



MINUTES OF THE REGULAR MEETING OF THE
SOLVANG CITY COUNCIL

Council Chambers
1644 Oak Street
Solvang, CA 93463

July 11, 2016
Monday
6:30 pm

CALL TO ORDER: Mayor Richardson called the meeting to order at 6:30 p.m.

ROLL CALL:

PRESENT: Mayor Richardson and Council Members Duus, Jamieson, Skytt,
and Zimmerman

STAFF: Brad Vidro, City Manager; Roy Hanley, City Attorney; Sandra Featherson,
Administrative Services Director; Matt van der Linden, Public Works Director;
Lt. Shawn O'Grady; and Lisa S. Martin, City Clerk

PLEDGE OF ALLEGIANCE: Led by Mayor Richardson

CITY MANAGERS REPORT: Informational report only

1. **PUBLIC COMMUNICATIONS – WRITTEN OR VERBAL**

Willi Campbell, Solvang Resident

- Invited the City Council to attend the ribbon cutting ceremony for the Tai Chi Garden at the Solvang Senior Center, which was completely funded by donations to the center
- Proud of the Solvang City Council for all their service to the community

Bruce Porter, Santa Ynez Valley Aquatics Foundation and the American Legion

- Thanked the Council for helping with seed money for the aquatics facility
- Thanked the Council for being great stewards of the Veteran's Memorial Building

Fred Kovol, Solvang Resident

- Traffic on the 4th of July was awful, and there are perpetual traffic delays on north and south Alisal Road
- Suggested that the public be able to speak on the consent items separately
- The Council needs to get behind and represent that they are against the new ID#1 property tax water bill

Don MacFadyen, Solvang Resident

- The intersection of Alisal and Copenhagen is always backed up, needs a pedestrian signal

2. **COUNCIL REQUESTS**

Council Member Duus asked that an update on the Sphere of Influence/Annexation Study be brought back.

3. **CORRESPONDENCE RECEIVED BY COUNCIL**

Information only – no discussion.

4. **APPROVAL OF AGENDA AS PRESENTED**

None.

5. **CITY COUNCIL MINUTES OF JUNE 27, 2016**

Motion made by Council Member Duus to approve the minutes as written, seconded by Council Member Zimmerman, and carried with a verbal response of 5 ayes.

6. **CONSENT AGENDA**

- a. Approval of Warrant Register
- b. Second Reading of Proposed Amendment to Title 4, Chapter 10, Amending Regulations for Massage Establishments
 1. Accept the Exemption to the California Environmental Quality Act pursuant to CEQA §15061 and adopt Ordinance No. 16-___, on second reading by title only, an ordinance of the City Council of the City of Solvang amending Title 4
- c. Memorandum of Understanding (MOU) between the cities of Solvang and Buellton in the area of Recreation
 1. Approve MOU regarding the joint efforts of providing mutual assistance in the development and operation of recreation programs between the cities of Solvang and Buellton
- d. Award Construction Agreement for the 2016/2017 Pavement Maintenance Project
 1. Award a construction agreement with Berry General Engineering Contractors, Inc. in the amount of \$432,425 and authorize execution of the agreement by the Mayor; and
 2. Authorize the City Manager to execute any change orders if within the contingency amount of \$15,000

Item 6b pulled from the consent agenda for discussion.

Staff report by Roy Hanley, City Attorney. The California Massage Therapy Council now requires massage therapists to have 500 hours of training instead of the previous 250 hours.

Mayor Richardson indicated that he would like to grandfather in all existing business certificate holders until September 30, 2016 and after that date, all new business certificates will require the full 500 hour license.

Council Member Zimmerman considered it a little rigid to require all existing massage therapists to meet the new requirements if they were already doing business in Solvang.

Council Member Jamieson discussed her desire to take care of the existing massage therapists already doing business within the city and that only new therapists who wanted to do business in the city should have to comply with the new 500 hour license in order to obtain a business certificate.

City Attorney Hanley indicated that the Council should let staff know how they would like to see the ordinance drafted, and it will be brought back to the next meeting for a revised second reading. He did find case law that allowed grandfathering of individual licenses.

Council Member Duus would support allowing existing therapists to be grandfathered in, but doesn't agree with the September 30th date.

City Attorney Hanley suggested new language for paragraph b.

Mayor Richardson opened the item for public comment at 7:11 p.m.

Fred Kovol, Solvang Resident

- Asked what the difference was between a massage therapist and a physical therapist.

The public comment period was closed at 7:12 p.m.

