



CITY OF BUELLTON

CITY COUNCIL AGENDA

**Regular Meeting of October 10, 2019 at 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 Any Council Member, the City Attorney, or the City Manager may request that an item be withdrawn from the Consent Agenda to allow for full discussion.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 September 26, 2019 Regular City Council Meeting**
- 2. List of Claims to be Approved and Ratified for Payment to Date for Fiscal Year 2019/20**
- 3. Acceptance of Village Park**
 - ❖ (Staff Contact: Public Works Director Rose Hess)

PRESENTATIONS

PUBLIC HEARINGS

(POSSIBLE ACTION)

- 4. **Ordinance No. 19-02 – “An Ordinance of the City Council of the City of Buellton, California, Amending Municipal Code Title 19 (Zoning) Related to Certain Commercial Cannabis Activities” (Introduction and First Reading)**
 ❖ *(Staff Contact: City Manager Scott Wolfe)*

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)

- 5. **Discussion and Direction Regarding Dia de Los Muertos/Day of the Dead Project Proposal (Arts & Culture Committee)**
 ❖ *(Staff Contact: Recreation Supervisor Kyle Abello)*
- 6. **Annual Report from the Buellton Visitors Bureau for the Period July 2018 through June 2019**
 ❖ *(Staff Contact: Finance Director Shannel Zamora)*
- 7. **Discussion and Direction Regarding Proposal for Update to Community Design Guidelines**
 ❖ *(Staff Contact: Planning Director Andrea Keefer)*

CITY MANAGER’S REPORT

ADJOURNMENT

The next regular meeting of the City Council will be held on Thursday, October 24, 2019 at 6:00 p.m.

CITY OF BUELLTON

CITY COUNCIL MEETING MINUTES
Regular Meeting of September 26, 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 Scott Wolfe, City Attorney Greg Murphy, Finance
Director Shannel Zamora, Planning Director Andrea Keefer,
Contract Planner Irma Tucker, Lt. Eddie Hsueh, and City Clerk
Linda Reid

PUBLIC COMMENTS

Diane Craig, Buellton, spoke about wireless radio frequency transmissions in the Meadow Ridge subdivision and submitted a handout for the record.

Nick DiCroce, Solvang, spoke about the Delta Conveyance Project and requested the Council opt out of the project.

CONSENT CALENDAR

1. **Minutes of September 12, 2019 Regular City Council Meeting**
2. **List of Claims to be Approved and Ratified for Payment to Date for Fiscal Year 2019/20**
3. **Financial Report for the Fourth Quarter Ending June 30, 2019**
4. **Monthly Treasurer's Report – August 31, 2019**

MOTION:

Motion by Council Member King, seconded by Council Member Mercado, approving Consent Calendar Items 1, 2, 3, and 4.

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

None

PUBLIC HEARINGS

None

COUNCIL MEMBER COMMENTS/ITEMS

Council Member King congratulated Finance Director Zamora on being awarded the sixth straight Comprehensive Annual Financial Report (CAFR) award.

Council Member Sanchez provided an update on the solar lights lighting the flags on the Avenue of Flags.

Vice Mayor Andrisek thanked Council Member Sanchez for his dedication in taking care of the flags on the Avenue of Flags.

Mayor Sierra stated that Buellton's streets look great following the road maintenance slurry and requested a status on clearing the project staging lot on Second Street and Central Avenue.

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 the Library Advisory Committee meeting and provided an oral report regarding the meeting.

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

BUSINESS ITEMS**5. Consideration of Conceptual Review of Creekside Village Mixed-Use Project, 480 Avenue of Flags (APNs 137-170-042 & -043)****RECOMMENDATION:**

That the City Council review and discuss the Creekside Village Mixed-Use conceptual plans and provide suggested changes to the Applicant and staff.

STAFF REPORT:

Contract Planner Tucker presented the staff report.

SPEAKERS/DISCUSSION:

Brandon Mann, project applicant discussed the project details.

Michael Holliday, project architect with DMHA provided a presentation describing the project.

The City Council discussed the following issues:

- Additional setbacks from the street to accommodate outdoor dining
- Continuing the bike and pedestrian pathway for future development
- Adding additional landscape to the project
- Overdeveloping a small project site and concern for adequate parking
- Additional off-site parking
- How to make the project less dense but still profitable

DOCUMENTS:

Staff report with attachments as listed in the staff report.

6. Review and Direction to Staff Regarding Avenue of Flags Median Two Design Plan 65% Drawings**RECOMMENDATION:**

That the City Council review the 65% draft plans and provide staff with direction to move forward towards completion of the design plans.

STAFF REPORT:

Planning Director Keefer presented the staff report. Deputy City Engineer Yankee provided a presentation of the 65% draft plans

SPEAKERS/DISCUSSION:

The City Council discussed the following issues:

- Overall budget for the project should be \$150,000
- Establishing a list of suitable trees that do not have invasive roots

DOCUMENTS:

Staff report with attachments as listed in the staff report.

DIRECTION:

The City Council agreed by consensus to accept the 65% draft plans for Median Two of the Avenue of Flags and directed staff to bring back 95% draft plans for review.

7. Appointment of an Ad Hoc Committee for Review of City Engineering Services**RECOMMENDATION:**

That the City Council appoint two Council Members to work with staff regarding review of City Engineering services.

STAFF REPORT:

City Manager Wolfe presented the staff report.

DIRECTION:

The City Council agreed by consensus to appoint Council Member Sanchez and Mayor Sierra to the Engineering Services Ad Hoc Committee.

8. Discussion and Direction Regarding a Proposed City in the School Program**RECOMMENDATION:**

That the City Council discuss this item and direct staff to work with school administration to implement the City in the School Program.

STAFF REPORT:

City Manager Wolfe presented the staff report.

DOCUMENTS:

Staff report with attachments as listed in the staff report.

DIRECTION:

The City Council agreed by consensus to direct staff to work with school administration to implement the City in the School Program.

9. Discussion and Direction Regarding a Proposed City Social Media Policy**RECOMMENDATION:**

That the City Council discuss a Social Media Policy and one-way Facebook page to be used to provide accurate information to residents.

STAFF REPORT:

City Manager Wolfe presented the staff report.

SPEAKERS/DISCUSSION:

The City Council discussed the draft social media policy as a one-way communication tool.

DOCUMENTS:

Staff report with attachments as listed in the staff report.

MOTION:

Motion by Council Member King, seconded by Mayor Sierra approving the draft social media policy and directing the City Manager to establish a one-way Facebook page that will post accurate information for Buellton residents and business owners.

VOTE:

Motion passed by a voice vote of 5-0.

Council Member King – Yes

Council Member Mercado – Yes

Council Member Sanchez - Yes

Vice Mayor Andrisek – Yes

Mayor Sierra – Yes

CITY MANAGER’S REPORT

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

CLOSED SESSION ITEMS

**10. Closed Session - California Government Code Section 54957 regarding:
PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: City Manager**

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 8:38 p.m. The next regular meeting of the City Council will be held on Thursday, October 10, 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: October 10, 2019

Subject: List of Claims to be Approved and Ratified for Payment to Date for Fiscal Year 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 09/18/2019 through 10/01/2019 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, 09/18/2019 through 10/01/2019, and electronic fund transfers issued for the period of 09/18/2019 through 10/01/2019 was \$818,069.76.

FISCAL IMPACT

Payments made to the various vendors were consistent with the approved City's Budget for 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 09/18/2019 through 10/01/2019.

ATTACHMENTS

Attachment 1 – Claims

ATTACHMENT 1

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 **September 18, 2019 through October 1, 2019** for ratification by the City at the **October 10, 2019** City Council Meeting.

EXHIBIT A - A/P Packets processed

A/P Packet #APPKT001112	492,094.56
A/P Packet #APPKT001109	129,042.53
A/P Packet #APPKT001106	92,101.51
Total A/P Packets:	<u>\$713,238.60</u> (6 pages)

Utility Packet #UBPKT01700	84.92 (1 page)
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Total of checks issued:	<u>\$713,323.52</u>
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EXHIBIT B - Payments via Electronic Fund Transfer (EFT)

EFT Total:	<u>\$55,408.09</u>
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Payroll processed

CC Payroll	9/26/2019	2,285.40
Staff Payroll	9/27/2019	47,052.75
Total Payroll:		<u>\$49,338.15</u>

TOTAL AMOUNT OF CLAIMS:	<u>\$818,069.76</u>
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Payments via Electronic Fund Transfer (EFT):
From 09/18/2019 through 10/01/2019

Payroll Tax - IRS	9/27/2019	59.76
CalPERS - Classic	9/27/2019	157.24
CalPERS - PEPPRA	9/27/2019	63.02
Payroll Tax - EDD	9/27/2019	5.15
Bank Fee	9/30/2019	37.50
CalPERS - Medical	9/30/2019	22,407.20
CalPERS - Classic	9/30/2019	5,768.80
CalPERS - PEPPRA	9/30/2019	3,658.80
Payroll Tax - EDD	9/30/2019	2,972.83
Payroll Tax - IRS	9/30/2019	8.89
Payroll Tax - IRS	9/30/2019	8,416.30
Hassler - Postage	9/30/2019	400.00
DCP-AUL	10/1/2019	11,452.60

Total

55,408.09



Check Disbursements - City Council - October 10, 2019

City of Buellton, CA

By Payment Number

Payment Dates 09/18/2019 - 10/01/2019

Payment Number	Payment Date Payable Number	Vendor # Description	Vendor Name	Account Number	Project Account Key	Payment Amount Item Amount
38505	9/24/2019 34053060	001214 SEPTEMBER 2019 - CH - TELEPHONE SYSTEM LEASE	AVAYA Financial Services	001-410-60310		384.38 384.38
38506	9/24/2019 INV0011145	000121 SEPTEMBER 2019 - VB - TOT ALLOCATION PER CONTRACT	BUELLTON VISITORS BUREAU	001-410-67790		37,500.00 37,500.00
38507	9/24/2019 245116 245117	000065 AUGUST 2019 - RETAINER - LEGAL SERVICES AUGUST 2019 - LEGAL SERVICES - CODE ENFORCEMENT	BURKE, WILLIAMS & SORENSEN, LLP	001-404-60840 001-404-60840		10,351.39 10,282.09 69.30
38508	9/24/2019 871506 871942	000118 8/16-9/15/2019 - HR - COPIER OVERAGE CHARGES 8/18-9/17/2019 - RS/FD/CH - COPIER OVERAGE CHARGES	COASTAL COPY, INC.	001-410-61130 001-410-61130		395.97 56.45 339.52
38509	9/24/2019 INV0011146	000122 9/18-10/17/2019 - CC - INTERNET SERVICES	COMCAST CABLE	001-410-61292		150.42 150.42
38510	9/24/2019 INV0011133	000140 9/5&19/2019 - Planning Commission Meetings	DAN HEEDY	001-565-50010		100.00 100.00
38511	9/24/2019 INV0011134	001225 9/5&19/2019 - Planning Commission Meetings	MARCILO SARQUILLA	001-565-50010		100.00 100.00
38512	9/24/2019 INV0011131	001331 9/5/2019 - Planning Commission Meeting	MICHAEL EGLIN	001-565-50010		50.00 50.00
38513	9/24/2019 INV0011132	001187 9/19/2019 - Planning Commission Meeting	PATTY J HAMMEL	001-565-50010		50.00 50.00
38514	9/24/2019 INV0011129 INV0011129 INV0011129 INV0011129 INV0011129 INV0011129 INV0011129	000372 6/14/2019-8/28/2019 - PETTY CASH REIMBURSEMENT 6/14/2019-8/28/2019 - PETTY CASH REIMBURSEMENT	PETTY CASH	001-511-61130 001-511-67140 001-511-67140 001-565-60710 001-565-61130 005-701-61131 020-601-61131	51004-040 51005-040	258.43 97.00 90.00 25.00 25.00 11.48 4.98 4.97
38515	9/24/2019 INV0011130	001327 9/05&19/2019 - Planning Commission Meetings	ROBERT PAUL BLOKDYK	001-565-50010		100.00 100.00
38516	9/24/2019 CM0000148 INV0011144	000894 AUGUST 2019 - TBID - ADMIN FEES AUGUST 2019 - TBID AMOUNT	Santa Ynez Valley Hotel Assn., Inc. dba	001-44250 001-22160		41,191.85 (840.65) 42,032.50
38517	9/24/2019 INV0011128 INV0011128 INV0011128 INV0011128 INV0011128 INV0011128	000978 8/17-9/15/2019 - MISC OFFICE SUPPLIES 8/17-9/15/2019 - MISC OFFICE SUPPLIES	Staples Credit Plan	001-410-61130 001-420-61130 001-511-61130 001-558-61130 001-565-61130 005-701-61130		989.07 262.66 129.71 325.35 118.50 100.06 52.79
38518	9/24/2019 025-272421 025-272421	000862 11/1/19-10/31/20 - UB ONLINE MAINT - ANNUAL FEE 11/1/19-10/31/20 - UB ONLINE MAINT - ANNUAL FEE	TYLER TECHNOLOGIES, INC.	005-701-60210 020-601-60210		480.00 240.00 240.00

Payment Number	Payment Date Payable Number	Vendor # Description	Vendor Name	Account Number	Project Account Key	Payment Amount Item Amount
38521	10/1/2019	000326	MNS ENGINEERS, INC.			101,276.13
	73420	8/1-31/2019 - CITY ENGINEER/PUBLIC WORKS		025-554-60800		2,220.00
	73421	8/1-31/2019 - CITY/TRANSPORTATION PLANNING		029-557-60800		1,137.50
	73422	8/1-31/2019 - CITY/TRAFFIC SAFETY STUDIES		025-554-67265		2,527.50
	73423	8/1-31/2019 - CITY STORM WATER MGMNT PLAN		001-551-60800		10,172.50
	73424	8/1-31/2019 - CITY/UPDATE WATER		020-601-60830		612.50
	73425	8/1-31/2019 - CITY/MCMURRAY RD SIGNAL UPGRADE		092-307-70005	09230770005	350.00
	73426	8/1-31/2019 - PED SFTY IMPRVMNTS - HWY246/SYC DR		092-306-71500	09230671500	4,568.29
	73427	8/1-31/2019 - BACKFLOW PREVENTION PROGRAM		020-601-60830		3,250.00
	73428	8/1-31/2019 - INDUSTRIAL WAY STREET LIGHTING		092-311-70005	09231170005	875.00
	73429	8/1-31/2019 - RD MNTNC & CITYWIDE CONCRETE RPR PRJ		092-317-71500	09231771500	31,090.50
	73430	8/1-31/2019 - MEDIAN 2 PARKING LOT		092-215-70005	09221570005	28,107.34
	73431	8/1-31/2019 - NORTH PARK AND RIDE		092-308-70005	09230870005	16,365.00
38522	10/1/2019	001111	TETRA TECH, INC.			27,766.40
	51485091	ENGRNG SERVICES->8/23/2019 - ENCROACHMENT PERMITS		025-557-60800		762.21
	51485092	ENGRNG SERVICES->8/23/2019 - CROSSROADS		001-22416	90010-070	557.50
	51485093	ENGRNG SERVICES->8/23/2019 - TOWNHOMES		001-22416	90021-070	1,413.72
	51485094	ENGRNG SRVCS->8/23/2019 - FIG MTN (73 IND WAY)		001-22416	90037-070	364.37
	51485095	ENGRNG SERVICES->8/23/2019 - 5-ACRE BLDNG @ IND WAY		001-22416	90044-070	835.63
	51485096	ENGRNG SERVICES->8/23/2019 - NGHBRHD PARK@VLLG		001-22416	90017-070	2,226.14
	51485097	ENGRNG SERVICES->8/23/2019 - SEWER CIP - 2019		092-704-74100	09270474100	21,197.40
	51485098	ENGRNG SERVICES->8/23/2019 - WTR FND PROJ GEN SPPT		020-601-60830		409.43
38523	10/1/2019	000509	ALAN NEEDHAM dba			15,877.78
	26814	8/12/2019 - S-11 - TREE TRIMMING		001-556-60800		130.00
	26815	8/7/2019 - RVP - IRRIGATION REPAIR		001-552-60258		587.78
	26826	AUG 2019 - MONTHLY LANDSCAPE MAINTENANCE		001-552-60800		11,200.00
	26826	AUG 2019 - FACILITIES & STREETS LANDSCAPE		001-556-60800		3,960.00
38524	10/1/2019	000968	ALFA LAVAL Inc.			1,429.44
	279039881	7/30/2019 - WWTP - PO# PO00034 - BELT		005-701-60250		1,429.44
38525	10/1/2019	000718	AUTOSYS, INC.			290.00
	2560	8/30/2019 - DWTP - REMOTE ASSIST IT/PROGRAMMING		020-601-60800		290.00
38526	10/1/2019	000076	CAL-COAST IRRIGATION, INC.			5.13
	1909-559263	9/23/2019 - MAINT/REPAIR ITEMS		020-601-60250		2.61
	1909-559272	9/23/2019 - MAINT/REPAIR ITEMS		020-601-60250		2.52
38527	10/1/2019	000750	CENTER FOR HEARING HEALTH, INC.			570.00
	17497	9/4/2019 - ANNUAL AUDIOMETRIC TESTING		001-410-67370		570.00
38528	10/1/2019	000105	CITY OF BUELLTON			1,833.01
	INV0011170	8/25-9/25/2019 - IRRIGATION - 595 2ND/OAK VLY		001-552-61211		1,833.01
38529	10/1/2019	000107	CITY OF LOMPOC			1,666.66
	1320	OCTOBER 2019 - TRANSIT SERVICES		027-559-67445		1,666.66
38530	10/1/2019	000655	COAST NETWORKX, INC.			795.00
	21361	10/1-31/2019 - Guardian Monthly Srvc Dsktop/Srvr		001-410-60210		795.00
38531	10/1/2019	000122	COMCAST CABLE			176.74
	INV0011176	9/25-10/24/2019 - REC - INTERNET & TELEPHONE SRVC		001-511-61290		176.74
38532	10/1/2019	000122	COMCAST CABLE			236.01
	INV0011177	9/29-10/28/2019 - WWTP - INTERNET SERVICE		005-701-60210		236.01
38533	10/1/2019	000122	COMCAST CABLE			286.01
	INV0011175	9/26-10/25/2019 - CH/Plng - INTERNET SERVICE		001-410-61292		286.01
38534	10/1/2019	000138	D.L. ELECTRIC, INC.			1,362.00
	19-609	9/3-10/2019 - RVP - INSTALL WINDOW A/C		001-552-60258		860.00

