



MINUTES OF THE REGULAR MEETING OF THE
SOLVANG CITY COUNCIL

Council Chambers
1644 Oak Street
Solvang, CA 93463

November 14, 2016
Monday
6:30 pm

CALL TO ORDER: Mayor for a Day Linda Johansen called the meeting to order at 6:30 p.m.

ROLL CALL:

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

STAFF: Brad Vidro, City Manager; Roy Hanley, City Attorney; Arleen T. Pelster, Planning & Economic Development Director; Matt van der Linden, Public Works Director; Lt. Shawn O'Grady; and Lisa S. Martin, City Clerk

PLEDGE OF ALLEGIANCE: Led by Mayor for a Day Johansen

Mayor Richardson returned to the dias.

CITY MANAGERS REPORT: Informational report only

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

Tracy Farhad, SCVB

- Tourism update
- Invited the Council and the public to the Marketing reception on November 17th at 10:00 a.m.
- Grand Marshals for Julefest are the Nielsens

Fred Kovol, Solvang Resident

- Economic development focuses on businesses and tourism only, not on the residents
- Concerned about insufficient street lighting and lack of sidewalks on Alisal Road

Mark Oliver, Santa Ynez Valley Alliance

- Urged the City not to move forward with a sphere of influence change
- Not in the best interest of the City of Solvang
- Not consistent with the Santa Ynez Valley Community Plan (see pg. 210 of document), nor the City's General Plan

Bob Field, Citizen

- It is important to maintain the rural buffers between the Santa Ynez Valley communities
- The Council needs to be more explicit in their sphere of influence intentions, need a more complete story
- How does a potential annexation benefit the City, and who does it benefit

2. **COUNCIL REQUESTS**

None.

3. **CORRESPONDENCE RECEIVED BY COUNCIL**

No discussion – informational only.

4. **APPROVAL OF AGENDA AS PRESENTED**

No changes to the agenda.

5. **CITY COUNCIL MINUTES OF OCTOBER 24, 2016**

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

6. **CONSENT AGENDA**

- a. Approval of Warrant Register
- b. Award Professional Services Agreement – Engineering Services for Mission Drive Intersection and Crosswalk Improvement Project
 1. Approve a Professional Services Agreement with LaChaine & Associates in the amount of \$48,000, and authorize execution of the Agreement by the Mayor; and
 2. Authorize the City Manager to execute contract amendments if within the contingency amount of \$8,000.
- c. Authorize the Mayor to execute the Agreement for Land Development Improvements for The Merkantile/Valley Plaza redevelopment project
- d. Adopt on Second Reading, by title only, an Amendment to Title 10, Chapter 1, Building Code Regulations, to add Regulations for Residential Short Term/Vacation Rentals
 1. Review proposed amendments to Title 10 of the Municipal Code, to amend Building Code Regulations for Short Term/Vacation Rentals; and
 2. Adopt on second reading, by title only, amendments to Title 10; and
 3. Accept the Exemption to the California Environmental Quality Act pursuant to CEQA Section 15061; or
 4. Provide alternate direction to staff.

Mayor Richardson pulled Item 6b for discussion.

Staff report by Matt van der Linden, Public Works Director. No changes to what Council approved other than one minor bulb-out added at Fourth and Mission as it lacked the necessary width.

Mayor Richardson opened Item 6b to public comment at 7:14 p.m.

Fred Kovol, Solvang Resident

- With this project, there is no way that Highway 246 can ever be widened

The item was closed to public comment at 7:15 p.m.

Motion to approve the Consent Agenda made by Council Member Duus, seconded by Council Member Jamieson, and carried with a roll call vote of 5 ayes.