***Motion** made by Council Member Duus to approve item 6b, introducing the first reading of the ordinance amendment with substituted paragraph b language, seconded by Mayor Richardson, and **carried** with a verbal response of 5 ayes.*

***Motion** made by Council Member Skytt to approve consent items 6a, 6c and 6d, seconded by Council Member Jamieson, and **carried** with a verbal response of 5 ayes.*

REGULAR AGENDA

7. PROFESSIONAL SERVICES AGREEMENT – WATER/WASTEWATER RATE STUDY

Staff report by Sandra Featherson.

Council Member Jamieson questioned whether the new storm water program costs would be considered and analyzed in the study. Staff responded that the item was included in the RFP.

Council Member Zimmerman asked if the report will show all of the costs of operation of the water system, etc. Staff answered that the study will break down specific costs of operation, maintenance costs, and infrastructure projects.

Mayor Richardson opened the item for public comment at 7:18 p.m.

Fred Kovol, Solvang Resident

- Every five years the Council has the rate payers pay for this study, and sometimes the City doesn't even follow the recommended rates.
- Thinks the Finance Department should perform this study themselves.
- Thinks the commercial rates are low, especially since the businesses can write the costs off on their taxes.

Karen Waite, Solvang Resident and Candidate for City Council

- Feels that it is very important to have a third party develop a rate study as it could be construed by the public as a conflict of interest

Mayor Richardson closed the item to public comment at 7:24 p.m.

City Attorney Hanley added that the water supply agreement with ID#1 requires that infrastructure costs be paid for by the ratepayers and does not allow the Council to pay those defined costs out of the General Fund.

Council Member Skytt discussed the previous rate study and the benefits of the study, and the reasons why the Council may not have followed the rate increases in accordance with the study. The 2011 study did not account for a 5-year drought.

Motion made by Council Member Duus to approve the professional services agreement and authorize the City Manager to execute any change orders within the contingency amount, seconded by Council Member Skytt. Motion carried with a roll call vote of 5 ayes.

8. ADDITIONAL SOLVANG LIBRARY FUNDING

Staff report by Brad Vidro, City Manager.

Discussion ensued regarding the supervisor position.

Council Member Skytt indicated that a County Library Advisory Committee meeting will occur in September and Solvang and Buellton will both attend. The committee will decide if the 50/50 split will remain or if Solvang's share would go up to 60/40.

Council Member Jamieson commented that there may be a proposed library tax per district.

Mayor Richardson opened the item to public comment at 7:47 p.m.

Fred Kovol, Solvang Resident

- Nobody has even questioned the numbers in the attachment to the staff report
- Doesn't believe that a lot of Solvang residents use the library
- Need to step up to the plate relating to technology

Shirley Stacy, Library Advisory Committee member for Solvang

- The library is much more than just technology
- The Santa Ynez and Los Olivos branches use their own funds for their libraries
- If there is any way that the funding can be found to restore the full time supervisor position the library will be able to get back to a full level of programs

The item was closed to public comment at 7:55 p.m.

Mayor Richardson would suggest that the item be tabled until after the Library Advisory Committee meeting so that the per capita can be determined.

Council Member Jamieson doesn't understand the 50/50 population split when we are also responsible for the Santa Ynez and Los Olivos branches.

Council Member Duus supports the funding and feels the same way about the per capita split. Buellton is being very generous with their library funding, but we spend three quarters of a million dollars promoting not only Solvang but the entire Santa Ynez Valley. They don't even come close to matching the amount of our community grants.

Council Member Skytt discussed the need to add the library as a line item, not a grant. A lot of minority students use the library because they don't have a computer at home.

Council Member Zimmerman concerned that we are spending additional money, but is on board with the one-time expense to fund the supervisor. We need to look at other ways to fund the library.

Motion made by Council Member Duus to approve additional one-time library funding of up to \$20,000, seconded by Council Member Jamieson. Motion carried with a vote of 5 ayes.

11. **COUNCIL MEMBER REPORTS (Oral reports: Each Council Member will give oral reports on their activities in relation to the following committee or agencies. In addition, each member may report on items that will be included on the agenda for such committee or agency and seek guidance from the Council as a whole on such items, including on what position to take on behalf of the City)**

- Santa Barbara County Association of Governments
- Air Pollution Control Board
- Joint Wastewater Committee
- Finance Committee
- Chumash Tribe
- Water Committee
- Indian Gaming Benefit Committee
- California Joint Powers Insurance Authority

12. **ADVANCE CALENDAR**

Information only, no action.

13. **ADJOURNMENT** Mayor Richardson adjourned the City Council meeting at 8:12 p.m.



Lisa S. Martin, City Clerk