Check Disbursements - City Council - October 10, 2019

Payment Dates: 09/18/2019 - 10/01/2019

Payment Number	Payment Date Payable Number	Vendor # Description	Vendor Name	Account Number	Project Account Key	Payment Amount Item Amount
	19-641	9/13/2019 - PW - STREET LIGHTING TROUBLESHOOTING		001-558-60250		502.00
38535	10/1/2019 INV0011174 INV0011174 INV0011174	000172 OCT2019-AnswrngSrvc/SEPT2019-MsgSrvc OCT2019-AnswrngSrvc/SEPT2019-MsgSrvc OCT2019-AnswrngSrvc/SEPT2019-MsgSrvc	ECHO COMMUNICATIONS	001-558-60800 005-701-60800 020-601-60800		132.90 44.30 44.30 44.30
38536	10/1/2019 08925	000176 OCT-DEC 2019 - USPS - SECURITY SYSTEM MONITORING	EXCLUSIVE ALARMS INC	001-558-60800		414.00 414.00
38537	10/1/2019 S100012621-001 S100012981.001	001364 9/16/2019 - DWTP - MAINT/REPAIR ITEMS 9/17/2019 - DWTP - GASKETS	FAMCON PIPE & SUPPLY-SM	020-601-60250 020-601-60250		189.65 161.63 28.02
38538	10/1/2019 INV0011169 INV0011169 INV0011169 INV0011169	001040 9/19-10/18/2019 - WIRELESS PHONE SERVICES 9/19-10/18/2019 - WIRELESS PHONE SERVICES 9/19-10/18/2019 - WIRELESS PHONE SERVICES 9/19-10/18/2019 - WIRELESS PHONE SERVICES	FRONTIER COMMUNICATIONS	001-410-67705 001-565-67705 005-701-67705 020-601-67705		1,969.51 365.03 440.40 616.55 547.53
38539	10/1/2019 2041	001177 9/23/2019 - WWTP - HANDLES FOR EQUIPMENT	Grossi's Muffler	005-701-61127		51.72 51.72
38540	10/1/2019 195358	001430 9/26/2019 - PLNG - PHONE LINE SET-UP	GSOLUTIONZ, INC.	001-565-67705		200.00 200.00
38541	10/1/2019 INV0011173 INV0011173 INV0011173	000813 Sept 2019 - MISC MAINT/REPAIR ITEMS Sept 2019 - MISC MAINT/REPAIR ITEMS SEPT 2019 - MISC MAINT/REPAIR ITEMS	HOME DEPOT CREDIT SERVICES	001-558-60250 005-701-61140 020-601-61127		477.65 139.00 153.82 184.83
38542	10/1/2019 17913036522	001428 9/17/2019 - DWTP - MISC MAT'L/SUPPLIES	ICONIX WATERWORKS (US) INC.	020-601-60250		734.57 734.57
38543	10/1/2019 INV0011172	001429 9/23/2019 - REFUND - C&D DEPOSIT - REMODEL	JEFFREY OLSEN	075-22415		10,000.00 10,000.00
38544	10/1/2019 29271CIT 29271CIT 29440CIT	000252 9/13/2019 - PW - VEHICLE MAINTENANCE 9/13/2019 - PW - VEHICLE MAINTENANCE 9/19/2019 - CH - VEHICLE MAINTENANCE	JIM VREELAND FORD	001-558-60270 020-601-60270 001-558-60270		1,672.71 449.25 449.24 774.22
38545	10/1/2019 1395	000395 AUGUST 2019 - RVP & OVP - MONTHLY JANITORIAL SRVC	JOSE RAFAEL RUIZ dba	001-552-60800		1,650.00 1,650.00
38546	10/1/2019 11318	000779 9/11/2019 - PW - FIRE HYDRANT REPLACEMENTS	LASH CONSTRUCTION, INC.	092-610-74100	09261074100	66,860.00 66,860.00
38547	10/1/2019 148560	000280 9/5/2019 - PLNG - NtcPblcHrng - 19-TE-02	LEE CENTRAL COAST NEWSPAPERS	001-565-60520		185.61 185.61
38548	10/1/2019 148561	000280 9/5/2019 - PLNG - MARIJUANA LEGAL AD	LEE CENTRAL COAST NEWSPAPERS	001-565-60520		201.12 201.12
38549	10/1/2019 4715964	000310 9/4/2019 - WWTP - EXCHANGE 11YD ROLL-OFF	MARBORG INDUSTRIES	092-706-74100	09270674100	1,022.00 1,022.00
38550	10/1/2019 4083	000353 10/1/2019 - CH - Monthly Website Maintenance	MICHAEL J. BOGGESS dba	001-410-61292		100.00 100.00
38551	10/1/2019 5340	000954 8/7/2019 - CLEAN SEWER LINE - MCDONALS PRKNG LOT	MICHAEL MacEACHERM dba	005-701-60250		750.00 750.00
38552	10/1/2019 30234462	000669 9/18/2019 - USPO - PEST CONTROL	O'CONNOR & SONS dba	001-558-60800		105.00 105.00

Check Disbursements - City Council - October 10, 2019

Payment Dates: 09/18/2019 - 10/01/2019

Payment Number	Payment Date Payable Number	Vendor # Description	Vendor Name	Account Number	Project Account Key	Payment Amount Item Amount
38553	10/1/2019 4372-489049 4372-492558	000801 9/6/2019 - PW - VEHICLE MAINT 9/24/2019 - DWTP - VEHICLE SUPPLIES	O'REILLY AUTOMOTIVE STORES, INC.	001-558-60270 020-601-60270		34.98 12.37 22.61
38554	10/1/2019 INV0011166 INV0011166	000745 9/27/2019 - REC - DANCE DJ - 50/50 W/ SOLVANG 9/27/2019 - REC - DANCE DJ - 50/50 W/ SOLVANG	PEDRO DE LA CRUZ dba	001-12500 001-511-67570		300.00 150.00 150.00
38555	10/1/2019 1385946	000861 9/9/2019 - WWTP - CLARIFLOC	POLYDYNE INC.	005-701-61111		1,304.80 1,304.80
38556	10/1/2019 INV0011171 INV0011171	000379 OCT 2019 - UB - POSTAGE OCT 2019 - UB - POSTAGE	POSTMASTER	005-701-61131 020-601-61131		520.00 260.00 260.00
38557	10/1/2019 W0030044493 W0030044493 W0030044493	000390 9/17/2019 - WWTP - REPAIR BUCKET 9/17/2019 - WWTP - REPAIR BUCKET 9/17/2019 - WWTP - REPAIR BUCKET	QUINN COMPANY	001-558-60270 005-701-60270 020-601-60270		465.00 155.00 155.00 155.00
38558	10/1/2019 4937	001336 9/9-24/2019 - PW - PNTING LIGHT POLES/HNG BNNRS	RANCH HANDS CONSTRUCTION, LLC	001-558-60250		10,025.89 10,025.89
38559	10/1/2019 INV0011168	000507 8/22-9/23/2019 - LIB/CCC - UTILITY GAS	SoCalGas	001-410-61230		15.78 15.78
38560	10/1/2019 INV0011167	000507 8/22-9/23/2019 - CH - UTILITY GAS	SoCalGas	001-410-61230		19.86 19.86
38561	10/1/2019 514	000887 9/15/2019 - USPS/FIRE DEPT - TRIM TREE TRIMMING	TAPIA'S TREE SERVICE INC	020-601-60250		1,125.00 1,125.00
38562	10/1/2019 18	001397 9/16/2019 - 2018-19 ROAD MAINTENANCE PER AGRMNT	TAYLOR JANE CONSTRUCTION LP	092-317-74100	09231774100	357,713.63 357,713.63
38563	10/1/2019 77699	001188 9/25/2019 - PLNG - BUSINESS CARDS - CARA	The Hankering Corporation	001-565-60900		68.69 68.69
38564	10/1/2019 41049	000765 9/6/2019 - WWTP - VEHICLE MAINTENANCE	VICTOR RODRIGUEZ dba	001-558-60270		120.35 120.35
38565	10/1/2019 970899-102019	001388 OCT 2019 - VB - HOA FEE - 597 AOF #101	VINTAGE WALK OWNERS ASSOCIATION	001-410-60900		124.00 124.00
38566	10/1/2019 49150	000677 AUGUST 2019 - COB 2019-2020 - REG COMPLIANCE SRVCS	WALLACE GROUP	005-701-60800		8,873.36 8,873.36
38567	10/1/2019 5007348144	001063 10/5-11/4/2019 - REC - COPIER LEASE PAYMENTQ	Wells Fargo Vendor Fin Serv	001-511-60310		139.00 139.00
Payment Total:						713,238.60

Report Summary

Fund Summary

Fund	Payment Amount
001 - General Fund	144,078.04
005 - Sewer Fund	14,172.77
020 - Water Fund	8,524.76
025 - Gas Tax Fund	5,509.71
027 - Local Transportation Fund	1,666.66
029 - Transportation Planning	1,137.50
075 - Trust & Agency Fund	10,000.00
092 - Capital Improvement Proj Fund	528,149.16
Grand Total:	713,238.60

Account Summary

Account Number	Account Name	Payment Amount
001-12500	Other Receivables - Due from Solvang Joint Events	150.00
001-22160	SYVTBID Payable	42,032.50
001-22416	Developer Deposit	5,397.36
001-404-60840	Contract Services-Legal Fees	10,351.39
001-410-60210	Computer Maintenance &Software	795.00
001-410-60310	Equipment Rental	384.38
001-410-60900	Miscellaneous	124.00
001-410-61130	Office Supplies	658.63
001-410-61230	Utilities - Gas	35.64
001-410-61292	Internet Access/ Website Maint	536.43
001-410-67370	H/R Expense	570.00
001-410-67705	Telephone	365.03
001-410-67790	Visitors Bureau	37,500.00
001-420-61130	Office Supplies	129.71
001-44250	Miscellaneous	(840.65)
001-511-60310	Equipment Rental	139.00
001-511-61130	Office Supplies	422.35
001-511-61290	Telephone/Internet	176.74
001-511-67140	Buellton Recreation Program	115.00
001-511-67570	Recreation Program 50/50	150.00
001-551-60800	Contract Services	10,172.50
001-552-60258	Maintenance/Repair-River View	1,447.78
001-552-60800	Contract Services	12,850.00
001-552-61211	Utilities - Water	1,833.01
001-556-60800	Contract Services	4,090.00
001-558-60250	Maintenance / Repair	10,666.89
001-558-60270	Maintenance - Vehicles	1,511.19
001-558-60800	Contract Services	563.30
001-558-61130	Office Supplies	118.50
001-565-50010	Planning Commission Salaries	400.00
001-565-60520	Advertising - Legal	386.73
001-565-60710	Travel & Training	25.00
001-565-60900	Miscellaneous	68.69
001-565-61130	Office Supplies	111.54
001-565-67705	Telephone	640.40
005-701-60210	Computer Maintenance &Software	476.01
005-701-60250	Maintenance / Repair	2,179.44
005-701-60270	Maintenance - Vehicles	155.00
005-701-60800	Contract Services	8,917.66
005-701-61111	Chemicals / Analysis	1,304.80
005-701-61127	Tools	51.72
005-701-61130	Office Supplies	52.79
005-701-61131	Postage	264.98
005-701-61140	Operational Supplies	153.82
005-701-67705	Telephone	616.55

Account Summary

Account Number	Account Name	Payment Amount
020-601-60210	Computer Maintenance &Software	240.00
020-601-60250	Maintenance / Repair	2,054.35
020-601-60270	Maintenance - Vehicles	626.85
020-601-60800	Contract Services	334.30
020-601-60830	Contract Services-Engineering	4,271.93
020-601-61127	Tools	184.83
020-601-61131	Postage	264.97
020-601-67705	Telephone	547.53
025-554-60800	Contract Services	2,220.00
025-554-67265	Development Permit Processing	2,527.50
025-557-60800	Contract Services	762.21
027-559-67445	Lompoc- Wine Country Express	1,666.66
029-557-60800	Contract Services	1,137.50
075-22415	Const &Demo Material Mgmt Dep	10,000.00
092-215-70005	Desing and Permitting	28,107.34
092-306-71500	Project Management and Inspections	4,568.29
092-307-70005	Design and Permitting	350.00
092-308-70005	Design and Permitting	16,365.00
092-311-70005	Design and Permitting	875.00
092-317-71500	Project Management and Inspections	31,090.50
092-317-74100	Construction and Improvements	357,713.63
092-610-74100	Construction and Improvements	66,860.00
092-704-74100	Construction and Improvements	21,197.40
092-706-74100	Construction and Improvements	1,022.00
Grand Total:		713,238.60

Project Account Summary

Project Account Key		Payment Amount
None		179,577.08
09221570005	Avenue of Flags Median 2 Improvements	28,107.34
09230671500	Phase III Hwy 246/Sycamore Ped Xing	4,568.29
09230770005	McMurray Road Widening/TS (13/14)	350.00
09230870005	No. Avenue of the Flags Park & Ride	16,365.00
09231170005	Industrial Way Street Lights (General Fund	875.00
09231771500	Road Maintenance Project (18/19) - Prj Mgmt/Inspectns	31,090.50
09231774100	Road Maintenance Project (18/19) - Cnstrctn/Imprvmt	357,713.63
09261074100	Water Distribution System Improvements	66,860.00
09270474100	Sewer Line Replacement	21,197.40
09270674100	WWTP Facilities Improvements	1,022.00
51004-040	Summer Camp 2019	90.00
51005-040	Teen & Sports Camp 2019	25.00
90010-070	Crossroads Ctr at The Village	557.50
90017-070	Village Park	2,226.14
90021-070	Village Capital Pacific Townhomes	1,413.72
90037-070	Fig Mountain Brewing	364.37
90044-070	The Industrial Network	835.63
Grand Total:		713,238.60



UBPKT01700 - Refunds 01 UBPKT01697 Regular

Account	Name	Date	Check #	Amount	Code	Receipt	Amount	Type
04-16500-003	PICKARD, MICHAEL	9/26/2019	38519	11.40			11.40	Generated From Billing
07-13100-002	LINGHAM, TOM & SUE	9/26/2019	38520	73.52			73.52	Deposit
Total Refunds: 2			Total Refunded Amount:	84.92				

Revenue Code Summary

Revenue Code	Amount
996 - UNAPPLIED CREDITS	84.92
Revenue Total:	84.92

General Ledger Distribution

Posting Date: 09/26/2019

Account Number	Account Name	Posting Amount	IFT
Fund: 020 - WATER FUND			
020-10000	Claim On Pooled Cash	-84.92	Yes
020-22420	Unapplied Credits	84.92	
	020 Total:	0.00	
Fund: 999 - POOLED CASH			
999-10001	Pooled Cash - General Checking	-84.92	
999-27000	Due To Other Funds	84.92	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: Rose Hess, Public Works Director

Meeting Date: October 10, 2019

Subject: Acceptance of Village Park

BACKGROUND

The Village Specific Plan was originally adopted by City Council on September 27, 2007. The Specific Plan calls out a 1.8 acre Park site to be developed. The developer is required to provide public dedication and construct the Park as part of the Specific Plan's implementation.

The "basic" Park features to be provided by the developer include site grading, drainage, walking paths, landscaping and irrigation, benches, pedestrian lights, grass, etc. An extensive public process occurred in which the Planning Commission, Parks and Recreation Commission and the City Council had all reviewed, through several separate and joint meetings, the Park's conceptual design and provided input regarding the amenities the community would like to have.

On November 14, 2013 and December 12, 2013, the City Council discussed approval of the Village Park plans and amenities to be provided. The developer was required to provide \$160,000 of in-lieu fees as a result of not undergrounding the PG&E power poles along the easterly side of the project. Instead of payment of fees, the Village Specific Plan required the developer provide amenities to the Park up to \$160,000. The amenities desired included restrooms, playground equipment, and a gazebo. At these meetings, Council was provided with a cost estimate for construction with all amenities that had a shortfall of \$56,000. Council had agreed to allocate \$56,000 in the next budget cycle to cover the cost of the shortfall for these amenities.

On August 27, 2015, the City Council revisited the Village Park improvements at the request of the developer as their latest project cost estimate had increased and had an additional \$95,000 shortfall. There were several interim discussions and considerations that had taken place which led to this:

*Due to this “new” shortfall, staff recommended during the FY 2015/16 budget session to move forward with the tot-lot playground equipment since that cost would remain within the previously approved allocations. The second playground equipment (\$27,000 estimate) and the Gazebo (\$68,000 estimate) would be scheduled for phased installation in the following fiscal years.

*The City had received \$60,000 from the State for reimbursement for Public Noticing costs. As these are General Fund monies, the City Council had the discretion over the use of the funds and had determined that these funds would be used to offset these shortfalls.

Final direction from Council was to fully fund the shortfall of \$95,000 in order to have all the amenities completed at one time. This brings the total cost of City contribution to the construction of Village Park to \$151,000 to cover the shortfalls requested by the developer.

At this time, the Park improvements have generally been completed with all amenities installed. However, the following items are still pending and are anticipated to be complete by October 10, 2019:

- *Irrigation pressure/coverage issue
- *Signed Grant Deed (Attachment 1)
- *Model Water Efficient Landscaping Ordinance (MWELo) compliance
- *Payment of Outstanding Fees (~\$50,000)
- *As-built Drawings

Provided that all these items have been completed, Council may accept Village Park land in fee and the Park improvements as a new public facility. Upon acceptance of Village Park, the City will incorporate the Park into the City’s Landscape Maintenance Program. The developer would still be required to provide a one-year warranty period after City acceptance for any defects that may arise.

FISCAL IMPACT

The Fiscal Year 2019/20 Budget includes appropriation for Village Park (092-211) in the amount of \$151,000. This portion of the project budget is allocated for reimbursement to the developer towards the additional amenities for restrooms, gazebo, and playground equipment. This contribution was approved by Council in prior fiscal years: \$56,000 in December 2013 and \$95,000 in August 2015 for a total of \$151,000 as discussed in the staff report and referenced in City Council Minutes (Attachment 2).

RECOMMENDATION

That the City Council accept the Grant Deed for Village Park land and accept the public improvements for Village Park with a one-year warranty period provided by the developer.

ATTACHMENTS

Attachment 1 – Proposed Grant Deed for Village Park

Attachment 2 – 11/14/13, 12/12/13, 08/27/15 Council Meetings Minutes

Recording Requested by:
CITY OF BUELLTON

When Recorded Mail to:
City of Buellton
P.O. Box 1819
Buellton, CA 93427

No Fee Per Government Code 6103

APN _____ 137-790-009 _____

**GRANT DEED
(PUBLIC PARK DEDICATION)**

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Oak Springs Village Properties, LLC a Delaware Limited Liability Company

hereby GRANTS to

the City of Buellton, a municipal corporation,

the following described real property in the City of Buellton, County of Santa Barbara, State of California, described in attached Exhibit "A", and by reference made part hereof.

