to this Agreement.

T. Emergencies/Disasters

(1) District's Superintendent is responsible for safeguarding the health, welfare and safety of students. In emergency situations, the Superintendent or his/her designee shall take such action as he/she deems appropriate to provide for the safety of the students. In the event of an emergency or a disaster, the Project shall be under the control and supervision of District.

(2) Should an emergency and/or disaster require immediate action with respect to repairs, maintenance, or safeguarding of the Project, the Parties agree to take a joint approach with respect to such action and, if possible, consult one other prior to taking such action. However, should a Party be unable to consult the other party, and immediate action is required to minimize damage to the Project and/or to protect the safety and welfare of the public, such Party may act without consultation with the other Parties and, after the emergency/disaster is over, all Parties shall attempt to resolve any dispute with respect to such action. If the Parties are unable to resolve any dispute with respect to an action taken in response to an emergency/disaster, such dispute shall be resolved in the manner set forth in section O of this Agreement.

U. Employees

(1) For purposes of this Agreement, all persons employed in the performance of services and functions for the City shall be deemed City employees and no City employee shall be considered as an employee of the District or Foundation under the jurisdiction of the District or Foundation, nor shall such City employees have any District or Foundation pension, civil service, or other status while an employee of the City.

(2) For purposes of this Agreement, all persons employed in the performance of services and functions for the District shall be deemed District employees and no District employee shall be considered as an employee of the City or Foundation under jurisdiction of the City or Foundation, nor shall such District employees have any City or Foundation pension, civil service, or other status while an employee of the District.

(3) For purposes of this Agreement, all persons employed in the performance of services and functions for the Foundation shall be deemed Foundation employees and no Foundation employee shall be considered as an employee of the District or City under jurisdiction of the District or City, nor shall such Foundation employees have any District or City pension, civil service, or other status while an employee of the Foundation.

V. Recreation Program Costs

Except as otherwise provided herein, each Party shall separately set its own fee schedule for its recreation programs at the Project. The City shall include as part of its fee schedule the Remittance Portion set by the Parties pursuant to Section G of this

Agreement. Each Party covenants and agrees to bear all costs that it incurs in respect to the operation of its own recreation program, including the cost of service of its employees and incidental costs in connection therewith.

W. Applicable Law

This Agreement shall be governed by and construed in accordance with the laws of the State of California and to the extent that there is any conflict between this Agreement and the laws of the State of California, the laws of the State of California shall prevail.

IN WITNESS WHEREOF, the District, the City, and the Foundation have executed this Agreement as of the date first above written.

[Signatures on the following page]

**SANTA YNEZ VALLEY
UNION HIGH SCHOOL DISTRICT**

By: _____
Jan Clevenger, President

ATTEST:

Tory Babcock, Board Clerk

CITY OF BUELLTON

By: _____
Holly Sierra, Mayor

ATTEST:

Linda Reid, City Clerk

APPROVED AS TO FORM:

Gregory M. Murphy, City Attorney

**SANTA YNEZ VALLEY
COMMUNITY AQUATICS FOUNDATION**

By: _____
Lisa Palmer, President

ATTEST:

**SANTA YNEZ VALLEY
COMMUNITY AQUATICS FOUNDATION**

By: _____
Matt Allen

CITY OF BUELLTON
City Council Agenda Staff Report

City Manager Review: SW
Council Agenda Item No.: 5

To: The Honorable Mayor and City Council

From: Shannel Zamora, Finance Director

Meeting Date: July 11, 2019

Subject: Discussion and Direction for funding the Arts and Culture Committee

BACKGROUND

On February 28, 2019, City Council discussed goals and priorities for the Fiscal Years 2019/20 and Fiscal Year 2020/21 Biennial Budget. One of the eight goals City Council discussed was to promote arts and culture with the objective to create an Arts and Culture Committee (“Committee”). This goal will allow the City to address Goal No. 3 of the City of Buellton Vision Plan to offer a variety of arts and culture opportunities.

On May 9, 2019, staff presented a preliminary biennial budget that did not include a monetary value for the organization of an arts and culture committee, but rather, states one of the goals of the Recreation Department is to organize a committee of community members to explore and implement activities related to arts and culture.

On May 23, 2019, the Fiscal Year 2019/20 and Fiscal Year 2020/21 Biennial Budget was adopted without allocating money to the Committee. However, sufficient funds were allocated in the Recreation Department budget that allows for incidental expenses as the volunteer committee meets during the year. The budget was developed with the assumption that once the Committee develops its goals, objectives and project ideas, then the Committee can bring those ideas forward for City Council consideration and funding.

On June 13, 2019, City Council directed staff to bring back a discussion for the possibility of allocating \$50,000 towards the Arts and Culture Committee to allow the committee to have funds available to implement activities instead of coming back for City Council consideration and funding.

FISCAL IMPACT

The Fiscal Year 2019/20 and Fiscal Year 2020/21 Biennial Budget will require a budget amendment to reflect the funding allocation to the Arts and Culture Committee. The funding allocation will come from the General Fund.

RECOMMENDATION

That the City Council discuss funding the Arts and Culture Committee and provide direction to staff on adding the Arts and Culture as a budget line item and amend the Fiscal Year 2019/20 budget by the funding allocation amount at the next budget adjustment meeting.