REGULAR AGENDA

7. **FIRST READING OF PROPOSED AMENDMENT TO BUILDING CODE REGULATIONS, TITLES 10 AND 11 OF THE MUNICIPAL CODE, TO ADOPT AND AMEND THE LATEST EDITIONS OF THE CALIFORNIA BUILDING STANDARD CODES AND ESTABLISH SPECIAL PERMIT PROCESSING FOR RESIDENTIAL ROOFTOP SOLAR SYSTEMS AND ELECTRIC VEHICLE CHARGING STATIONS**

Staff report by Bryan Spain, Contract Building Official. The changes to these California Building Codes are more in line with the International Building Codes.

Council Member Duus asked what changes are proposed to the Title 24 Energy Codes.

Bryan Spain responded that the energy codes will be more strict, approximately 20% tighter as far as building envelope requirements.

Mayor Richardson inquired as to whether it was a requirement for us to follow the California Codes.

Bryan Spain indicated that local jurisdictions can adopt minor changes due to climatic, topographic or site environment applicable to the area.

City Attorney Hanley added that we don't have the ability to find special circumstances to loosen the California codes.

Council Member Skytt asked if there is anything in the codes yet regarding hydrogen fueling stations. Bryan Spain answered that nothing is yet required by code.

Council Member Jamieson asked about ground mount solar systems. Bryan Spain confirmed that ground mounted solar is allowed to be permitted however it would not receive the special permit processing as they include a structural element.

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

Fred Kovol, Solvang Resident

- Questions on the proposed building codes and associated ordinance

The item was closed to public comment at 7:27 p.m.

Motion made by Council Member Skytt to approve the staff recommendation and adopt Resolution 16-1001, seconded by Council Member Duus, and carried with a roll call vote of 5-0.

8. **INTRODUCTION FOR FIRST READING BY TITLE ONLY, AN AMENDMENT TO TITLE 9, CHAPTER 2 REVISING THE SEWER CODE TO ADD RESIDENTIAL WATER SOFTENER RESTRICTIONS**

Staff report by Matt van der Linden, Public Works Director. Requiring these high efficiency dual tank units should reduce our TDS levels by 20-30%.

Council Member Skytt asked how long these high efficiency water softener units have been available. Staff responded that they have been available since 2009.

Council Member Skytt also inquired if the Santa Ynez Community Services District is required to meet our requirements for their wastewater discharge. Matt van der Linden responded affirmatively, as our agreement with them requires that they meet our standards.

Council Member Zimmerman questioned whether we have a gauge on how SYCSD's discharge levels compare to ours. Staff answered that in previous reports, their discharge is slightly lower in TDS's.

Matt van der Linden explained that if we implement the wellhead treatment, we could require that their discharge meet the same TDS level as our discharge.

Mayor Richardson discussed that he had researched dual tank softener units and could find no evidence that they reduced the salt discharge, only that they more efficiently utilized water. Matt van der Linden indicated that typical softeners regenerate too early, using more salt.

Mayor Richardson commented that he doesn't see any language regarding existing systems being grandfathered in, and discussed the Wellhead Treatment Study. Does not want to spend \$20,000 on a study that's going to come back with a cost of millions of dollars to implement well head treatment, when we are not going to spend millions to do so. Would rather the City use the \$20,000 for customer rebates to upgrade to the more efficient systems.

Council Member Zimmerman noted that it might be money well spent now to determine the actual cost of treating/softening the water at the wellhead.

Council Member Duus added that with all of the Federal and State regulations, we could be forced to treat the water within a few years anyway.

Council Member Skytt discussed that if the State implements new regulations there will be many cities trying to prepare these studies at the same time and therefore the cost for the study will be more. The timing is better now. He also did some research and did find the State codes that refer to the requirements that staff have proposed in the ordinance.

Mayor Richardson disagreed, seeing no advantage to performing the study now if inflation, etc. will cause the costs to go up if we don't do the project right away.

City Attorney Hanley discussed that the proposed requirements will at least show the Regional Water Quality Control Board that we are taking an incremental step to correct the TDS levels. The study also shows goodwill.

Mayor Richardson opened the item to public comment at 8:12 p.m.