IN WITNESS WHEREOF, the grantor has executed this instrument this _____ day _____ , 20__.

By: _____

By: _____

NOTARY

STATE OF _____)
)ss
COUNTY OF _____)

On this the _____ day of _____, 20____, before me, _____, a Notary
Public, personally appeared _____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the
within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized
capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s), or the entity on behalf of which
the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is
true and correct.

Witness my hand and official seal.

Signature _____

Printed _____

My Commission Expires: _____

Commission Number: _____

Principal office located in County of: _____

EXHIBIT "A"

ALL OF THAT CERTAIN LAND SITUATED IN THE CITY OF BUELLTON, COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

A PORTION OF LOTS 2 AND 5 OF TRACT 31,052, IN THE CITY OF BUELLTON, COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, AS SHOWN ON MAP RECORDED IN BOOK 205, PAGES 69 AND 70 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT; THENCE, ALONG THE EAST LINE OF SAID TRACT, SOUTH 21°38'57" WEST 662.44 FEET TO A POINT IN SAID EAST LINE; THENCE, CONTINUING ALONG SAID EAST LINE SOUTH 21°38'57" WEST 198.82 FEET TO A POINT IN SAID EAST LINE AND THE **TRUE POINT OF BEGINNING**; THENCE,

1ST) LEAVING SAID EAST LINE AT RIGHT ANGLES, NORTH 68°21'03" WEST A DISTANCE OF 438.18 FEET TO THE EAST RIGHT OF WAY LINE OF VALLEY VINEYARD CIRCLE; THENCE,

2ND) ALONG SAID RIGHT OF WAY, SOUTH 21°38'57" WEST 48.00 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 170.00; THENCE,

3RD) CONTINUING ALONG SAID RIGHT OF WAY, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 46°10'54" AN ARC DISTANCE OF 137.02 FEET TO THE NORTHWEST CORNER OF LOT 3 OF SAID TRACT; THENCE,

4TH) LEAVING SAID RIGHT OF WAY, ALONG THE NORTH LINE OF SAID LOT 3, SOUTH 15°24'46" EAST A DISTANCE OF 54.90 FEET TO AN ANGLE POINT; THENCE,

5TH) CONTINUING ALONG SAID NORTH LINE OF LOT 3, SOUTH 65°53'21" EAST A DISTANCE OF 96.94 FEET TO AN ANGLE POINT; THENCE,

6TH) CONTINUING ALONG SAID NORTH LINE OF LOT 3, NORTH 66°36'39" EAST A DISTANCE OF 112.58 FEET TO AN ANGLE POINT; THENCE,

7TH) CONTINUING ALONG SAID NORTH LINE OF LOT 3, SOUTH 65°53'21" EAST A DISTANCE OF 119.00 FEET TO AN ANGLE POINT; THENCE;

8TH) CONTINUING ALONG SAID NORTH LINE OF LOT 3, SOUTH 30°53'21" EAST A DISTANCE OF 41.84 FEET TO AN ANGLE POINT; THENCE,

9TH) CONTINUING ALONG SAID NORTH LINE OF LOT 3, SOUTH 65°53'21" EAST A DISTANCE OF 129.00 FEET TO THE EAST LINE OF SAID TRACT; THENCE,

10TH) ALONG SAID EAST LINE OF SAID TRACT, NORTH 21°38'57" EAST A DISTANCE OF 175.08 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 1.81 ACRES, MORE OR LESS.

THIS LEGAL DESCRIPTION IS MADE PURSUANT TO THAT CERTAIN CERTIFICATE APPROVING A LOT LINE ADJUSTMENT, CERTIFICATE NO. 13-LLA-03 SHOWN AS LOT 5, RECORDED SEPTEMBER 23, 2014 AS INSTRUMENT NO. 14-43409 OF OFFICIAL RECORDS.

CERTIFICATE OF ACCEPTANCE
AND CONSENT TO RECORDATION OF
GRANT DEED FOR PUBLIC PARK DEDICATION

This is to certify that the interest in real property conveyed by the Grant Deed for Public Park Dedication dated _____ from _____ to the City of Buellton, a municipal corporation of the State of California, is hereby accepted by the undersigned City Clerk on behalf of the City Council, pursuant to the action of the City Council at its meeting of _____ and the grantee consents to recordation thereof by its duly authorized officer.

Dated: _____

City of Buellton

by _____
City Clerk



First American Title

First American Title Company

3780 State Street

Santa Barbara, CA 93105

California Department of Insurance License No. 151

City of Buellton
107 West Highway 246
Buellton, CA 93427
Phone: (805)688-5177
Customer Reference:

137-790-009 (park site)

Order Number:

4201-6046636 (BF)

Title Officer:

Bridget Foss

Phone:

(805)569-6154

Fax No.:

(866)397-7090

E-Mail:

bfoss@firstam.com

Buyer:

City of Buellton

Owner:

Oak Springs Village Properties

Property:

330 Valley Vineyard Circle
Buellton, CA 93427

PRELIMINARY REPORT

In response to the above referenced application for a policy of title insurance, this company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said Policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Exhibit A attached. *The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties.* Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Exhibit A. Copies of the policy forms should be read. They are available from the office which issued this report.

Please read the exceptions shown or referred to below and the exceptions and exclusions set forth in Exhibit A of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects, and encumbrances affecting title to the land.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

Dated as of September 11, 2019 at 7:30 A.M.

The form of Policy of title insurance contemplated by this report is:

To Be Determined

A specific request should be made if another form or additional coverage is desired.

Title to said estate or interest at the date hereof is vested in:

Oak Springs Village Properties LLC, a Delaware limited liability company

The estate or interest in the land hereinafter described or referred to covered by this Report is:

A fee.

The Land referred to herein is described as follows:

(See attached Legal Description)

At the date hereof exceptions to coverage in addition to the printed Exceptions and Exclusions in said policy form would be as follows:

1. General and special taxes and assessments for the fiscal year 2019-2020, a lien not yet due or payable.

2. General and special taxes and assessments for the fiscal year 2018-2019.

First Installment:	\$0.00, NO TAX DUE
Penalty:	\$0.00
Second Installment:	\$0.00, NO TAX DUE
Penalty:	\$0.00
Tax Rate Area:	07-010
A. P. No.:	137-790-009

The County Tax Collector could not verify the amounts shown above at this time. Please verify the amounts with the County Tax Collector prior to the close of the contemplated transaction.

3. The lien of supplemental taxes, if any, assessed pursuant to Chapter 3.5 commencing with Section 75 of the California Revenue and Taxation Code.

4. A Deed of Trust to secure an original indebtedness of \$3,000,000.00 recorded October 3, 2013 as Instrument No. [2013-0065383](#) of Official Records.
Dated: October 1, 2013
Trustor: Oak Springs Village Properties, LLC, a Delaware limited liability company
Trustee: Insko Insurance Services, Inc.
Beneficiary: Indemnity Company of California, and/or Developers Surety and Indemnity Company

The above deed of trust states that it secures an equity line/revolving line of credit.

Notes:

- a. If this deed of trust is to be eliminated in the policy or policies contemplated by this report/commitment, we will require all of the following prior to the recordation of any documents or the issuance of any policy of title insurance:
- i. Original note and deed of trust.
 - ii. Payoff demand statement signed by all present beneficiaries.
 - iii. Request for reconveyance signed by all present beneficiaries.
- b. If the payoff demand statement or the request for reconveyance is to be signed by a servicer, we will also require a full copy of the loan servicing agreement executed by all present beneficiaries.
- c. If any of the beneficial interest is presently held by trustees under a trust agreement, we will require a certification pursuant to Section 18100.5 of the California Probate Code in a form satisfactory to the Company

A document recorded October 16, 2013 as Instrument No. [2013-0067563](#) of Official Records provides that the above document was subordinated to the document recorded October 16, 2013 as Instrument No. [2013-0067562](#) of Official Records.

A document recorded September 23, 2014 as Instrument No. [2014-0043412](#) of Official Records provides that the deed of trust or the obligation secured thereby has been modified.

5. An easement shown or dedicated on the Map as referred to in the legal description
For: Public utility and incidental purposes.
6. The terms and provisions contained in the document entitled "Notice" recorded October 11, 2013 as Instrument No. [2013-0067007](#) of Official Records.
7. The terms and provisions contained in the document entitled "Subdivision Improvement Agreement Final Tract Map 31052" recorded October 11, 2013 as Instrument No. [2013-0067010](#) of Official Records.
8. Covenants, conditions, restrictions and easements in the document recorded October 16, 2013 as Instrument No. [2013-0067562](#) of Official Records, which provide that a violation thereof shall not defeat or render invalid the lien of any first mortgage or deed of trust made in good faith and for value, but deleting any covenant, condition, or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, sexual orientation, familial status, disability, handicap, national origin, genetic information, gender, gender identity, gender expression, source of income (as defined in California Government Code § 12955(p)) or ancestry, to the extent such covenants, conditions or restrictions violation 42 U.S.C. § 3604(c) or California Government Code § 12955. Lawful restrictions under state and federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status.

9. The terms and provisions contained in the document entitled "Notice" recorded September 23, 2014 as Instrument No. [2014-0043410](#) of Official Records.
10. The terms and provisions contained in the document entitled "Owners Certificate and Certificate of Holders of Record Title Interest" recorded September 23, 2014 as Instrument No. [2014-0043413](#) of Official Records.
11. The terms and provisions contained in the document entitled "Memorandum of Amended and Restated Development and Cost Sharing Agreement" recorded December 24, 2014 as Instrument No. [2014-0059466](#) of Official Records.
12. The Terms, Provisions and Easement(s) contained in the document entitled "Memorandum of License and Easement Agreement" recorded December 24, 2014 as Instrument No. [2014-0059467](#) of Official Records.
13. The terms and provisions contained in the document entitled "Overland Escape Notification Agreement" recorded December 29, 2014 as Instrument No. [2014-0059851](#) of Official Records.
14. The fact that the land lies within the boundaries of the Buellton Improvement Redevelopment Project Area, as disclosed by various documents of record.
15. Rights of the public in and to that portion of the Land lying within any Road, Street, Alley or Highway.
16. Water rights, claims or title to water, whether or not shown by the public records.
17. Rights of parties in possession.

Prior to the issuance of any policy of title insurance, the Company will require:

18. With respect to Oak Springs Village Properties LLC, a limited liability company:
 - a. A copy of its operating agreement and any amendments thereto;
 - b. If it is a California limited liability company, that a certified copy of its articles of organization (LLC-1) and any certificate of correction (LLC-11), certificate of amendment (LLC-2), or restatement of articles of organization (LLC-10) be recorded in the public records;
 - c. If it is a foreign limited liability company, that a certified copy of its application for registration (LLC-5) be recorded in the public records;
 - d. With respect to any deed, deed of trust, lease, subordination agreement or other document or instrument executed by such limited liability company and presented for recordation by the Company or upon which the Company is asked to rely, that such document or instrument be executed in accordance with one of the following, as appropriate:
 - (i) If the limited liability company properly operates through officers appointed or elected pursuant to the terms of a written operating agreement, such document must be executed by at least two duly elected or appointed officers, as follows: the chairman of the board, the president or any vice president, and any secretary, assistant secretary, the chief financial officer or any assistant treasurer;
 - (ii) If the limited liability company properly operates through a manager or managers identified in the articles of organization and/or duly elected pursuant to the terms of a written operating agreement, such document must be executed by at least two such managers or by one manager if the limited liability company properly operates with the existence of only one manager.
 - e. Other requirements which the Company may impose following its review of the material required herein and other information which the Company may require

INFORMATIONAL NOTES

Note: The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than the certain dollar amount set forth in any applicable arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. If you desire to review the terms of the policy, including any arbitration clause that may be included, contact the office that issued this Commitment or Report to obtain a sample of the policy jacket for the policy that is to be issued in connection with your transaction.

1. The property covered by this report is vacant land.
2. According to the public records, there has been no conveyance of the land within a period of twenty-four months prior to the date of this report, except as follows:

None

The map attached, if any, may or may not be a survey of the land depicted hereon. First American expressly disclaims any liability for loss or damage which may result from reliance on this map except to the extent coverage for such loss or damage is expressly provided by the terms and provisions of the title insurance policy, if any, to which this map is attached.

LEGAL DESCRIPTION

Real property in the City of Buellton, County of Santa Barbara, State of California, described as follows:

A PORTION OF LOTS 2 AND 5 OF TRACT 31,052, IN THE CITY OF BUELLTON, COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, AS SHOWN ON MAP RECORDED IN [BOOK 205, PAGES 69 AND 70](#) OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT; THENCE, ALONG THE EAST LINE OF SAID TRACT, SOUTH 21° 38' 57" WEST 662.44 FEET TO A POINT IN SAID EAST LINE; THENCE, CONTINUING ALONG SAID EAST LINE SOUTH 21° 38' 57" WEST 198.82 FEET TO A POINT IN SAID EAST LINE AND THE TRUE POINT OF BEGINNING; THENCE,

1ST) LEAVING SAID EAST LINE AT RIGHT ANGLES, NORTH 68° 21' 03" WEST A DISTANCE OF 438.18 FEET TO THE EAST RIGHT OF WAY LINE OF VALLEY VINEYARD CIRCLE; THENCE,

2ND) ALONG SAID RIGHT OF WAY, SOUTH 21° 38' 57" WEST 48.00 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 170.00; THENCE,

3RD) CONTINUING ALONG SAID RIGHT OF WAY, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 46° 10' 54" AN ARC DISTANCE OF 137.02 FEET TO THE NORTHWEST CORNER OF LOT 3 OF SAID TRACT; THENCE,

4TH) LEAVING SAID RIGHT OF WAY, ALONG THE NORTH LINE OF SAID LOT 3, SOUTH 15° 24' 46" EAST A DISTANCE OF 54.90 FEET TO AN ANGLE POINT; THENCE,

5TH) CONTINUING ALONG SAID NORTH LINE OF LOT 3, SOUTH 65° 53' 21" EAST A DISTANCE OF 96.94 FEET TO AN ANGLE POINT; THENCE,

6TH) CONTINUING ALONG SAID NORTH LINE OF LOT 3, NORTH 66° 36' 39" EAST A DISTANCE OF 112.58 FEET TO AN ANGLE POINT; THENCE,

7TH) CONTINUING ALONG SAID NORTH LINE OF LOT 3, SOUTH 65° 53' 21" EAST A DISTANCE OF 119.00 FEET TO AN ANGLE POINT; THENCE;

8TH) CONTINUING ALONG SAID NORTH LINE OF LOT 3, SOUTH 30° 53' 21" EAST A DISTANCE OF 41.84 FEET TO AN ANGLE POINT; THENCE,

9TH) CONTINUING ALONG SAID NORTH LINE OF LOT 3, SOUTH 65° 53' 21" EAST A DISTANCE OF 129.00 FEET TO THE EAST LINE OF SAID TRACT; THENCE,

10TH) ALONG SAID EAST LINE OF SAID TRACT, NORTH 21° 38' 57" EAST A DISTANCE OF 175.08 FEET TO THE POINT OF BEGINNING.

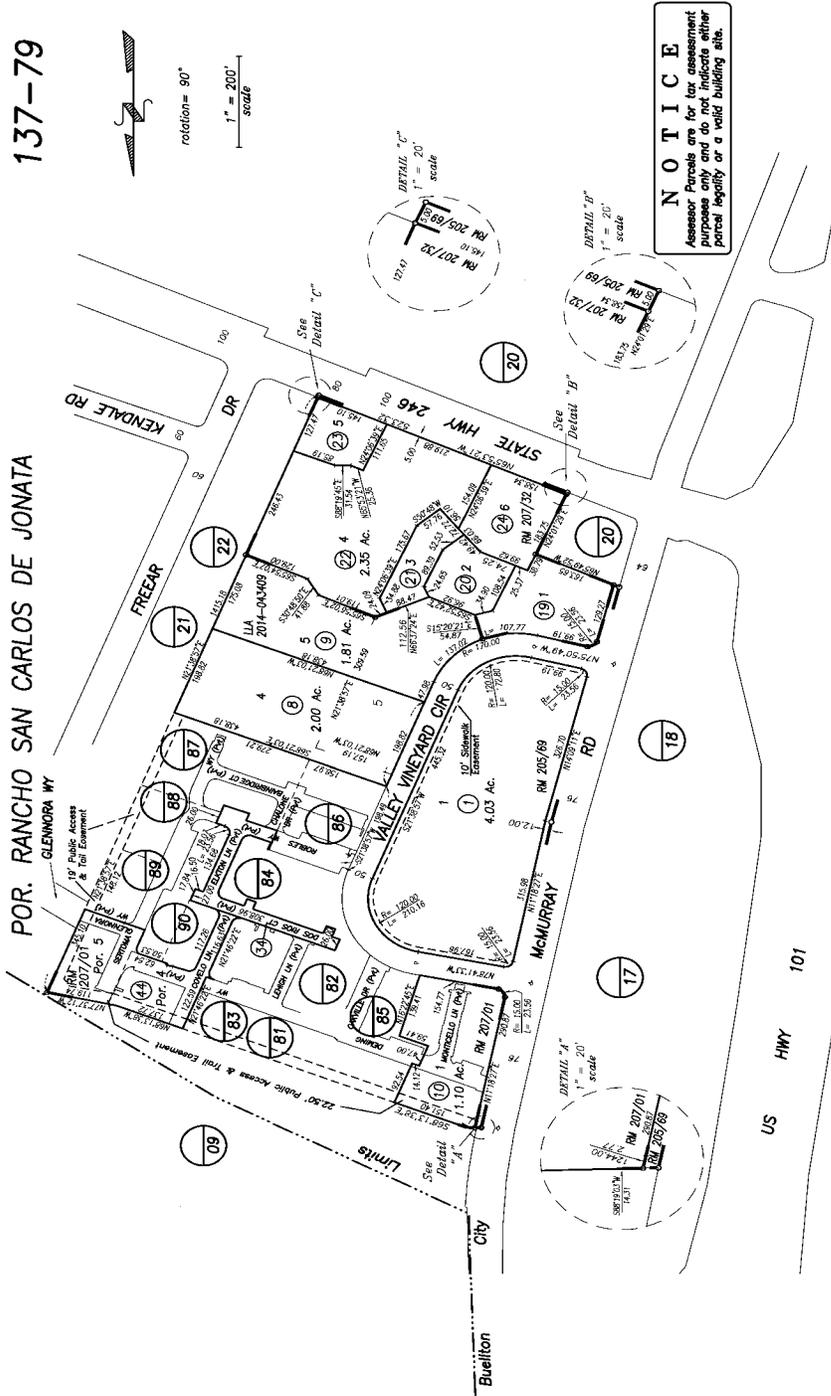
THIS LEGAL DESCRIPTION IS MADE PURSUANT TO THAT CERTAIN CERTIFICATE APPROVING A LOT LINE ADJUSTMENT, CERTIFICATE NO. 13-LLA-03 SHOWN AS LOT 5, RECORDED SEPTEMBER 23, 2014 AS INSTRUMENT NO. [14-43409](#) OF OFFICIAL RECORDS.

