



MINUTES OF THE REGULAR MEETING OF THE
SOLVANG CITY COUNCIL

Council Chambers
1644 Oak Street
Solvang, CA 93463

April 22, 2019
Monday
6:30 pm

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

ROLL CALL:

PRESENT: Mayor Toussaint, Council Members Clarke, Djernaes, Johnson, and Waite

STAFF: David Gassaway, City Manager; Dave Fleishman, City Attorney; Matt van der Linden, Public Works Director; Holly Owen, Planning & Economic Development Director; Fred Lageman, Parks & Recreation Director; Lt. Eddie Hsueh; and Lisa S. Martin, City Clerk

PLEDGE OF ALLEGIANCE

PRESENTATIONS

A proclamation was presented by Mayor Pro Tem Clarke to Sandra Featherson for her years of service to the City of Solvang as the Director of Administrative Services.

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

Ed Skytt, Solvang Resident

- Concerned that the public and Planning Commission was not invited to the meeting regarding plan check with various developers and architects
- Having Council Comments and Requests at the end of the agenda is disingenuous and not open and transparent

Caroline Abate, California Resident

- The Mueller report was unprecedented, was an extremely large investigation which cost the taxpayers \$30 million, and resulted in no conspiracy

Katie Higgins, United Way

- Updated the Council on the use of their grant funding

Tracy Farhad, SCVB

- Gave tourism update and announced a Board of Directors meeting tomorrow (April 23)

Frank Peters, Santa Barbara Bicycle Coalition

- Announced the Two Wheel Town Hall Ride on May 1st at 12:00

Kenny Esko Lama, Solvang Resident

- Complained about code enforcement of his bunting decoration and that his vehicle was ticketed for expired registration on private property

CITY MANAGER'S REPORT & ADVANCE CALENDAR

City Manager Gassaway gave an informational report.

Mayor Toussaint mentioned that a performance review of the City Attorney would be added as a closed session item to an upcoming agenda, and that he would like to add another item to set goals and performance measures for the new City Manager. He referred to goals set for a previous City Manager and indicated that the new Council may not agree with those goals set for the departments and City Manager and would like to have a closed session agenda item to set standards by which David Gassaway, the new City Manager, would be evaluated on in the future.

There was further discussion regarding setting departmental strategies and the need to establish a way for the Council to be able to develop measurable results.

Council Member Waite asked for clarification that this would not be an evaluation of the new City Manager's performance after only two weeks on the job. Mayor Toussaint explained that it would not be.

City Attorney Fleishman indicated that although the Council would need to title the item as a Performance Evaluation, it would be permissible by the Brown Act to, during that session, set the standards by which they would be evaluating his performance.

There is Council consensus to add a closed session item to an upcoming agenda to set goals and performance measures for the City Manager.

Mayor Toussaint added that he agreed with speaker Ed Skytt in regards to moving the Council Comments and Requests section back to the beginning of the agenda.

Council Members Johnson and Djernaes were not in favor of the idea. Mayor Toussaint commented that he has been looking at agendas from other jurisdictions and that there are more conducive examples out there.

Mayor Toussaint and City Manager Gassaway agreed to bring back an item on how the agenda is formulated and ordered.

3. CONSENT AGENDA

- a. Approval of Agenda as Presented
- b. Approval of Warrant Register for March 2019
- c. Approval of draft Minutes of the March 20, 2019 Special Meeting and the March 25, 2019 Regular City Council Meeting
- d. Receive and file the Sheriff's Department Report for March 2019
- e. Award Construction Agreement for Wastewater Treatment Plant Pond Dredging
Award a Construction Agreement with Santos Engineering Inc. in the amount of \$192,176.00; authorize execution of the agreement by the Mayor; authorize the City Manager to execute any change orders if within the contingency amount of \$9,000.00; and approve a Budget Adjustment in the amount of \$42,000.00.
- f. Transportation Development Act (TDA) Claim

Adopt Resolution No. 19-1078, authorizing the City Manager to execute and file a claim with the Santa Barbara County Association of Governments for allocation of Transportation Development Act funds for fiscal year 2019-20

- g. Second Reading of Ordinance establishing Business Hours of Operation
Adopt on second reading, by title only, Ordinance No. 19-0337, amending Title 6 of the Municipal Code and establishing hours of operation for businesses located adjacent to residential areas

Council Member Clarke stated that he would be abstaining from the warrant register items that are payable to his employer Nielsen's Building Materials.

Council Member Djernaes indicated he would like to pull Item 3b.

Motion made by Council Member Johnson to approve the consent agenda with the exception of item 3B, seconded by Council Member Clarke, and carried with a roll call vote of 5-0.

Council Member Djernaes explained that he had questions on the warrant register regarding payments to California Code Check, as he thought that the person requesting the building permit was paying those costs. Mayor Toussaint responded that the payments shown are pass-through expenditure payments to California Code Check for which we have collected permit and plan check revenue.

Motion made by Council Member Djernaes to approve consent agenda item 3B, seconded by Mayor Toussaint, and carried with a roll call vote of 5-0 with Council Member Clarke abstaining from warrant register payments to Nielsen's Building Materials.