Fred Kovol, Solvang Resident

- In the minutes of the September 12, 2016 meeting you made three mandates, now you are going in the opposite direction
- Next year there will be mandates for nitrates and ammonia
- TDS levels have been exceeding the allowable for several years

The item was closed to public comment at 8:19 p.m.

Council Member Jamieson stated that we need to take action on this.

Motion made by Council Member Duus to approve the budget adjustment of \$20,000 for the Wellhead Water Treatment Study, seconded by Council Member Jamieson, and carried with a roll call vote of 5-0.

Council Member Duus doesn't like the January 2019 date if we are making progress on the wellhead treatment. Would like the date changed to 2022. Would also like the language changed to clarify that we are requiring portable exchange tanks systems or high efficiency water softening units with an efficiency rating of not less than 4,000 grains of hardness removed per pound of salt used in regeneration, not necessarily dual tank systems.

City Attorney Hanley indicated that the words "dual tank" and "dual" (as relating to a sensor system) could be removed.

Motion made by Council Member Skytt to approve the first reading of Ordinance No. 16-___ with the verbiage changes to paragraph B and a date change to 2022, seconded by Council Member Duus, and carried with a roll call vote of 5-0.

9. CITY SIDEWALK MASTER PLAN 2016 UPDATE – FINAL DRAFT

Council Member Skytt inquires of the City Attorney whether he needs to step down if his property is within 500 feet of a citywide project. City Attorney Hanley responds that if the decision affects the public in the same way that it affects the council member, then there is no conflict.

Staff report by Matt van der Linden, Public Works Director.

Mayor Richardson opened the item to public comment at 9:00 p.m.

Fred Kovol, Solvang Resident

- Discussed the need for sidewalks on Fir Avenue and Alisal Road.

The item was closed to public comment at 9:04 p.m.

Council Member Duus lives in the area and is in full agreement with the red, Priority 1 sidewalks due to kids needing a safe route to school. Possibly we could split the yellow, Priority 2 sidewalks into more and less critical, create a Priority 3.

Council Member Zimmerman questioned if the timeline for Priority 1 sidewalks was ten years. Staff answered affirmatively. Council Member Zimmerman indicated that a ten year timeline didn't sound like a "priority."

Council Member Skytt led discussion regarding sidewalks on Elm, Laurel Ave, and Second Place.

Council Member Duus agreed that down the hill on Laurel to the school should be a Priority 1.

Council Member Jamieson questioned how we have the room on Fifth Street to add a sidewalk, especially with the hotel parking. Matt van der Linden responded that it's very close, but doable. The final engineering will be brought back before Council.

Council Member Duus would like to take the money from Elm, Fourth, and western Laurel, where there are already sidewalks on one side of the street, and see how far it gets us on engineering the stretch of Laurel between Second and Alisal.

Motion made by Council Member Duus to move Elm, Fourth, and western Laurel to Priority 3 and to upgrade eastern Laurel Avenue between Second and Alisal and Alisal Road from Maple to Laurel and Laurel to Eucalyptus to Priority 1, seconded by Council Member Skytt, and carried with a roll call vote of 4-1 with Council Member Zimmerman voting No.

10. FISCAL YEAR 2015-16 FINANCIAL REVIEW

Staff report by Sandra Featherson, Administrative Services Director.

Mayor Richardson opened the item to public comment at 9:52 p.m.

Fred Kovol, Solvang Resident

- Item should have been first on the regular agenda

The item was closed to public comment at 9:54 p.m.

There was Council consensus to accept the report.

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
- Finance Committee
- Joint Wastewater Committee
- Chumash Tribe
- Water Committee
- Indian Gaming Benefit Committee
- California Joint Powers Insurance Authority

None.

12. ADVANCE CALENDAR

Information only, no action.

13. CLOSED SESSION

No reportable action.

14. ADJOURNMENT Mayor Richardson adjourned the City Council meeting at 10:27 p.m.



Lisa S. Martin, City Clerk