EXCEPTING ALL OIL, PETROLEUM AND OTHER HYDROCARBON SUBSTANCES INCLUDING NATURAL GAS, IN AND UPON SAID LAND, AS RESERVED IN DEEDS FROM MERCHANTS TRUST COMPANY, A CORPORATION, RECORDED SEPTEMBER 5, 1912, IN [BOOK 137, PAGE 165](#) AND SEPTEMBER 24, 1913, IN [BOOK 141, PAGE 519](#), BOTH OF DEEDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 137-790-009

137-79

POR. RANCHO SAN CARLOS DE JONATA



NOTICE
 Assessor Parcels are for tax assessment purposes only and do not indicate either parcel legality or a valid building site.

City of Buellton
 Assessor's Map Bk, 137-Pg, 79
 County of Santa Barbara, Calif.

- 06/06/2016 R.M. Bk. 207, Pg. 32-33, Tract 31,055
- 12/30/2015 R.M. Bk. 207, Pg. 01-09, Tract 31,057
- 10/11/2013 R.M. Bk. 205, Pg. 69-70, Tract 31,052

(LD/19)
 830--18 & 42 into 44 & New Pg 90
 14 & 42 into 42 & New Pg 89
 31 & 35 into 37 & New Pg 87
 28 & 30 into 34 & New Pg 86

NOTICE

Section 12413.1 of the California Insurance Code, effective January 1, 1990, requires that any title insurance company, underwritten title company, or controlled escrow company handling funds in an escrow or sub-escrow capacity, wait a specified number of days after depositing funds, before recording any documents in connection with the transaction or disbursing funds. This statute allows for funds deposited by wire transfer to be disbursed the same day as deposit. In the case of cashier's checks or certified checks, funds may be disbursed the next day after deposit. In order to avoid unnecessary delays of three to seven days, or more, please use wire transfer, cashier's checks, or certified checks whenever possible.

EXHIBIT A
LIST OF PRINTED EXCEPTIONS AND EXCLUSIONS (BY POLICY TYPE)

CLTA STANDARD COVERAGE POLICY – 1990
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building or zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien, or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
 - (a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with the applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any claim, which arises out of the transaction vesting in the insured the estate of interest insured by this policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

EXCEPTIONS FROM COVERAGE - SCHEDULE B, PART I

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

CLTA/ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE (12-02-13)
EXCLUSIONS

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of those portions of any law or government regulation concerning:
 - a. building;
 - b. zoning;
 - c. land use;

- d. improvements on the Land;
 - e. land division; and
 - f. environmental protection.
- This Exclusion does not limit the coverage described in Covered Risk 8.a., 14, 15, 16, 18, 19, 20, 23 or 27.
2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not limit the coverage described in Covered Risk 14 or 15.
 3. The right to take the Land by condemning it. This Exclusion does not limit the coverage described in Covered Risk 17.
 4. Risks:
 - a. that are created, allowed, or agreed to by You, whether or not they are recorded in the Public Records;
 - b. that are Known to You at the Policy Date, but not to Us, unless they are recorded in the Public Records at the Policy Date;
 - c. that result in no loss to You; or
 - d. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.e., 25, 26, 27 or 28.
 5. Failure to pay value for Your Title.
 6. Lack of a right:
 - a. to any land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
 - b. in streets, alleys, or waterways that touch the Land.

This Exclusion does not limit the coverage described in Covered Risk 11 or 21.
 7. The transfer of the Title to You is invalid as a preferential transfer or as a fraudulent transfer or conveyance under federal bankruptcy, state insolvency, or similar creditors' rights laws.
 8. Contamination, explosion, fire, flooding, vibration, fracturing, earthquake, or subsidence.
 9. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.

LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows:
For Covered Risk 16, 18, 19, and 21 Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.
The deductible amounts and maximum dollar limits shown on Schedule A are as follows:

	<u>Your Deductible Amount</u>	<u>Our Maximum Dollar Limit of Liability</u>
Covered Risk 16:	1% of Policy Amount Shown in Schedule A or \$2,500 (whichever is less)	\$10,000
Covered Risk 18:	1% of Policy Amount Shown in Schedule A or \$5,000 (whichever is less)	\$25,000
Covered Risk 19:	1% of Policy Amount Shown in Schedule A or \$5,000 (whichever is less)	\$25,000
Covered Risk 21:	1% of Policy Amount Shown in Schedule A or \$2,500 (whichever is less)	\$5,000

2006 ALTA LOAN POLICY (06-17-06)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;

or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.

- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;

- (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
 5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
 6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
 7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

[Except as provided in Schedule B - Part II, [t[or T]his policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees or expenses, that arise by reason of:

[PART I

[The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

PART II

In addition to the matters set forth in Part I of this Schedule, the Title is subject to the following matters, and the Company insures against loss or damage sustained in the event that they are not subordinate to the lien of the Insured Mortgage:]

2006 ALTA OWNER'S POLICY (06-17-06)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;

or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.

- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;

- (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 or 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
- (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees or expenses, that arise by reason of: [The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

- 1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
- 2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
- 3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
- 4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
- 5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
- 6. Any lien or right to a lien for services, labor or material not shown by the Public Records.
- 7. [Variable exceptions such as taxes, easements, CC&R's, etc. shown here.]

ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY (07-26-10)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

- 1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;

or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.

(b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.

- 2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
- 3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27 or 28); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
- 4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
- 5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law. This Exclusion does not modify or limit the coverage provided in Covered Risk 26.
- 6. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to Advances or modifications made after the

Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11.

7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching subsequent to Date of Policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11(b) or 25.
8. The failure of the residential structure, or any portion of it, to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This Exclusion does not modify or limit the coverage provided in Covered Risk 5 or 6.
9. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 27(b) of this policy.
10. Contamination, explosion, fire, flooding, vibration, fracturing, earthquake, or subsidence.
11. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.



First American Title

Privacy Information

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information - particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our subsidiaries we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information that you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its Fair Information Values.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's Fair Information Values. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

Information Obtained Through Our Web Site

First American Financial Corporation is sensitive to privacy issues on the Internet. We believe it is important you know how we treat the information about you we receive on the Internet. In general, you can visit First American or its affiliates' Web sites on the World Wide Web without telling us who you are or revealing any information about yourself. Our Web servers collect the domain names, not the e-mail addresses, of visitors. This information is aggregated to measure the number of visits, average time spent on the site, pages viewed and similar information. First American uses this information to measure the use of our site and to develop ideas to improve the content of our site. There are times, however, when we may need information from you, such as your name and email address. When information is needed, we will use our best efforts to let you know at the time of collection how we will use the personal information. Usually, the personal information we collect is used only by us to respond to your inquiry, process an order or allow you to access specific account/profile information. If you choose to share any personal information with us, we will only use it in accordance with the policies outlined above.

Business Relationships

First American Financial Corporation's site and its affiliates' sites may contain links to other Web sites. While we try to link only to sites that share our high standards and respect for privacy, we are not responsible for the content or the privacy practices employed by other sites.

Cookies

Some of First American's Web sites may make use of "cookie" technology to measure site activity and to customize information to your personal tastes. A cookie is an element of data that a Web site can send to your browser, which may then store the cookie on your hard drive.

FirstAm.com uses stored cookies. The goal of this technology is to better serve you when visiting our site, save you time when you are here and to provide you with a more meaningful and productive Web site experience.

Fair Information Values

Fairness We consider consumer expectations about their privacy in all our businesses. We only offer products and services that assure a favorable balance between consumer benefits and consumer privacy.

Public Record We believe that an open public record creates significant value for society, enhances consumer choice and creates consumer opportunity. We actively support an open public record and emphasize its importance and contribution to our economy.

Use We believe we should behave responsibly when we use information about a consumer in our business. We will obey the laws governing the collection, use and dissemination of data.

Accuracy We will take reasonable steps to help assure the accuracy of the data we collect, use and disseminate. Where possible, we will take reasonable steps to correct inaccurate information. When, as with the public record, we cannot correct inaccurate information, we will take all reasonable steps to assist consumers in identifying the source of the erroneous data so that the consumer can secure the required corrections.

Education We endeavor to educate the users of our products and services, our employees and others in our industry about the importance of consumer privacy. We will instruct our employees on our fair information values and on the responsible collection and use of data. We will encourage others in our industry to collect and use information in a responsible manner.

Security We will maintain appropriate facilities and systems to protect against unauthorized access to and corruption of the data we maintain.

7. Consideration of Approval of Draft Master Plan for Neighborhood Park at the Village

RECOMMENDATION:

That the City Council approve the Draft Master Plan for the Neighborhood Park at the Village with additions and allocate \$56,000 to complete the improvements, and direct staff to investigate an assessment on the commercial properties to help pay for maintenance of the Park.

STAFF REPORT:

Recreation Coordinator Abello presented the staff report.

DOCUMENTS:

Staff Report with attachments (as listed in the staff report)

SPEAKERS/DISCUSSION:

John Franklin, project applicant discussed the proposed Park.

David Foote of Firma Consultants discussed the Draft Master Plan for the Neighborhood Park at the Village.

Peggy Brierton, Buellton, discussed the location of the gazebo and moving it further into the Park area to allow for more hardscape in the front of the Park for Farmer's Market or other events. Ms. Brierton also asked that amenities such as electric outlets, fencing, lighting, and public access be installed.

Kathy Vreeland, Executive Director of the Buellton Visitors Bureau and Chamber of Commerce, stated the Farmer's Market would take place on the street rather than in the Park.

The City Council discussed the following issues:

- Parking
- Adding more hardscape and less lawn on the western portion of the Park, near the road
- Removing the grass area around the gazebo
- Installing a water feature where the gazebo is located and moving the gazebo back towards the lawn area and the playground area closer to the road

DIRECTION:

The City Council agreed by consensus to table this item to allow the Landscape Architect time to revise the Park plan and cost estimate to allow for more hardscape around the gazebo area.

DIRECTION:

The City Council agreed by consensus to approve the appointments to boards, commissions, and committees A-L as listed above for 2014.

WRITTEN COMMUNICATIONS

None

COMMITTEE REPORTS

None

BUSINESS ITEMS**10. Consideration of Approval of Draft Master Plan for Neighborhood Park at the Village****RECOMMENDATION:**

That the City Council approve the Draft Master Plan for the Neighborhood Park at the Village and allocate \$100,000 to complete the improvements, and direct staff to investigate an assessment on the commercial properties to help pay for maintenance of the Park.

STAFF REPORT:

Recreation Coordinator Abello presented the staff report.

DOCUMENTS:

Staff Report with attachments (as listed in the staff report)

SPEAKERS/DISCUSSION:

Larry Bishop, Buellton, submitted a letter regarding this item, which was distributed to the City Council and made part of the record.

Kathy Vreeland, Executive Director of the Buellton Chamber and Visitors Bureau, submitted a letter regarding this item, which was distributed to the City Council and made part of the record.

David Foote of Firma Consultants discussed the Draft Master Plan for the Neighborhood Park at the Village.

Mike Hendrick, General Manager of the Santa Ynez Valley Marriott, spoke in support of the Park, specifically the Bocce ball courts.

Jody Knoell, representing the Buellton Chamber and Visitors Bureau, read their letter into the record regarding the Park.

Larry Rankin, Buellton, stated he supports the initial Park design.

Peggy Brierton, Buellton, discussed how the Park will be used with regard to events.

The City Council discussed the following issues:

- Support for the initial Park design
- Events at the Park

MOTION:

Motion by Council Member Sierra, seconded by Council Member Andrisek, approving the Planning Commission and Parks & Recreation Commission Draft Master Plan for the Neighborhood Park at the Village with allocation of \$56,000 to complete the improvements.

VOTE:

Motion passed by a roll call vote of 4-1, with Council Member Dale voting no.

11. Review of Comprehensive Annual Financial Report (CAFR) for June 30, 2013

RECOMMENDATION:

That the City Council receive and file the CAFR for Fiscal Year ending June 30, 2013.

STAFF REPORT:

Contract Fiscal Consultant Herrera presented the staff report.

DOCUMENTS:

Staff Report with attachments (CAFR)

SPEAKERS/DISCUSSION:

Mark Preston, Buellton, provided a handout for the record and discussed his findings regarding the CAFR.

The City Council discussed the CAFR and the City's financial status.

MOTION:

Motion by Council Member Sierra, seconded by Council Member Andrisek, directing staff to receive and file the CAFR for Fiscal Year ending June 30, 2013.

VOTE:

Motion passed by a voice vote of 5-0.

12. Quarterly Financial Report – 4th Quarter Ending June 30, 2013

RECOMMENDATION:

That the City Council receive and file the Quarterly Financial Report for the 4th quarter of Fiscal Year 2012/13 and for the year ending June 30, 2013.

STAFF REPORT:

Contract Fiscal Consultant Herrera presented the staff report.

DOCUMENTS:

Staff report with attachments as listed in the staff report.

MOTION:

Motion by Council Member Elovitz, seconded by Vice Mayor Andrisek, approving a Temporary Use Permit to allow the use of amplified sound by Figueroa Mountain Brewing Company on Saturday, September 12, 2015, from 12 noon to 6:00 p.m.

VOTE:

Motion passed by a voice vote of 5-0.

Council Member Baumann - Yes

Council Member Connolly - Yes

Council Member Elovitz - Yes

Vice Mayor Andrisek - Yes

Mayor Sierra – Yes

6. Financial Report for the Fourth Quarter Ending June 30, 2015**RECOMMENDATION:**

That the City Council receive and file the Fourth Quarter financial report.

STAFF REPORT:

Finance Director Galloway-Cooper presented the staff report. The City Council received and filed the report.

DOCUMENTS:

Staff Report with attachments as listed in the staff report.

7. Resolution No. 15-22 – “A Resolution of the City Council of the City of Buellton, California, Approving a Budget Adjustment to Fund the Gazebo/Playground Structure at The Village Park”**RECOMMENDATION:**

That the City Council consider adoption of Resolution No. 15-22.

STAFF REPORT:

Public Works Director Hess presented the staff report.

DOCUMENTS:

Staff Report with attachments as listed in the staff report.

DISCUSSION:

The City Council discussed the following issues:

- Timing of the installation of the gazebo/playground equipment at the Park
- Allocating \$5,000 to \$10,000 for the gazebo/playground at this time and revisiting full funding for the gazebo/playground at mid-year
- Adding conduit to the Park site for future utilities

MOTION:

Motion by Council Member Connolly, seconded by Vice Mayor Andrisek, adopting Resolution No. 15-22 – “A Resolution of the City Council of the City of Buellton, California, Approving a Budget Adjustment to Fund the Gazebo/Playground Structure at The Village Park”

VOTE:

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

Council Member Baumann - Yes

Council Member Connolly - Yes

Council Member Elovitz - Yes

Vice Mayor Andrisek - Yes

Mayor Sierra - Yes

8. **Resolution No. 15-21 - “A Resolution of the City Council of the City of Buellton, California, Adopting Updated Personnel Rules for City Employees”**

RECOMMENDATION:

That the City Council consider adoption of Resolution No. 15-21.

STAFF REPORT:

Human Resources Director Reid presented the staff report.

DOCUMENTS:

Staff Report with attachments as listed in the staff report.

DISCUSSION:

The City Council discussed the following issues:

- Incentive pay and budgeting
- Performance Improvement Plan
- Employee retention for two years after completion of degree with a pro rata payback during the two year period if employee chooses to leave

MOTION:

Motion by Council Member Elovitz, seconded by Council Member Baumann approving Resolution No. 15-21 – “A Resolution of the City Council of the City of Buellton, California, Adopting Updated Personnel Rules for City Employees with an additional requirement of employee retention for two years after completion of degree with pro rata payback during the two year period”

VOTE:

Motion passed by a roll call vote of 4-1, with Council Member Andrisek voting no.

Council Member Baumann - Yes

Council Member Connolly - Yes

Council Member Elovitz - Yes

Vice Mayor Andrisek - No

Mayor Sierra – Yes

RESOLUTION NO. 15-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUELLTON, CALIFORNIA, APPROVING A BUDGET ADJUSTMENT TO FUND THE GAZEBO/PLAYGROUND STRUCTURE AT THE VILLAGE PARK

WHEREAS, the City Council adopted the Fiscal Year 2015-16 budget; and

WHEREAS, it is necessary to make amendments to the 2015-16 budget to appropriate \$95,000 to the CIP Fund, 092-211 Village Park Improvements;

WHEREAS, the City Council finds that it is in the best interest of the community to install the complete park improvements instead of phasing;

WHEREAS, the City has sufficient balance in the General Fund to support these improvements; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Buellton does hereby resolve, determine and order as follows:

That the following budget amendment for the Fiscal Year 2015-16 budget is approved:

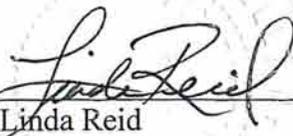
- o Increase appropriations for the Capital Improvement Fund Project 092-211, Village Park Improvements by **\$95,000**.
- o Increase General Fund Transfer to Other Funds 001-410-6012 by \$95,000

PASSED, APPROVED, and ADOPTED this 27th day of August 2015.



Holly Sierra
Mayor

ATTEST:



Linda Reid
City Clerk

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: Scott Wolfe, City Manager

Meeting Date: October 10, 2019

Subject: Ordinance No. 19-02 – “An Ordinance of the City Council of the City of Buellton, California, Amending Municipal Code Title 19 (Zoning) Relating to Certain Commercial Cannabis Activities” (Introduction and First Reading)

BACKGROUND

Ordinance No. 18-02 was adopted by the City Council on July 26, 2018, which repealed Municipal Code Chapter 9.08 and added Municipal Code Chapter 19.20 related to commercial cannabis operations in Buellton. In summary, the Ordinance prohibits all commercial cannabis businesses within the City recognized under state law. The ordinance does allow for state-licensed retailers located outside of the City to deliver to residents within Buellton provided that such delivery services comply with all applicable state cannabis laws. Finally, the ordinance allows individuals to cultivate up to six plants per private residence in accordance with the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA). Attached Ordinance No. 19-02 includes Municipal Code Chapter 19.20.