REGULAR AGENDA

4. LETTER OF PUBLIC CONVENIENCE OR NECESSITY TO ALCOHOLIC BEVERAGE CONTROL (ABC) FOR THE TIPSY CANVAS

Staff report by Holly Owen, Planning & Economic Development Director.

Presentation by business owner, Jordan Hatch. Their space will have a very relaxed feel, where people can come, participate in painting, or just enjoy a glass of wine.

Mayor Toussaint opened the item to public comment at 7:12 p.m. and, seeing none, closed the item.

Discussions were favorable.

Motion made by Mayor Toussaint to approve the letter of Public Convenience or Necessity, seconded by Council Member Clarke, and carried with a roll call vote of 5-0.

5. COUNCIL MEMBER AB1234 AND COMMITTEE REPORTS

- Santa Barbara County Association of Governments
Council Member Waite indicated that she had attended the SBCAG meeting. It was a workshop, the purpose of which was to inform the general public of the exact purpose and nature of SBCAG. She will forward the information to the City Clerk for possible posting on the city website.
- Air Pollution Control Board
- Finance Committee
- League of California Cities

- Chumash Tribe
- Water Committee
- CA Joint Powers Authority
- Joint Wastewater Committee
- Library Advisory Committee

Council Member Clarke is continuing to work with Carey McKinnon and representatives from the City of Goleta towards Solvang's move to the Goleta library district.

- EMA Groundwater Sustainability Agency
- Economic Development Committee

Council Member Johnson noted that he and Council Member Djernaes met with several business owners such as Bent Olsen, Rene Kaerskov, and others regarding their vision for Solvang. They will expound on those ideas in their meeting with David Gassaway.

6. COUNCIL COMMENTS AND REQUESTS

Council Member Johnson indicated his desire to bring forward an agenda action item to establish a city policy that when a person leaves their position of employment with the City of Solvang for any reason, that staff bring forward to Council a discussion relating to the position and whether it could be outsourced.

There is Council consensus to add an item to a future agenda.

Council Member Johnson stated he would like staff to bring forward as an agenda item the budgeting models that were looked at during the finance committee meeting. The Mayor would also like to see a small presentation on the budget outlook prior to the June 10 budget review. City Manager Gassaway indicated that it could be included on the agenda for May 28, 2019 along with the Wastewater Treatment Plan upgrade financing options.

There is Council consensus to add the item to the agenda of May 28, 2019.

Council Member Djernaes requested that an agenda item be brought forward regarding restructuring of the City Council agenda to include a section for items requested by councilmembers. Every time the Council meets they should be considering an issue that relates to their vision or goals. Mayor Toussaint agreed that he would like to see agenda items that are driven by Council. Currently items are put on the agenda by staff because they are required by law or for business continuity, he would like to give the Council an opportunity at each meeting to discuss a subject that they have brought forward. Discussion ensued.

There is Council consensus to add an agenda section for City Council driven items to the agenda format after the City Council Retreat, at which they will formulate their goals for the City.

Council Member Djernaes questioned the status of the Council retreat.

City Manager Gassaway responded that after preliminary discussions with potential facilitators, staff was looking at the first part of June. Location and council member availability were also not yet confirmed.

Mayor Toussaint expressed frustration that this had not been scheduled, and suggested that a goals discussion be included on an earlier agenda so that we can make the most efficient use of the time and money spent on the professional facilitator.

City Manager Gassaway explained the process for the retreat and that each council member will meet with the facilitator prior to the retreat to begin discussing their vision and what they want to get out of the retreat, in order to get the facilitator briefed on the issues and put together a productive retreat.

Council Member Djernaes would like to see more specialized workshops, with reports by experts.

City Manager Gassaway replied that during the Council retreat the Council should formulate their goals and provide funding for such goals, in order for staff to come back with an action plan to start the progression of those items. He is a big proponent of the public workshop meeting format.

Council Member Johnson requested that they be invited to meetings between the public or the other entities and the City Manager. City Manager Gassaway indicated that staff would make an effort to invite the Council to these meetings.

There was discussion about the revamp of the City website. Mayor Toussaint mentioned that a branding expert could be brought on board to help with the project. City Manager Gassaway agreed it was necessary and should be a discretionary item funded by Council.

Mayor Toussaint reported that he and four other council members attended the Chamber's Annual Community Awards Banquet on behalf of the City. He also commented that there had been a resignation of a Planning Commissioner, and requested that staff bring an agenda item to Council at the next meeting to fill the vacancy.

Mayor Toussaint discussed the responses to the previous CalPERS Request For Proposals. He would like the RFP to be brought to Council as it was not based on an accurate scope of work.

There is Council consensus to bring the RFP back to the Council for review.

Meeting is adjourned to Closed Session at 8:00 p.m.

7. **ADJOURNMENT:** Mayor Toussaint adjourned the City Council meeting at 8:29 p.m. indicating no reportable action from closed session.



Lisa S. Martin, City Clerk