At the City Council’s request, staff brought to the August 8, 2019 meeting a discussion item to discuss the potential for allowing cannabis testing labs and the sale of certain types of cannabidiol (CBD) products at retail stores in Buellton. At the conclusion of the discussion, the City Council directed staff to prepare a draft ordinance and bring forward an item to consider allowing cannabis testing labs within the City.

As the cannabis industry continues to grow, the need to test cannabis products for State standards related to quality, purity, potency, and composition of cannabis products will grow as well. Therefore, testing labs are being established across California to test for compliance with these standards. While there could be an analytical laboratory business that may consider operating with Buellton, it would currently be prohibited by the Buellton Municipal Code.

These cannabis testing laboratories are heavily regulated, with detection level requirements that are among the most strenuous of quality standards for testing laboratories, surpassing even FDA food testing laboratories. With a high standard and

expense for accreditation, as well as the extremely rigorous regulation of process, reporting, data management, chain of custody, and disposal procedures, cannabis testing laboratories require highly trained employees to conduct and oversee the analysis of cannabis and processed cannabis products. Legal licensing requirements prohibit owners or employees of these laboratories from engaging in any other aspect of commercial cannabis business, so no sale, processing, or delivery of cannabis or a cannabis product from a laboratory would be allowed under state law.

The amount of cannabis at a testing laboratory would be minimal. State law addresses the amount of cannabis needed as a sample of the larger batch of product. The samples are generally collected by the laboratory staff at the distributor's location, so only the samples are taken to the laboratory. The samples are, by necessity, destroyed as a part of the testing and analysis process. This leaves little concern of cannabis being moved through or stored at the testing facility for sale, as doing so would jeopardize the license to operate the facility.

This is not to say that such laboratories are free from concern, but concerns seem to center around accurate reporting of analytical results as opposed to impacts typically associated with commercial cannabis uses, such as increased vehicular traffic and rates of personal and property crimes in the vicinity of retail establishments. Also, given the indoor nature of such laboratories, requirements for the control of odor can be effectively imposed, preventing such impacts to nearby properties.

Should the City Council choose to allow these testing laboratories in Buellton, staff would recommend that they be allowed as conditionally permitted uses. This would require the issuance of a conditional use permit (CUP) by the City prior to the operation of such a use. In order to further ensure that impacts to sensitive uses are minimized, staff recommends that they be allowed only within the Industrial (M) zone. This limitation would preclude the operation of such laboratories anywhere in the City with the exception of the industrial areas along Industrial Way or at the north end of McMurray Road.

The draft ordinance attached to this report makes changes to Title 19 (Zoning) of the Municipal Code. The changes made include an exception to the prohibition of commercial cannabis activities for cannabis testing laboratories, and the addition of cannabis testing laboratories to the list of conditionally permitted uses in the Industrial (M) zone.

The Planning Commission conducted a public hearing on this matter at its meeting of September 19, 2019. At the conclusion of this hearing, the Planning Commission recommended that the City Council approve the draft ordinance attached to this report.

FISCAL IMPACT

There is no significant fiscal impact anticipated as a result of the proposed Municipal Code Amendment.

RECOMMENDATION

Staff recommends that the City Council consider the introduction and first reading of Ordinance No. 19-02 - “An Ordinance of the City Council of the City of Buellton, California, Amending Municipal Code Title 19 (Zoning) Related to Certain Commercial Cannabis Activities” by title only and waive further reading.

ATTACHMENTS

Ordinance No. 19-02

ORDINANCE NO. 19-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BUELLTON, CALIFORNIA AMENDING MUNICIPAL CODE TITLE 19 (ZONING) RELATED TO CERTAIN COMMERCIAL CANNABIS ACTIVITIES

THE CITY COUNCIL OF THE CITY OF BUELLTON DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Findings.

- A. 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” (“AUMA”), which legalized adult use or recreational use of cannabis and cannabis products and created a regulatory scheme for adult use commercial cannabis businesses. These adult use cannabis regulations were in addition to the 2015 Medical Marijuana Regulations and Safety Act, which created a separate and parallel regulatory scheme for medicinal cannabis businesses.
- B. On June 27, 2017, the Governor signed Senate Bill 94, which repealed MCRSA, renamed the AUMA as the Medicinal and Adult-Use Cannabis Regulation and Safety Act (“MAUCRSA”), and revised its provisions to address both medicinal cannabis and adult use cannabis. 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.”
- C. Business and Professions Code section 26200, which is part of MAUCRSA, expressly recognizes the ability of cities to completely prohibit all recreational cannabis businesses or to regulate such businesses.
- D. Currently, Buellton Municipal Code Chapter 9.20 prohibits commercial cannabis activities and cannabis cultivation in all City zones.
- E. It is imperative that the City maintain local control over all cannabis land uses to the fullest extent allowed by law. Many cannabis businesses have opened throughout the state under MAUCRSA and there have been multiple inquiries from state licensing authorities about whether the City allows such businesses. Express Municipal Code regulations regarding all types of commercial cannabis businesses are necessary to provide clear guidelines regarding the scope of prohibited conduct and minimize the potential for confusion regarding the City’s policies.
- F. Cannabis testing laboratories are a category of commercial cannabis activity that serve to enhance the safety and quality of cannabis and cannabis-derived products, but which do not have the same potential for adverse impacts such as increased crime, increased traffic,

or danger from the use of hazardous materials associated with other commercial cannabis activities or cannabis cultivation.

- G. Cannabis testing laboratory licensees may not hold any other type of commercial cannabis license, and are therefore required to be separate and independent from any cannabis retailer, cultivator, or cannabis product manufacturer.
- H. Cannabis testing laboratories operate under stringent state guidelines and quality and safety standards which require precise and diligent tracking of products to be tested, as well as disposal requirements for products after testing is complete.
- I. Cannabis testing laboratories require highly educated employees with very specialized skill sets, and would therefore represent a potential source of high-paying jobs in the City.
- J. It is reasonable to conclude that cannabis testing laboratories could provide benefits to the City of Buellton while avoiding the adverse impacts on the public health, safety, and welfare that are associated with other commercial cannabis activities.
- K. At a duly noticed public meeting on September 19, 2019, the Planning Commission of the City of Buellton considered the proposed amendment to Chapter 19.20 and determined that it is consistent with the City’s General Plan.

SECTION 2: Environmental Findings. The City Council exercises its independent judgment and finds that this ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, sections: 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment); 15060(c)(3) (the activity is not a project as defined in Section 15378); and 15061(b)(3), because the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. While Buellton has never allowed any commercial cannabis activity under the Municipal Code, testing laboratories with similar potential for impacts are permitted either as ancillary facilities or as stand-alone uses in the case of medical laboratories. The proposed ordinance, therefore, maintains the status quo. Because there is no possibility that this ordinance may have a significant adverse effect on the environment, the adoption of this ordinance is exempt from CEQA.

SECTION 3: Amendment of Buellton Municipal Code Section 19.02.210.

The matrix table included within Section 19.02.210 of the Buellton Municipal Code is amended as follows:

Cannabis Testing Laboratories				CUP	19.20.030
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SECTION 4: Amendment of Buellton Municipal Code Section 19.20.030.

19.20.030 Prohibition of Commercial Cannabis Facilities

- A. Commercial cannabis facilities, except state licensed cannabis testing laboratories, are prohibited in all zoning districts in the City and may not be established or operated anywhere in the City. State licensed cannabis testing laboratories may be permitted pursuant to Section 19.02.210 of this Title.
- B. The prohibition in Paragraph A shall not prohibit a state licensed retailer located outside the City from delivering to customers in the City, provided that such deliveries are in strict compliance with State Cannabis Laws.

SECTION 5: Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 6: Publication. The City Clerk is directed to certify this ordinance and cause it to be published in the manner required by law.

PASSED, APPROVED, AND ADOPTED this ____ day of October, 2019.

Holly Sierra
Mayor

ATTEST:

Linda Reid
City Clerk

APPROVED AS TO FORM

Gregory M. Murphy
City Attorney

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: Kyle Abello, Recreation Supervisor

Meeting date: October 10, 2019

Subject: Discussion and Direction Regarding Dia de Los Muertos/Day of the Dead Project Proposal (Arts & Culture Committee)

BACKGROUND

At its regular meeting of August 8, 2019, the City Council approved the formation of the Buellton Arts & Culture Committee along with a description and scope of the Committee (Attachment 1). The purpose of the Committee is to enhance the quality of life and develop a sense of cohesiveness and community pride in Buellton by bringing artistic and cultural experiences to the community. The Council also approved a budget amendment at that time to allocate \$50,000 for each of the next two fiscal years to fund arts and culture projects.

After a very positive community response, the Arts & Culture Committee had its first meeting on October 1, where 12 volunteers from across the greater Valley area came together to begin laying the foundation for a successful venture in bringing artistic and cultural experiences to Buellton and providing a standardized project vetting process. The Committee also reviewed the City's first project proposal.

The Dia de Los Muertos/Day of the Dead Community Altar project consists of a series of three Saturday workshops and two evening celebrations surrounding art-making, storytelling, and other cultural aspects of the Day of the Dead holiday. A detailed description of the project is included as Attachment 2. Lead artist, Stacey Thompson, is working with the Santa Ynez Valley Botanic Garden Foundation to host the project, and the venue for the workshops and community altar and celebrations will be at the Botanic Garden. The Project request for \$2,500 will cover art supplies and materials, advertising and promotion of the various activities and events, honoraria for the various artists and presenters, and refreshments. Any funds that aren't spent are required to be returned to the City. Additionally, the Committee has asked that Ms. Thompson return to a future City Council meeting to give a follow up report on the Project.

The Arts & Culture Committee discussed the Project at length and agreed by consensus to recommend approval to the City Council.

FISCAL IMPACT

The fiscal impact would be \$2,500 from the General Fund. The Fiscal Year 2019/20 Budget includes \$50,000 budgeted for the Arts & Culture Committee.

RECOMMENDATION

That the City Council consider approving \$2,500 to fund the Dia de Los Muertos/Day of the Dead Project.

ATTACHMENTS

Attachment 1 - Buellton Arts & Culture Committee Description

Attachment 2 - Dia de Los Muertos (Day of the Dead) Community Altar Project Proposal

BUELLTON ARTS & CULTURE COMMITTEE

Purpose: To enhance the quality of life and develop a sense of cohesiveness and community pride in Buellton by bringing artistic and cultural experiences to the community.

Definitions:

ARTS: Anything having to do with the **visual arts** (painting, sculpture, ceramics, drawing, ceramics, photography, film, digital, etc.) and **performing arts** (music, theatre, dance, and variations and combinations of such), including multimedia art, which may involve a combination of both visual and performing arts.

CULTURE: Anything having to do with the shared patterns of behaviors, ideas, customs, and traditions associated with a certain group or groups of people.

Membership: Committee members may come from Buellton or the greater Valley area and should have at least a basic knowledge and interest in artistic and cultural endeavors. Examples of possible members may include, but are not limited to: artists, musicians, performers, museum curators or docents, scholars, gallery owners, teachers, etc.

Scope: In creating artistic and cultural experiences for the community, the Committee may consider:

Public art installations (either permanent or temporary), events, or performances

Producing or assisting with cultural activities and events

Collaborating with other local organizations on projects related to arts and culture

Concept Approval and Implementation: The Committee will present concepts to the City Council for approval. The City Council shall have the authority to allocate funding and/or other resources for implementation of the Committee's concepts.

Sensitivities: While it is understood that the function of art is often to challenge societal norms or advocate for social or political change, the City of Buellton chooses to expend public funds on art and cultural activities which serve to enhance appreciation of art in its various forms and develop or enhance a sense of community. To this end, the Arts and Culture Committee shall utilize its best judgement in recommending concepts to the City Council which avoid subject matter which is overtly political, or which is potentially offensive to ethnic, racial, religious or minority groups. Recommendations should also be made which are appropriate to the context in which they will be presented, sensitive to community standards with regard to decency, and presented with the intention of building a cohesive community.

BUELLTON ARTS & CULTURE COMMITTEE

PROJECT FUNDING REQUEST FORM

NAME OF PROJECT: DIA de los MUERTOS (Day of the Dead) Community Altar

PROJECT DATE(S): Workshops: October 12, 19 & 26; Celebrations: November 1 & 2

SPONSORING ORGANIZATION: SYV BOTANIC GARDEN

KEY ORGANIZER: STACEY THOMPSON

CONTACT INFORMATION: 415.606.7756; thompsonarttherapy@gmail.com

TYPE OF PROGRAM: [] ARTS PROGRAM [] CULTURE PROGRAM [X] BOTH

AMOUNT OF FUNDING REQUESTED: \$2,500

DESCRIPTION OF EVENT — Include goals, objectives, and other project partners/collaborators:

This project is a collaboration between Stacey Thompson and the SYV Botanic Garden, which is the ideal place to hold such an activity because nature is, in itself, a healing balm and provides a safe container to hold one's grief.

The purpose of this project, which will occur over several weeks prior to two celebrations on November 1 & 2, is to:

- recognize and celebrate the origins of this cultural holiday;
• honor and grieve those who have passed on;
• create a Day of the Dead altar at the SYV Botanic Garden;
• hold Day of the Dead art-making workshops for children and adults for the community altar;
• facilitate at least one non-religious meditation(s) and/or cultural presentation(s) related to grief and loss.

The Day of the Dead art-making workshops and altar will be located at the SYV Botanic Gardens. The workshops will be held on October 12, 19 and 26 from 11AM to 1PM and include mask-making, storytelling, painting frames, stringing flowers, meditation and more. The altar will be decorated with objets d'art made in the workshops as well as other appropriate found items participants may wish to leave, including copies of photographs of deceased relatives, friends, pets, etc. Additionally, there will be two celebrations to bring this project to fruition that will occur on November 1 & 2 from 5 to 9PM.

The art-making workshops, altar construction, and related programs will be under the primary direction of Stacey Thompson.

BUELLTON ARTS & CULTURE COMMITTEE

PROJECT FUNDING REQUEST FORM

DESCRIPTION OF EVENT – cont.

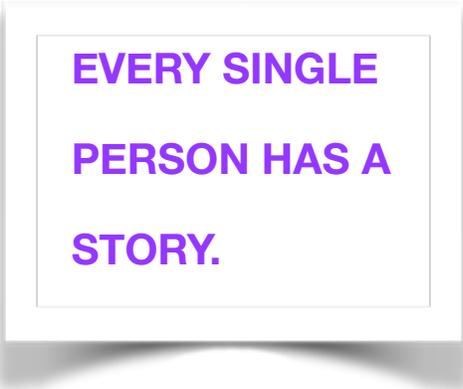
ABOUT STACEY THOMPSON

Stacey Thompson has been a resident of the Santa Ynez Valley since 1982 and holds dual M.A. degrees from Notre Dame de Namur University (Belmont, California) in Marriage and Family Therapy and Art Therapy. She holds an active MFT (Marriage and Family Therapy) license and is a registered art therapist currently in private practice.

Professionally, Stacey worked in a variety of settings including: the South San Francisco public school system; a Bay Area group home for adolescent girls; and a community center, in San Jose, serving adults with chronic and persistent mental illness. While employed at the latter, she was in charge of many ongoing groups including: art therapy; open studio; and skill-based programs (e.g. symptom management and anger management). She also curated art exhibits, supervised interns and volunteers, and collaborated with collateral agencies.

In addition to her clinical work, Stacey has facilitated many collaborative community art projects, including: other “*Day of the Dead*” altars; planning and executing elaborate themed annual holiday dinner/dances for large groups; talent shows; community plays; collaborative art projects at street fairs and resource fairs; and large-scale collaborative art projects produced for San Jose’s Annual Disability Awareness Day event held at City Hall.

Locally, Stacey has facilitated art with older adults and in SYV schools through *Arts Outreach*. She is an organizing member of the *SYV Community Action Alliance*, and chairs its very successful documentary film series, which is held at Standing Sun Winery, in Buellton. Also through the auspices of the SYVCAA, she has chaired and facilitated many community arts projects in conjunction to the documentary film screenings and float-making for the Fourth of July parade, in Solvang (2017, 2018 and 2019). Additionally, Stacey has collaborated with the Wildling Museum of Art & Nature on several community art projects including a cleanup of spent shotgun shells on Camino Cielo that became a life-size condor sculpture that is presently installed at the Museum. She has two upcoming community art projects slated through the Wildling Museum: a recycled hubcap art installation, and a Christmas Parade community art project that will use trash collected from the *2nd Annual Santa Ynez River Cleanup and Quick Sculpt* event as its float material.



**EVERY SINGLE
PERSON HAS A
STORY.**

BUELLTON ARTS & CULTURE COMMITTEE

PROJECT FUNDING REQUEST FORM

DESCRIPTION OF EVENT – cont.

Most recently, Stacey has applied to serve on the City of Buellton's newly forming Arts & Culture Committee and the SYV Botanic Garden Arts Committee.

Stacey knows first-hand that art is a universal language that brings people together and has infinite potential to lift our individual and collective spirits. She knows, too, that there are numerous benefits to art-making — beginning in the body by simply reducing stress levels and blood pressure. But, when we create together, share our stories, and witness for one another, we strengthen our bonds and create a shared experience, a shared narrative, and forge a stronger community.

Because there are few opportunities to create and play with art materials — especially for adults — it is Stacey's mission to create many more opportunities through collaborative community art projects.

Stacey and her husband are raising their two young children in their multigenerational home in Santa Ynez.

BUELLTON ARTS & CULTURE COMMITTEE

PROJECT FUNDING REQUEST FORM

PROJECT BUDGET DETAIL:

TOTAL PROJECT BUDGET: \$3,750

PROJECT FUNDING (list anticipated funding sources and amounts — must equal Total Project Budget)

SOURCE OF REVENUE	AMOUNT/INKIND VALUE
<u>SYV Botanic Garden (In-Kind) \$1,000</u>	
<u>Donations \$ 250</u>	
<u>City of Buellton \$2,500</u>	
TOTAL	\$3,750

PROJECT EXPENSES (list project expense categories and amounts — must equal Total Project Budget)

AMOUNT	EXPENSE CATEGORY
<u>Garden Rental (In-Kind) \$1,000</u>	
<u>Art Supplies and Materials* \$800</u>	
<u>Artists & Presenters Honoraria \$1,000</u>	
<u>Event Development and Facilitation \$500</u>	
<u>Outreach \$250</u>	
<u>Refreshments \$200</u>	
TOTAL	\$3,750

* Some supplies/materials could be reused in future events and/or annual Day of the Dead celebrations.

CITY OF BUELLTON
City Council Agenda Staff Report

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

To: The Honorable Mayor and City Council

From: Shannel Zamora, Finance Director

Meeting Date: October 10, 2019

Subject: Annual Report from the Buellton Visitors Bureau for the Period
July 2018 through June 2019

BACKGROUND

Attachment 1 is the required Annual Fiscal Year-End Report regarding the Visitors Bureau's activities from July 2018 through June 2019, as required by the City's contract with the Chamber of Commerce for operation of the Visitors Bureau. The annual report will be posted on the City's website. The Visitors Bureau will make a presentation and be available to answer questions from the City Council.

RECOMMENDATION

That the City Council receive the Annual Report from the Buellton Visitors Bureau.

ATTACHMENTS

Attachment 1 – July 2018 through June 2019 Annual Report Presentation



BUELLTON VISITORS BUREAU

July 1, 2018-June 30, 2019 Year End Report

History

- The City of Buellton contracts with the Chamber of Commerce to operate a Visitors Bureau for the promotion of tourism and economic development.
- The Visitors Bureau receives \$400k/annually to promote and market Buellton as a tourism destination. This fiscal year, an additional \$50k was awarded to the Visitors Bureau for a total of \$450k.
- The contract breaks down the budget into 4 categories:
 - 1) T-1 Operation of Visitor Center
 - 2) T-2 Grants/Specific Projects
 - 3) T-3 Economic Development
 - 4) T-4 Promo/Advertising

Overview

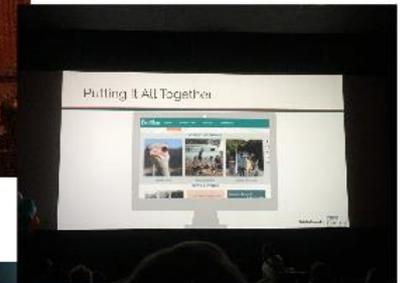
- The Buellton Visitors Bureau (VB) continues to promote Buellton on a domestic and international level. Through print, digital, social media, Public Relations and trade shows the VB has been able to engage with visitors from around the globe.
- The VB has been working on the implementation of the strategic marketing plan and planning for upcoming years for the promotion of Buellton.
 - We continue to work with 360View PR for our public relations and outreach to travel media. We have had the privilege of hosting various writers/bloggers/influencers to Buellton and have also traveled to LA to host a media event as well. We continue to receive great exposure in various publications, digital and on social media.
 - We continue to work with Solutions on 2nd for our marketing development and implementation of the strategic plan, which included the brand and website development, image and content management, and developing and executing a social media strategy.
 - We worked closely with our Tourism Marketing Council as we developed our new brand and website. Their input and research was valuable in the creation and selection of our design and brand development.

Discover Buellton, CA

In August of 2017, the Buellton Visitors Bureau board of directors set out to rebrand the destination to better demonstrate the modern attractions and amenities of the city.

A Tourism Marketing Council was developed with marketing representatives from Buellton's four primary tourism sectors (lodging, dining, alcohol, attractions) to lead this effort, taking a deep look at each aspect of the marketing program and providing recommendations to the Board of Directors.

The result of this effort was the Destination Brand Launch held at Parks Plaza Theatre on July 26, 2018.



Buellton Visitors Bureau Budget

Income

7/1/18 – 6/30/19

City of Buellton

\$450,000.00

Expenses

7/1/18 –
6/30/19

Spent

Budget

T-1 Operation
of VB

140,330.43

145,700.00

T-2 Grants/
Specific
Projects

14,070.00

14,000.00

T-3 Economic
Dev.

3,379.62

3,000.00

T-4 Promo/
Advertising

287,540.65

287,300.00

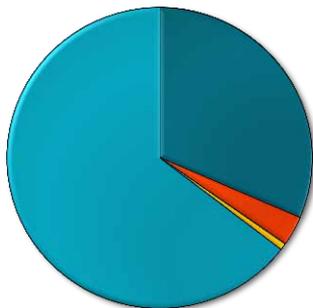
Total
Expenses

445,320.70

450,000.00

Expenses

Over 65% of the budget was used for Promotion & Advertising

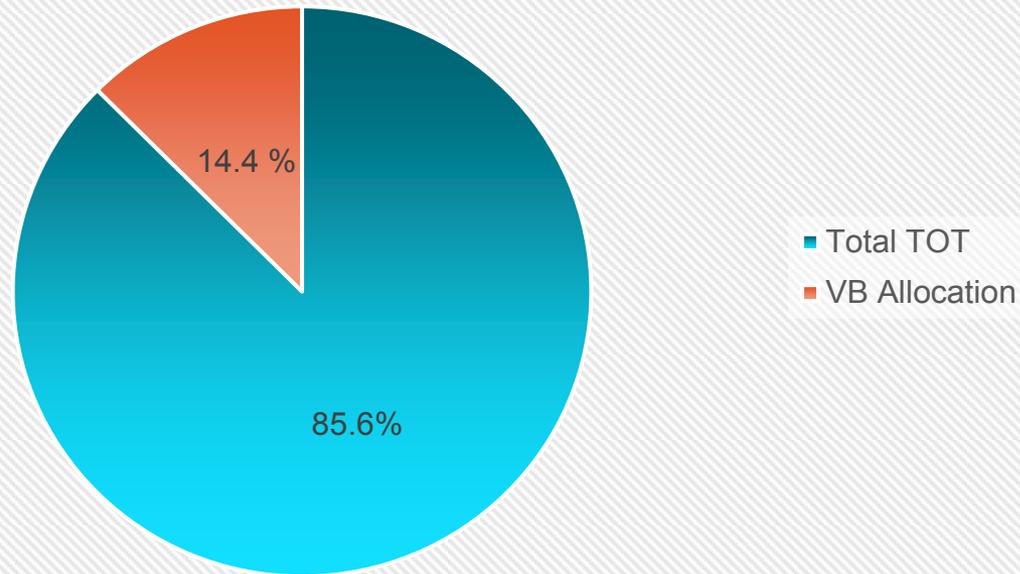


■ T-1 ■ T-2 ■ T-3 ■ T-4

Comparison of TOT to VB allocation

Percentage of VB Allocation compared to TOT collected by the City

Over \$3 million was collected in TOT for the fiscal year 18/19. A 127% increase of the estimated revenue.



Sponsorships & Donations

The Buellton Visitors Bureau continues to support local events that generate overnight stays.

We are grateful for the businesses and organizations who choose to host events in Buellton and realize the importance of supporting these events. It is our obligation to promote the City of Buellton, along with the activities that take place and influence the traveler to come stay with us.

The Visitors Bureau sponsored over \$12,000.00 to local events and organizations this year.

- Wheels N Windmills Car Show
- 4th of July Fireworks – SYV Rotary
- Wine & Chili Fest lanyard sponsor
- Lagerville at Figueora Mtn. Brewing
- Blind and Disabled Golf Tournament
- The Gas Up Dry Lakes racing event



Visitor Traffic

The Visitors Bureau attracts visitors from around the world. We invite our visitors to sign our guest book and let us know where they are from.

We track our visitors at the Visitors Center by logging how many people were in each party and what information they were requesting. We also track calls coming in requesting information.

We have cut back on the mailings we do since we have redirected our marketing to more digital platforms. This allows us to grow our email list which we reach out to on a monthly basis.

We also provide welcome bags to groups coming into the area for reunions, corporate retreats, weddings, and gatherings.

Quality customer service goes a long way and turns overnight guests into repeat customers.

2017-2018	Walk-Ins & Calls	Mailings	Total Contacts
July	285	50	335
August	381	102	483
September	354	147	501
October	313	117	430
November	324	110	434
December	255	64	319
January	327	87	414
February	233	92	325
March	344	99	443
April	478	18	496
May	310	22	332
June	322	36	358
Totals	3,926	944	4870

Visitor Bags

Q1	100
Q2	280
Q3	245
Q4	93
Totals	718

Who's looking at Buellton? DiscoverBuellton.com

DiscoverBuellton.com sees significant traffic from around the world.

On an international level, we continue to attract the Canadian market. Given its proximity to California, this makes a good drive market for our state. We continue to see the Asian market as well as South America markets showing interest in our area. Many factors drive the international market including exchange rates and ease of getting a visa.

On a domestic level, Southern California continues to be a prime market for our destination. We're seeing more eastern and mid-western states showing interest in our destination, as well as our neighboring states to the north and east.

Top countries visiting our website are:

- USA
- Canada
- India
- Thailand
- Mexico
- United Kingdom
- Brazil
- Philippines
- China
- Australia



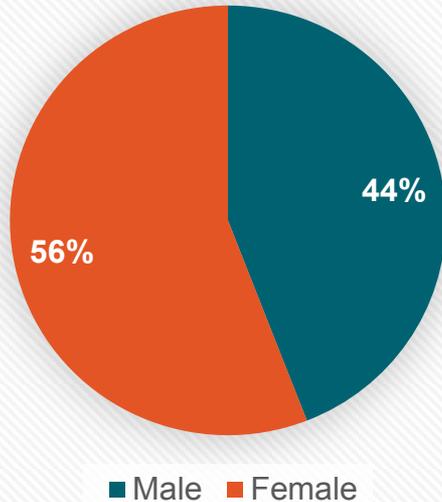
Top states in the USA

- California
- Illinois
- Washington
- Oregon
- Virginia
- Texas
- Kansas
- New York
- Florida
- Arizona



Who are these Visitors?

Gender

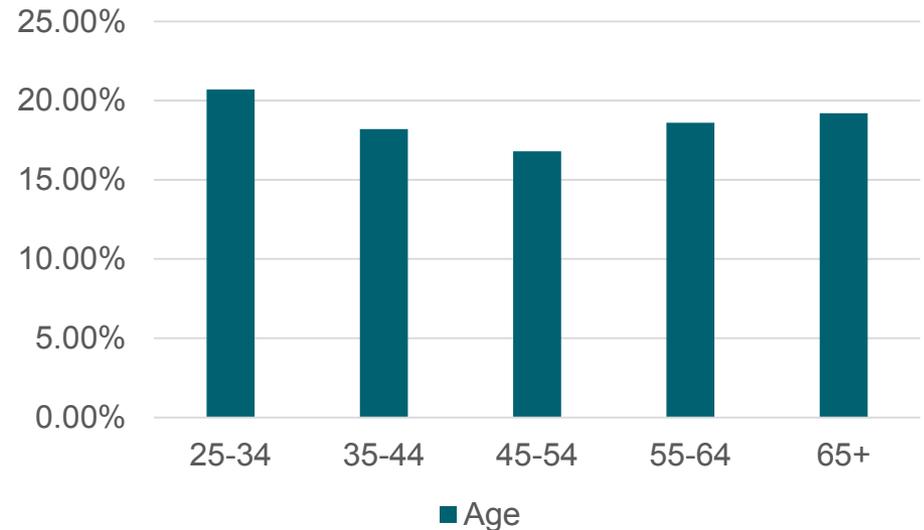


Over 50% of the visitors to our site are female. They tend to influence the decision when it comes to planning vacations and getaways.



We show the visitors to our site are within all age ranges, which makes our destination attractive when we can engage and attract visitors of all ages.

Age



Social Media



Over 2500
likes/followers
DiscoverBuellton

Facebook: We continue to share content and stories over this platform. Our engagement continues to grow as we gain followers and interact with our visitors. We continue to monitor the activity and engagement we receive with various posts to assure we are producing content that is relevant and interesting



Approximately
1000 Followers
@BuelltonUSA

Twitter: Our engagement continues to grow on Twitter as we share content from Facebook to this platform. We also stay engaged with our travel media who use this platform during and/or after their visits to Buellton.



Over 2700
Followers
@BuelltonCA

Instagram: We continue to grow our audience on Instagram as we work on the content and distribution of imagery that will capture the interest of the visitors. We have redesigned our Instagram page to be more appealing to the eye by creating borders and mixing up the images in the tiles. It has a more customized look and feel.

Digital Marketing Programs

Search Engine Marketing (SEM)



KEY RESULTS

- 18,000+ visitors (clicks), 4k added value clicks from the goal of 14k
- Click-through rate (CTR) averaged 5.92% - Above 2.18% industry average
- SEM contributes to 19% of overall traffic to DiscoverBuellton.com

TOP PERFORMING AD GROUPS:

- Visit - 36.65% of traffic
- Trip Planner - 27.41% of traffic
- Wine - 12.72% of traffic

Google Remarketing Ads (GDN)



See what you've
been missing in
Buellton, CA

CLICK HERE

KEY RESULTS

- Over 600K Impressions served to visitors that have previously been to Buellton website
- Average CTR 0.25%, is double the travel industry goal of .10%
- Display ads allow Buellton brand to shine and resonate with audience

A robust campaign including search engine marketing with Google Adwords and Remarketing Display Ads.

(GDN) – Google Display Network

The Google Display Network is designed to help you find the right audience. Its targeting options let you strategically show your message to potential customers at the right place and the right time.

Amplified Storytelling

KEY RESULTS

- 25,900+ Inspired travelers engaged with Buellton content
- 67% Added value clicks delivered through hands-on campaign optimizations
- Extremely engaged with your stories, avg time on page is 30% longer than site average
- 90% New website visitors through Amplified Storytelling



16,300+ Clicks



9,600+ Clicks

Aspirational themed stories from the visitor perspective about trips to Buellton embedded in the website, with corresponding ad campaigns to drive site visits.

Campaign Highlights



**45.4K +
Engaged
Visitors Site**



**15.9M +
Branded
Impressions**



**90% New
Sessions via
Content**

Audience Highlights



Facebook

Audience Growth: 17.5%

Reach: 216,241 | Impressions: 313,382

Instagram

Audience Growth: 17%

Reach: 88,862 | Impressions: 165,462

Twitter

Audience Growth: 10%

Impressions: 100,811

Email

Audience Growth: 47%

Website Traffic

Goal: 38,000 *unique visitors*

Actual: 46,908 *unique visitors*

Trade Shows

LOS ANGELES TRAVEL & ADVENTURE SHOW®



- The Visitors Bureau had a 10x10 booth at the Los Angeles Travel & Adventure Show in February, 2019. This is a consumer based show with various presentations, professional travel speakers, travel media, and exhibitors from around the world.
- This year we showed off our new branding with Discover Buellton and continued to build our email list with an electronic entry tool where individuals were also entered to win a free night stay in Buellton.

In Los Angeles:

- Total Attendance was 37,912
- 4,352 were in trade/press
- 51% women attendees
- 74% range in age from 35-65+
- 66% earn over \$100,000
- 66% spend over \$5,000 on travel



CHROMA

SANTA BARBARA COUNTY POP-UP SHOP

We partnered with our County-wide Destination Marketing Organizations (DMO's) to set up a pop-up shop at the Americana at Brand in Glendale, CA. an upscale shopping mall.

This was an experiential way to engage with the consumer in a fun setting that allowed them to take and post photos in our "Instagrammable" setting. By using #ChromaSB they were then entered to win a road trip through the county.

This was a great way for all of us to come together as a county and share our destination with the consumer. We were able to educate them on how close we are in proximity and share the many experiences they can have in SB County.

OVERALL RESULTS

Results from Chroma went beyond just impressions; Visitors spent a significant length of time in the store, shopping for deals at the concierge desk, photographing the installations, taking brochures and magazines, and engaging with our knowledgeable staff.



4,009
In-Store Interactions



10-12
Avg. Minutes
In-Store



31,560
Social
Engagements



2,421,995
Total Impressions

RESULTS BREAKDOWN

4,009
In-Store Visitors

From an estimated over 20,000 passersby, over 4000 entered the pop-up shop, took photos, and interacted with our installations and staff.

1,243,346
Media Impressions

As a result of the press event, media placements on NBC, The Americana website, Visit California and email blasts.

1,178,649
Social Impressions

Social posts promoting the event garnered over nearly 1.2M impressions across platforms.

31,560
Social Engagements

Owned social posts, social advertising, and consumer social posts resulted in nearly 30k total engagements.

470
Uses of #ChromaSB

Nearly 500 photos were posted across social platforms, using the #ChromaSB hashtag and entering the contest.

40+
Media + Trade

26 meeting planners and travel trade buyers, plus 14 media outlets, attended the Chroma pop-up shop press event.

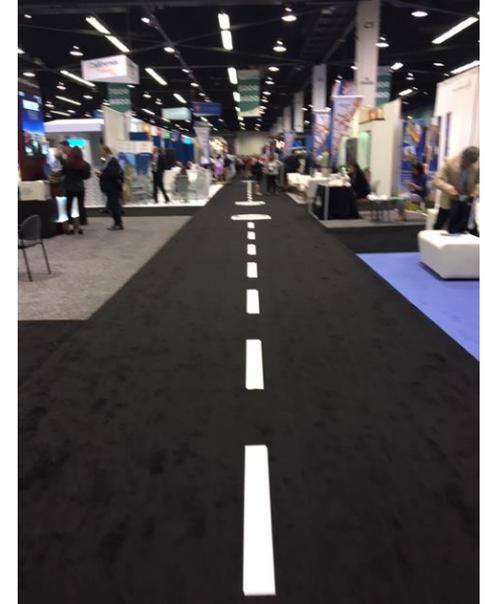
10,421
Web Page Visitors

Social advertising and in-store promotion drove over 10k consumers to the Chroma landing page.

10-12+
Avg. Minutes In-Store

Consumers garnered more than just an impression; Chroma visitors stayed an average of 10-12 minutes.

The IPW is an international trade show hosting more than 6200 attendees with more than 1300 Exhibitors and over 1300 international and domestic buyers from more than 70 countries, along with 500 international media professionals. Our booth represented all three destination marketing organizations from the valley, along with 3 lodging properties; SYV Marriott, Alisal Guest Ranch and Hotel Corque. Along with working with our neighboring partners, we also worked with the Central Coast Tourism partners to brand the Central Coast as the “Original Road Trip”. All of these efforts work to brand our area as a destination and one within reach of the gateway cities of Los Angeles and San Francisco.



FAM Tours

Following the IPW in Anaheim, we were part of a Post FAM tour. We hosted 30 travel trade & travel media. They did a tasting at DorWood Spirits, toured the Marriott and enjoyed a dinner and tasting at Firestone Walker Brewery. Having the IPW so close to Buellton allowed us this opportunity to further showcase our destination to the international market.



Public Relations Snapshot

- We continue to work with 360View PR for our media leads and facilitating travel media visits to Buellton. They have provided us with great exposure.

128 Pieces of
Coverage

333M Online
Readership

624K Estimated
Coverage Views

10.9K Social
Shares

356K
Circulation

4.56K Individual
Media Pitched

18 Press Trips

Discover Buellton in the News!

**Los Angeles
Times**

Forbes

Skift.

LOS ANGELES
EATER

Robb Report

CarRentals.com

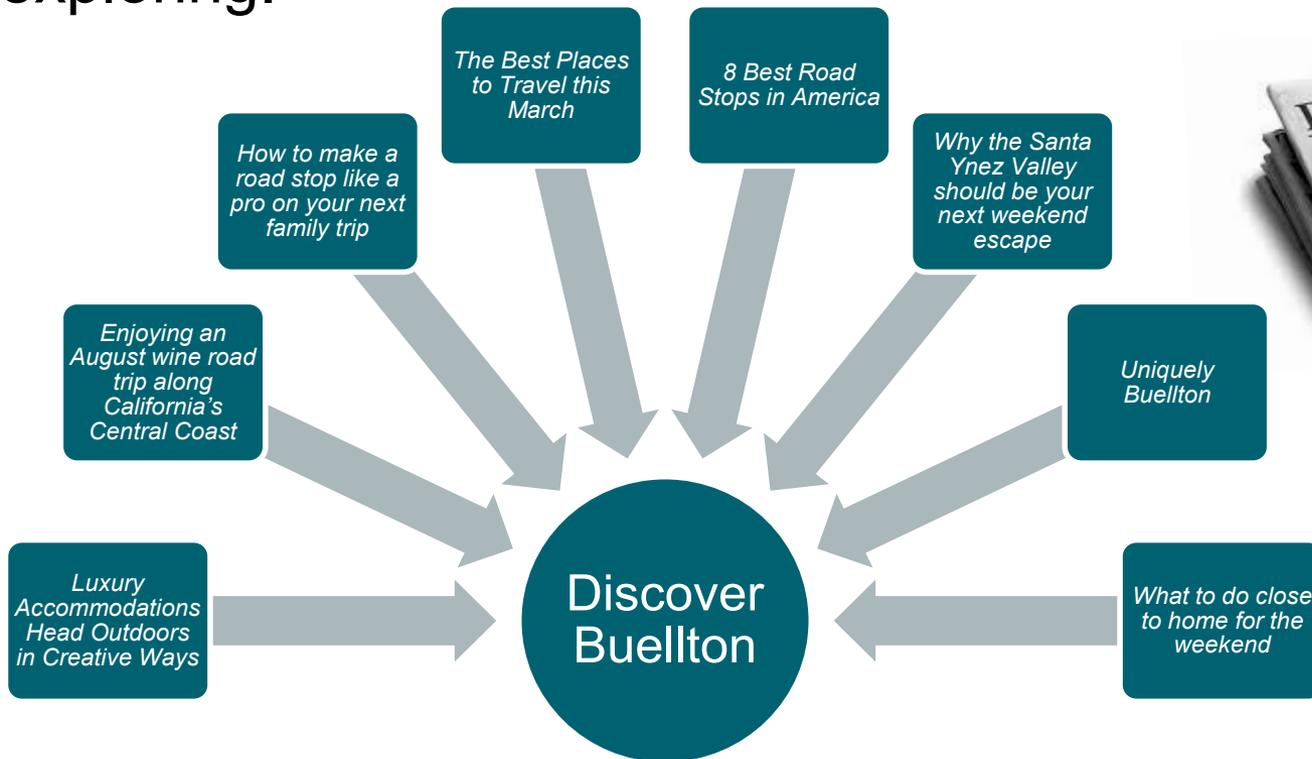


THE ORANGE COUNTY
REGISTER

 **matador**network

What are the headlines?

- Buellton was recognized for a variety of reasons. Whether it's part of a road trip or a must see on your next visit, we are proud to be listed as a destination worth exploring.



Press Trips Hosted by Discover Buellton

#skipthebigcities Press Trip



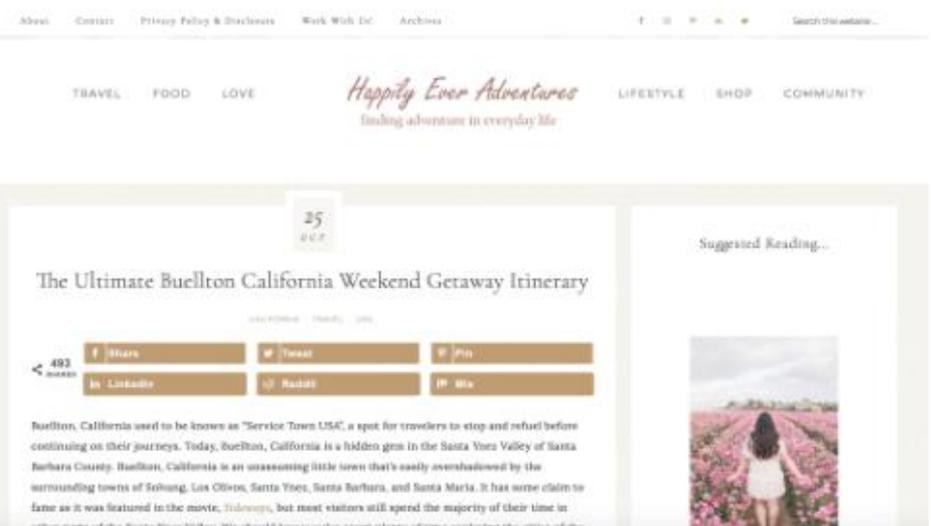
- In October 2018 360viewPR brought 6 high profile influencers to come discover Buellton
- Combined audience of over 407,000 Instagram users reached
- 20 Instagram posts with hundreds of comments and thousands likes



#skipthebigcities Press Trip



- Over 189 Instagram stories posted in the span of a month that included the hashtag #skipthebigcities, Discover Buellton social media handles and partners involved
- Media also wrote itineraries and stories about their trip on their own blogs and shared it with their audience on all social media platforms



Wine Country Getaway Press Trip



- 360viewPR secured 6 journalists to attend Buellton's 2019 Wine & Chili event
- Partners that participated and helped with this media trip include Santa Ynez Marriott, Figueroa Mountain Brewing Co., Hitching Post II, Ostrichland, Industrial Eats, LaFond, DorWood Distillery and Margerum

Wine Country Getaway Press Trip



- Discover Buellton and partners involved received media coverage in Around Alhambra, Travelscope, Not Born Yesterday, and Just Luxe

On the Go... BEAUTIFUL BUELLTON, CALIFORNIA

WINE & VINEYARDS

Planning a weekend getaway, we wanted to go somewhere outside the bounds from Los Angeles offering beauty, wine and culinary delights. After the recent March and April showers, we learned a Super Storm of Spring wildfires were blanketing the hills along the divide in the changing view of Buellton in Santa Barbara County.

Buellton in Central California is an idyllic gateway for visiting some of the state's best wine and culinary sites. It also offers some unique experiences that you won't find anywhere else.

Our first stop was at the Flying High #17 Ranch. Even though we had reservations to stay at the Santa Ynez Valley Marriott across the highway, the sprawling 400-acre ranch was hosting Southern Wine & Spirits Festival. Having storage locker and premium rentals, planning outings, luxury beds and more of impressive land parcels, food trucks and restaurants were talking up word-of-mouth for guests to explore Central California. Inexpensive and vibrant spots greeting some of the most popular local and wine.

Reserving our night at the Santa Ynez Valley Marriott, we learned what makes this a beautiful, unique and popular destination - it offers a comprehensive Twin Peninsula experience in the parking lot. It was one of the five locations that Twin put their Supercharger machines, and has become one of the most popular charging spots for used vehicles driving from Southern to Northern California.

After the experience of one glass of wine, we thought back now to our last interest and then the iconic restaurant. The history that it is general popularity after the first money (Silicon Valley) in 2011 and is famous for its traditional Santa Maria barbecue. Pulling into the parking lot, we noticed the canopy, chef and wheelchair Frank Carter opened a testing room and dining areas across from. (Visiting Part II, it's an ideal spot to sit outside under ancient oak trees for the big sandwiches, burgers and the heavenly grilled vegetables below, dining, or after eating their wine. The main focus are prepared in the main restaurant and followed by a drop-off to help to reduce traffic and parking issues.

Meanwhile Gary Hartley came on in our table with bottles of some of the famous Buellton Pinot Noir - Santa Ynez Valley. Perfect for and Family-Friendly Buellton Pinot Noir. Hartley was an Alhambra Faberman for 20 years, before moving to Buellton and helping him make world-class wine. "Buellton is one of the best locations in the state, and this state has the great soil of the Alhambra Faberman History," said Hartley. It was also one of the best wine in the state.

While sipping wine, Hartley pointed out a block of earth sitting in a pasture below the property. For \$1.5M, guests can own 100% of the land, in most cases and had some of the most and largest lands in the world. Another bottle of wine, there are bottles of wine in various.

Lafont and member Chris grew and presented us with five different bottles and a 10-year anniversary glass for a 100th birthday. (Glasses have been going around visiting, Chardonnay, Pinot Noir and Syrah wine at Lafont, for 12 years. We informed us "to take some idea of wine to know if you like it or not." The 2014 Pinot Noir Chardonnay was a mixed shower with a mix of lemon, hazelnut and hazelnut notes.

Our last stop was at Morgan Wine Company. It was one of the five locations that Twin put their Supercharger machines, and has become one of the most popular charging spots for used vehicles driving from Southern to Northern California.

The remainder of your time was spent in wine country sites, and the land offers the largest remaining parcel in the region. After a night, we drove over to Industrial Way to enjoy a craft beer dinner and brewery tour in the company of the Morgan Wine Company.

With over 10 varieties and testing rooms in the wine, we decided to stop and our next day by starting with a

12

Not Born Yesterday

JustLuxe

LIFESTYLE TRAVEL FASHION CITY GUIDES BEST OF LUXE EXPERIENCES NEW RESIDENCES

f t w b v p q

COMMENTS PEOPLE

Bucolic Weekend in Buellton

By Jennifer Wu, 2015-03-20

f t w b v p q

Our last stop was at Morgan Wine Company. It was one of the five locations that Twin put their Supercharger machines, and has become one of the most popular charging spots for used vehicles driving from Southern to Northern California.

Print Advertising

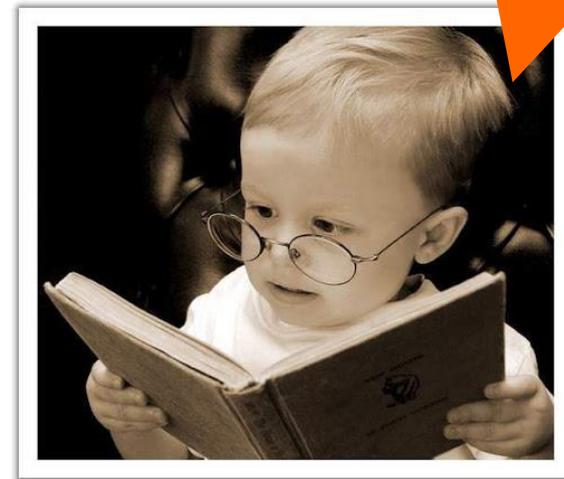
We cut back quite a bit on print media this year and focused on building our brand in the digital platforms.

We did, however continue to do some print advertising where we feel it offers us the best exposure. This year, the branding was updated to reflect Discover Buellton.

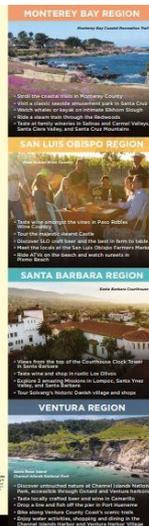
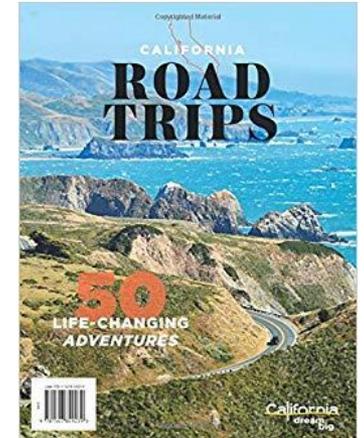
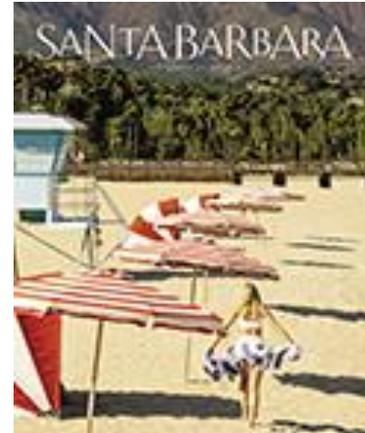
We may be seen in these various publications promoting Buellton as a destination.

- Wine Country This Month (limited time only)
- Central Coast Map
- PCPA Solvang Festival Theater
- Westways
- Santa Barbara Visitor Guide
- California RV Show Program
- CA Road Trips
- GIO (Free ad)

Are we there yet?



Print Publications



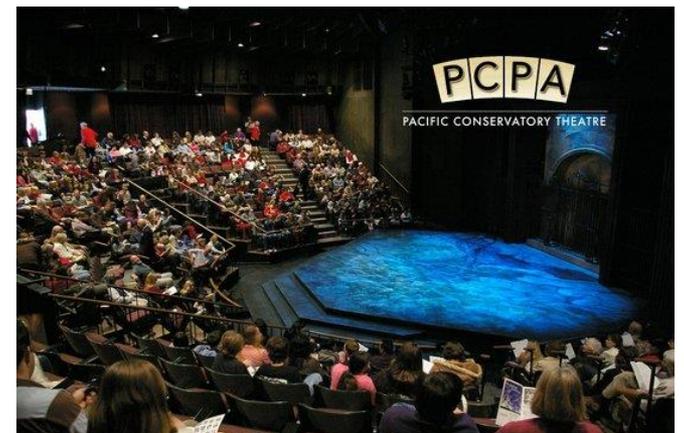
RV & CAMP BUELLTON

Load up the RV and head to Buellton. If you haven't explored this unique Central Coast city then you must add it to your bucket list of trips. Located in the heart of the Santa Barbara County and smack dab in the middle of Santa Ynez Valley wine country, this small town is a great place to set up camp and explore.

The uniqueness, hidden gems, and niche industries of Buellton offer an array of things to do and see. Home of the iconic Silliman, Figueroa Brewing, accountant Galt's, vintage Fiat It, Mendocino's Museum, Oldscotland and more, Buellton guides itself with the eclectic mix of award winning businesses. Nearby towns and attractions, such as Solvang and the Chumash Casino are just a couple more reasons to visit.



Discover Buellton and @digsfthelgCities



Ad layout samples

RV & CAMP BUELLTON

Load up the RV and head to Buellton. If you haven't explored this unique Central Coast city, then you must add it to your bucket list of trips. Located in the heart of the Santa Barbara County and smack dab in the middle of Santa Ynez Valley wine country, this small town is a great place to set up camp and explore.

The uniqueness, hidden gems, and niche industries of Buellton offer an array of things to do and see. Home of the movie *Sideways*, Figueroa Brewing, Accardant Spirits, Hitching Post II, Mendocino's Museum, Ostrichland and more, Buellton prides itself with the eclectic mix of award-winning businesses. Nearby towns and attractions, such as Solvang and the Chumash Casino are just a couple more reasons to visit.

Most of these businesses are located within walking distance to Flying Flags RV Resort, a destination RV resort. Here you will find an abundance of amenities, friendly service, clean modern facilities, and fun for the whole family. Whether it's a weekend getaway for two or a break for the entire family, once you check into flying flags, you won't want to leave. Don't have an RV? No worries.

Flying Flags has vintage, renovated air-consumers, cabins, and safari tents you may rent. So what are you waiting for?

Discover Buellton and #SkipTheBigCities.

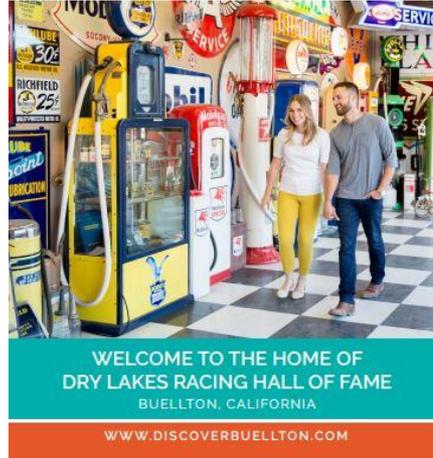


DISCOVER
Buellton

WWW.FLYINGFLAGS.COM | WWW.DISCOVERBUELLTON.COM



DISCOVER Buellton



WELCOME TO THE HOME OF
DRY LAKES RACING HALL OF FAME
BUELLTON, CALIFORNIA

WWW.DISCOVERBUELLTON.COM



DISCOVER BUELLTON

SKIP THE BIG CITIES

Using your RV, Buellton has endless things to discover. From the destination resort you'll find Flying Flags RV Resort's unique accommodations, including vintage trailers and modern models, as well as luxury homes, while you take in the breathtaking views. Explore the Mendocino Museum with one of the World's Great Wines, a collection of gas pumps, vintage cars, and more. Or, take a drive to Solvang, a charming town with a Spanish Colonial architecture. Visit the historic Flying Flags racetrack and take in the view of the wine country. Indulge in a gourmet meal at a local restaurant. Or, take a drive to Santa Barbara, a beautiful city with a rich history. Discover Buellton and #SkipTheBigCities. Discover Buellton, CA. Buellton, CA.

BUELLTON

Nestled in the Sta. Rita Hills Wine Country, enjoy world-renowned wines & local craft beer. Interact with ostriches or stroll through the Botanic Garden. Indulge on farm-to-table cuisine and spend a night "glamping".

DiscoverBuellton.com



BUELLTON
EAT, STAY & PLAY
IN SANTA BARBARA WINE COUNTRY

McMurray Rd Billboard



The Billboard on McMurray Road is switched out about 4 times a year to advertise the various events going on in Buellton as well as welcoming our visitors to Buellton.

Celebrating Avenue of Flags 50th



On September 28, 1968, California Governor Ronald Reagan dedicated the original Coast Highway lanes down the center of Buellton as Avenue of Flags. These photos are used with permission from the original event, courtesy of Buellton Historical Society and King Merrill of Santa Ynez Valley News.



Join us on Avenue of Flags & 2nd Street
SEPTEMBER 22, 2018

10:30am-11:30am

LIVE MUSIC

by Santa Ynez Valley Jazz Band

COLOR GUARD

by Vandenberg AFB and BSA Troop 42

PROGRAM

featuring Mr. Michael Reagan

Bring your own chairs and sun shades!



Winterfest



The weather forecast in December is Snow! The Winterfest continues to grow and be a great event for our locals and visitors alike. This is a wonderful way for our community to come together and enjoy the holiday festivities.



Thank you for allowing us the opportunity
to market our great city of Buellton

DISCOVER
Buellton

#SkipTheBigCities

CITY OF BUELLTON
City Council Agenda Staff Report

City Manager Review: SW
Council Agenda Item No.: 7

To: The Honorable Mayor and City Council

From: Irma Tucker, Contract City Planner
Andrea Keefer, Planning Director

Meeting Date: October 10, 2019

Subject: Discussion and Direction Regarding Proposal for Update to
Community Design Guidelines

BACKGROUND

At its February 28, 2019 meeting, the City Council requested a review and potential update of the architectural styles included in the City's 2005 Community Design Guidelines. In response to that request, at the May 9, 2019 Council meeting Staff made a presentation regarding the current architectural design styles to open up the discussion on possible future changes.

Staff's presentation highlighted the four architectural styles that are currently included in the Design Guidelines: Agrarian, Mission Revival, Ranch and Contemporary Ranch. The City Council discussed the following issues, with primary focus on the Agrarian style:

- Considering different design styles and materials
- Removing board and batten siding as an allowable material or reducing the usage percentage for new projects
- Encouraging higher quality wood siding on new buildings

It was noted that the Art Deco/Art Moderne architectural style adopted in 2017 for the Avenue of Flags Specific Plan will also need to be incorporated into the Community Design Guidelines.

The City Council agreed by consensus to direct staff to work with the City's contract architect, Ravatt, Albrecht & Associates, Inc. ("Ravatt") to update the 2005 Community Design Guidelines. This work effort would include reviewing the use of board and batten, providing alternatives for consideration and incorporating other changes as applicable to the document.

Ravatt has provided a proposal for professional services (Attachment 1 hereto) to work with Staff in updating the City of Buellton Community Design Guidelines. The proposed scope of work includes the following:

A. Primary Scope – Modifications to Design Guidelines:

- develop a template to resemble the existing formatting of the 2005 Design Guidelines document (for which an editable computer file is not available), this would enable new/revised chapters to be inserted into the existing document, which would then be re-published as an update
- revise the Table of Contents and Introduction as needed to address the new and amended chapters and reference the Avenue of Flags Specific Plan
- revise the Agrarian style section in Architectural Character (Chapter 2) to update the quality and quantity of allowed building materials
- add a new chapter for the Art Deco/Art Moderne style, with the intent of providing design guidelines similar to that of the other allowed architectural styles
- revise the Illustratives of Potential Improvements (Chapter 7) to remove current before/after examples of Agrarian, Ranch and Contemporary Ranch style buildings that are part of the Avenue of Flags Specific Plan and, as a result, would need to follow the Art Deco design style
- Fee Proposal, Primary Scope: \$16,350

B. Optional Task - Update Illustratives of Potential Improvements (Chapter 7):

- Update before/after examples of Agrarian, Ranch and Contemporary Ranch styles using buildings that are located outside of Avenue of Flags Specific Plan; produce three “after” sketches
- Modify existing before/after examples to show how the Art Deco design style could be applied to three buildings which are now in the Avenue of Flags Specific Plan area; produce three “after” sketches using Art Deco style
- Fee Proposal, Optional Task: \$2,950

FISCAL IMPACT

The proposed budget for Ravatt’s services would be either \$16,350 (Primary Scope) or \$19,300 (Primary + Optional Task), depending on City Council action.

Staff would be requesting that up to \$19,300 in the Fiscal Year 2019-20 budget be authorized for the professional services outlined in Attachment 1. Funding for this item would be allocated through the City’s budget modification process, which takes place every quarter as needed.

RECOMMENDATION

That the City Council consider taking the following action:

1. Authorize the work effort for updating the 2005 Community Design Guidelines;
2. Direct the City Manager to enter into an agreement with Ravatt, Albrecht & Associates, Inc., for the professional services outlined in Attachment 1, to include either: A) Primary Scope at a budget not to exceed \$16,350, or B), Primary Scope plus Optional Task, at a budget not to exceed \$19,300; and
3. Direct the Finance Director to modify the original Fiscal Year 2019-20 budget as needed to add funding for this line item

ATTACHMENTS

Attachment 1 – Proposal for Professional Services from Ravatt, Albrecht & Associates,
for Design Guidelines Modifications (September 18, 2019)

SEPTEMBER 18, 2019



IRMA TUCKER

City of Buellton
107 West Highway 246
Buellton, CA 93427

RE: PROPOSAL FOR PROFESSIONAL SERVICES
CITY OF BUELLTON DESIGN GUIDELINES MODIFICATIONS

Dear Irma,

On behalf of Ravatt Albrecht & Associates, Inc. (RA), I am pleased to submit to you (Client) our architectural services proposal for modifying the City of Buellton's Community Design Guidelines. Our proposal is provided below for your review and will serve as our contract for services upon your acceptance.

PROJECT DESCRIPTION

As discussed, the Client is engaging RA to perform professional services for modifying the City of Buellton's Community Design Guidelines dated November 10, 2005. The modifications would include updating the Table of Contents, modifying the introduction to reference the Specific Plan, editing the chapter on Agrarian Design, and adding an amendment chapter describing Art Deco guidelines.

The intent of edits to the Agrarian chapter is to review the quality of allowed materials. The intent of the Art Deco chapter is to provide design guidelines similar to that of the other allowed Architectural Character styles.

SCOPE OF WORK: ARCHITECTURAL SERVICES

Fee: \$16,360 NTE

The following Professional Services are to be provided by RA:

- Develop a Template in InDesign to resemble existing formatting of the Design Guidelines Document.
 - Template will be provided to client for future use.
- Update the Table of Contents to reference the Amended Chapter.
- Update the Introduction to include references to the Specific Plan and Art Deco (pg. 1-8)
- Edit the Architectural Character: Agrarian chapter (pg. 12-16). This includes recreating the chapter in InDesign with similar text and photos. Text and photos will be modified/replaced per direction of City staff.
- Edit the Illustratives of Potential Improvements chapter to remove buildings that should be part of the Avenue of Flags (AOF) Specific Plan.
- Add a new Chapter as an amendment. Architectural Character: Art Deco. Chapter to follow format of previous chapters.
- Coordination with the Planning Department and City Staff

OPTIONAL TASK: REVISE ILLUSTRATIVES OF POTENTIAL IMPROVEMENTS CHAPTER (CHAPTER 7)

Fee: \$2,950 (Not included in NTE Fee above.)

- Update before/after examples of Agrarian, Ranch and Contemporary Ranch styles by using buildings outside of the Avenue of Flags Specific Plan area; and modify the existing before/after examples for 3 buildings (Parkway Market, Houston's Liquor, and Ellen's Pancake House, which are in the AOF Specific Plan area) by showing how the Art Deco design style could be applied. RA anticipates a total of 6 deliverable sketches within the chapter.

RAVATT, ALBRECHT & ASSOCIATES, INC.

Orcutt Office: 125 Union Ave. #201, Orcutt, CA 93455 | PO Box 2267, Santa Maria, CA 93457-2267 | 805-928-5002
San Luis Obispo Office: 1371 Pacific St., San Luis Obispo, CA 93401 | 805-786-4391 | www.RAArchitectsEngineers.com
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SCOPE OF WORK: SITE VISITS/MEETINGS

Fee: \$800 per visit/meeting

- Attendance at Planning Commission Meeting(s) and City Council Meeting(s), as needed and approved. Not included in the Fixed Fee above.
- In-person meetings, as requested and approved, with the client. None are expected at this time.
- It is anticipated that the City's Planning Staff will handle all applications and meeting coordination with the Planning Commission, City Council, any additional public hearings, etc. as required. If RA is required to attend, meetings will be billed at \$800 per meeting in addition to the Fixed Fee above.

DELIVERABLES

- One 50% Draft PDF for Staff review
- One 90% Draft PDF for review by Planning Commission and City Council.
- One Final Document. Includes a combined PDF of the modifications with the existing Design Guidelines into one deliverable PDF. Final versions of the edit-able InDesign Documents are included.
- Additional and/or future revisions may be billed on an hourly basis with Client authorization per our attached rate schedule.

PROJECT FEE

We propose to provide the above described Architectural Services at a **Not-to-Exceed of \$16,360** billed hourly based on the attached rate schedule sheet **plus \$800 per site visit or meeting if needed**. The Optional Task to revise Chapter 7 will be billed as an additional service as a **fixed fee of \$2,950** not included in the NTE fee above. Additional services will be invoiced on an hourly basis with Client authorization per our attached rate schedule.

We are ready to negotiate with you, if necessary, to be sure our services meet your expectations regarding both budget and scope. This proposal is valid for 60 days from the date above.

PROJECT SCHEDULE

RA will work diligently with the Client to establish and meet mutually agreed-upon schedules.

CLIENT RESPONSIBILITIES

Client shall provide relevant information including, but not limited to:

1. Providing any original, edit-able documents available.
1. Clearly communicating client expectations of final Design Guideline Document.
2. Finalize Document and present to City Council.

REIMBURSABLE: PRINTING, SHIPPING, AND TRAVEL COSTS

All reproduction, shipping, and travel costs associated with the fulfillment of the above scope of work are not included in our design fee and shall be billed per our attached rate sheet. The Client is responsible for creating an account for printing services and granting RA permission to print documents as required for Submittals.

DESIGN FEE EXCLUSIONS

Any item or service not specifically included or excluded shall be deemed excluded. The following items are specifically excluded from this scope of work:

1. Formatting and providing the entire Design Guideline Document in an editable format. RA will only be responsible for the chapters or sections outlined in the above scope of work.
2. Editing chapters outside the above scope of work.

3. 3D Models, renderings, or hand sketches (other than those included in the scope for Chapter 7 above).
4. All reproduction / printing (to be billed to Client's account).
5. Architectural and Engineering services for a physical building.

PROPOSED COMPENSATION AND INVOICING

We propose to provide Additional Architectural Services to be billed hourly per the attached Rate Schedule Sheet. Client shall compensate RA monthly per the approved Hourly Compensation Rates, plus reimbursable expenses charged at cost plus 15% for handling.

If any billing is not paid within **90 days**, no further services will be performed until all past due amounts are paid.

Designated Services.

Unless otherwise provided, the Architect's/Engineering designated services consist of those services identified in the Schedule of Designated Services as being performed by the Architect, Architect's employees and Architect's consultants, and as described in the Descriptions of Designated Services.

Changes In Project Scope.

Services required because of significant changes in the Project including, but not limited to, size, quality, or complexity.

Contingency or Contingent Services.

In the event unforeseen conditions warrant additional services including but not limited to: additional design, additional government processing, additional consultant coordination, or additional working drawings or details above and beyond the scope of work typical as required by municipal agencies to obtain a building permit as described by the California Building Code. The Client, will be notified by the Architect in writing, in the event such services are required. Prior to the start of work for any Contingent services or contingency, written authorization will be required by the Client.

CLIENT RESPONSIBILITIES

Representative.

The Client shall designate a representative authorized to act on the Client's behalf with respect to the Project. The Client or such authorized representative shall render decisions in a timely manner pertaining to documents submitted by the Architect in order to avoid unreasonable delay in the orderly and sequential progress of the Architect's services.

Notice.

Prompt written notice, shall be given by the Client to the Architect if the Client becomes aware of any fault or defect in the Project or nonconformance with the Contract Documents.

Information. The Client shall provide full information regarding requirements for the Project including but not limited to a current title report, soils report, current approved plans and documents, current conditions of approval: If available, current CAD drawings in AutoCAD 2000 readable format.

Tests, Inspections and Reports Furnished by Client.

Where necessary, the Client will take full responsibility for structural, mechanical, chemical, air and water pollution tests, tests for hazardous materials, and other laboratory and environmental tests, inspections and reports required by law or the Contract Documents, or unless otherwise provided in this Agreement.

Legal, Accounting and Insurance Services Furnished by Client.

The Client shall furnish all legal, accounting and insurance counseling services required for the Project.

USE OF PROJECT DRAWINGS, SPECIFICATIONS AND OTHER DOCUMENTS

Architect's Reserved Rights.

The Drawings, Specifications and other documents prepared by the Architect for this Project are instruments of the Architect's service for use solely with respect to this Project and, unless otherwise provided, the Architect shall be deemed the author of these documents and shall retain all common law, statutory and other reserved rights, including the copyright.

Limitations on Use.

The Client shall be permitted to retain copies, including reproducible copies, of the Project Drawings, Specifications and other documents for information and reference in connection with the Client's use and occupancy of the Project. The Project Drawings, Specifications or other documents shall not be used by the Client or others on other projects, for additions to this Project or for completion of this Project by others, unless the Architect is adjudged to be in default under this Agreement, except by agreement in writing and with appropriate compensation to the Architect.

PAYMENTS TO THE ARCHITECT

Direct Personnel Expense.

Direct Personnel Expense is defined as the direct salaries of the Architect's personnel engaged on the Project and the portion of the cost of their mandatory and customary contributions and benefits related thereto, such as employment taxes and other statutory employee benefits, insurance, sick leave, holidays, vacations, pensions and similar contributions and benefits.

Reimbursable Expenses.

Reimbursable Expenses are in addition to compensation for the Architect's services and include expenses incurred by the Architect and Architect's employees and consultants in the interest of the Project, as identified in the following Clauses:

1. Printing/Plotting, Reproductions, postage and handling of Drawings, Specifications and other documents (other than internal "check sets")
2. Facsimile services, courier services, overnight deliveries or other similar project-related expenditures.

Payments for Contingent Additional Services and Reimbursable Expenses.

Payments on account of the Architect's Contingent Additional Services and for Reimbursable Expenses shall be made monthly upon presentation of the Architect's statement of services rendered or expenses incurred.

Payments Withheld.

No deductions shall be made from the Architect's compensation on account of penalty, liquidated damages or other sums withheld from payments to contractors, or on account of the cost of changes in the Work other than those for which the Architect has been found to be liable.

DISPUTE RESOLUTION

Claims and Disputes. Claims, disputes or other matters in question between the parties to this Agreement arising out of or relating to this Agreement or breach thereof shall be subject to and decided by mediation and arbitration in accordance with the Construction Industry Mediation and Arbitration Rules of the American Arbitration Association currently in effect.

LIMITATION OF LIABILITY

To the fullest extent permitted by law, the total liability, in the aggregate of RA and RA's Officers, directors, employees, agents and independent professional associates and consultants, and any of them, to Client and anyone claiming by, through or under Client, for any and all injuries, claims, losses, expenses or damages whatsoever arising out of or in any way related to RA's services, the project or this agreement from any cause or causes whatsoever, including but not limited to the negligence, errors, omissions, strict liability or breach of contract of RA or RA's officers, directors, employees, agents and independent professional associates and consultants, or any of them, shall not exceed the total compensation received by RA under this agreement.

PROVISIONS

Hazardous Materials.

Unless otherwise provided in this Agreement, the Architect and Architect's consultants shall have no responsibility for the discovery, presence, handling, removal or disposal of or exposure of persons to hazardous materials or toxic substances in any form at the Project site. If the Architect is required to perform services related to hazardous materials, the Client agrees to indemnify and hold harmless the Architect, the Architect's consultants and their agents and employees from and against any and all claims, damages, losses and expenses, including but not limited to attorneys' fees, arising out of or resulting from performance of services by the Architect, the Architect's consultants or their agents or employees related to such services, except where such liability arises from the sole negligence or willful misconduct of the person or entity seeking indemnification.

Publicity.

The Architect shall have the right to include representations of the design of the Project, including photographs of the exterior and interior, among the Architect's promotional and professional materials.

TERMINATION, SUSPENSION OR ABANDONMENT

Termination for Breach.

This Agreement may be terminated by either party upon not less than seven days' written notice should the other party fail substantially to perform in accordance with the terms of this Agreement, through no fault of the party initiating the termination. Failure of the Client to make payments to the Architect in accordance with this Agreement shall be considered substantial nonperformance and cause for termination.

Suspension.

If the Project is suspended by the Client for more than 30 consecutive days, the Architect shall be compensated for services performed prior to notice of such suspension. When the Project is resumed, the Architect's compensation shall be equitably adjusted to provide for expenses incurred in the interruption and resumption of the Architect's services.

Termination on Abandonment.

This Agreement may be terminated by the Client upon not less than seven days' written notice to the Architect in the event that the Project is permanently abandoned. If the Project is abandoned by the Client for more than 90 consecutive days, the Architect may terminate this Agreement by giving written notice to the Client. Failure of the Client to make payments to the Architect in accordance with this Agreement shall be considered substantial nonperformance and cause for termination.

Suspension by Architect.

If the Client fails to make payment when due the Architect for services and expenses, the Architect may, upon seven days' written notice to the Client, suspend performance of services under this Agreement. Unless payment in full is received by the Architect within seven days of the date of the notice, the suspension shall take effect without further notice. In the event of a suspension of services, the Architect shall have no liability to the Client for delay or damage caused the Client because of such suspension of services.

Compensation of Architect.

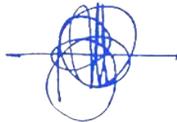
In the event of termination not the fault of the Architect, the Architect shall be compensated for services performed prior to termination, together with Reimbursable Expenses then due and all Termination

CONTRACT DURATION AND LIMIT OF SERVICES

This contract for services is good for a period of (1) one year from date of acceptance and signature. If duration of contracted services as listed above exceed the contract limit of one year then Ravatt Albrecht & Associates, Inc. has the right to renegotiate the remainder of services under a new contract.

Thank you for considering Ravatt Albrecht & Associates, Inc. Please don't hesitate to call our office with any questions. Thank you again for the opportunity to propose on this project.

Sincerely,



Greg Ravatt, CID, Principal
California Licensed Architect, No. C20808
Email: gravatt@ravatt-albrecht.com

Client / Client's Authorized Agent:

Name/Title:

Date:



HOURLY RATE SCHEDULE

Effective January 2018

EMPLOYEE RATES

Principal Architect	\$150.00
Professional Architect/Project Manager	150.00
Principal Engineer	150.00
Plumbing Engineer	150.00
Mechanical Project Engineer	150.00
Electrical Engineer	150.00
Professional Mechanical Engineer	150.00
Mechanical Engineer	150.00
Senior Designer	110.00
Staff Engineer	110.00
Designer	95.00
Senior CAD	85.00
Drafting/CAD/Clerical	75.00

MILEAGE RATE (Reimbursable, per mile) .70

REPRODUCTION COSTS (REIMBURSABLE)

Graphics, Printing Actual Invoice plus 15%

CONSULTANT FEES (REIMBURSABLE)

The fees charged by all consultants used by our company will be charged at the actual cost plus 15% to cover overhead and administrative expenses.

BILLING AND PAYMENTS

Billing will be made on a monthly basis unless arranged otherwise. Payments are due and payable on presentation. Interest payments at the rate of 1 ½% per month will be charged on balances which are more than 30 days past due.

RAVATT, ALBRECHT & ASSOCIATES, INC.

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