



MINUTES OF THE REGULAR MEETING OF THE
SOLVANG CITY COUNCIL

Council Chambers
1644 Oak Street
Solvang, Ca. 93463

April 12, 2010
7:00 p.m.

CALL TO ORDER Mayor Richardson called the meeting to order at 7:00 p.m.

ROLL CALL

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

STAFF: Brad Vidro, City Manager; Roy Hanley, City Attorney; Dana Waite,
Finance Director; Tully Clifford, Public Works Director; Lt. Julie
McCammon; Mary Ellen Rio, City Clerk

PLEDGE OF ALLEGIANCE Led by Council Member Duus.

PRESENTATION

Mayor Richardson presented a proclamation acknowledging April 17, 2010 as YMCA HEALTHY KIDS DAY, to Michelle Bradley, YMCA Program Director of Childcare and Gary Riches, YMCA Board Chairman.

Certificates acknowledging the accomplishments of Solvang residents, Sylvia Remmenga, 2010 Woman of the Year, Paul Matthies, 2010 Man of the Year and Bill Sauer, Lifetime Achievement Award were presented on behalf of the Solvang City Council at an event sponsored by The Valley Foundation on Saturday, April 17, 2010 at the Marriott Hotel in Buellton.

CITY MANAGER'S STATUS REPORT

Informational report only.

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

None.

2. COUNCIL COMMENTS AND REQUESTS

Jamieson

- ❖ The tanker Mission Santa Ynez is making its way to Brownsville, Texas for dismantling; had hoped to make a weekend trip to the Bay Area to possibly view what artifacts might be available. Will be in touch with the company that owns the ship in hopes of obtaining something once it reaches Brownsville and has been inventoried

Duus

- ❖ Attended a Beautification Committee meeting this morning in which the First Street Rehabilitation Project was discussed. Very impressed with our Public Works Director and the lengths he goes to accommodating people in making sure that the sidewalks will be accessible during construction to those with walkers and wheelchairs; feel he would carry a person across the construction area if necessary

Palmer

- ❖ We truly are our brothers and sisters keepers. Witnessed a couple of reckless drivers racing on Alisal Road in what could have been a very bad scene; urge all citizens to report such incidents – call 911 and report them as a drunk driver, we must look out for each other

Richardson

- ❖ Attended graduation of the DARE program held at Solvang School in which 139 students from local schools had taken part in anti drug education. The graduation was well attended by parents as well and is a very worthwhile program. If it is necessary to eliminate DARE due to lack of funding, urge all of you to find a way to fund this very important program

3. MARCH 22, 2010 CITY COUNCIL MINUTES

Approval of minutes.

Motion was made by Mayor Richardson, seconded by Council Member Duus to approve the minutes with a spelling correction. **Motion carried** with a verbal response of 5 ayes.

4. CONSENT AGENDA

Consent Agenda read by City Clerk.

- Approval of pre-issued warrants dated March 17, 22, 24, 25, 30, 31, April 6, 2010
- Approval of warrant register dated April 12, 2010
- Adopt reduced fee structure for Sunny Fields Park group reservation site Areas A and B

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- d. Adoption of City Policies:
 1. City Hall Facilities Reservation Policy
 2. City Council Reimbursable Expense Policy
 3. Capitalization and Tagging of Fixed Assets Policy
 4. Surplus Property Policy
 5. Parks and Recreation Employee Discount Policy
 6. Petty Cash Policy
 7. Budget Transfer Policy
- e. Memorandum of Understanding (MOU) to participate in the state-wide Proposition 84 process and revise the area-wide Integrated Regional Water Management Plan in Santa Barbara County:
 1. Approve MOU to continue participation in the state-wide Proposition 84 Process, including the update of the Integrated Regional Water Management Plan for Santa Barbara County
 2. Authorize payment of up to \$2,000 to the County Water Agency for Solvang's contribution to revise the Integrated Regional Water Management Plan
- f. Authorize the Mayor to execute Amendment No. 3 to the Agreement for Engineering Services with Quincy Engineering, Inc. to manage the project approval and environmental documentation phase of the Alamo Pintado Road Bridge Widening and Mission Drive Intersection Improvements Project
- g. Adopt Resolution No. 10-____, A Resolution of the City Council of the City of Solvang authorizing the filing of a claim with the Santa Barbara County Association of Governments for allocation of Transportation Development Act Funds for Fiscal Year 2010/2011

Council Member Palmer pulled **items 4d and 4f** for further discussion.

Motion was made by Council Member Jamieson, seconded by Council Member Skytt to approve Consent Agenda **Items 4a through 4c, 4e and 4g** as presented. **Motion carried** with a roll call vote of 5 ayes.

Council Members discussed concerns, in **item 4f**, with spending money studying the roundabout at the shopping center exit and the traffic impacts past the Alamo Pintado/SR 246 intersection. Public Works Director responded that the current contract does not include studying areas other than those directly involving this intersection. City Manager suggested approving this amendment to continue the current study but bringing back an amendment which would include looking at the additional impacted areas.

Motion was made by Council Member Palmer, seconded by Council Member Skytt to approve **item 4f**, including the City Manager's suggestion for bringing back to Council an additional amendment to include the traffic study for the additional impacted areas. **Motion carried** with a roll call vote of 5 ayes.

Council Member Jamieson and Mayor Richardson requested clarification and additional information on several of the policies in **item 4d**. Mayor Richardson stated he would like to see inventorying of City items done annually. Council Member Palmer suggested the Finance Committee, of which Mayor Richardson is a representative, discuss this with the Finance Department.

Motion was made by Council Member Duus, seconded by Council Member Skytt to approve **item 4d** as presented. **Motion carried** with a roll call vote of 5 ayes.

REGULAR AGENDA

Council Member Skytt reported a possible conflict of interest and left Council Chambers.

Council Member Palmer reported having conversations on this item with Roger Nielsen and Earl Petersen. Council Member Jamieson reported having conversations with Aaron and Earl Petersen. Mayor Richardson reported attending most of meetings of the SYVTBID committee as a spectator.

5. ESTABLISHMENT OF THE SANTA YNEZ VALLEY TOURISM BUSINESS IMPROVEMENT DISTRICT (SYVTBID)

Staff report by City Manager

- ❖ At prior Council meeting petitions were presented to Council requesting the intention for establishing a Tourism Business Improvement District
- ❖ Council adopted the resolution of intent and established a public meeting for tonight with a public hearing scheduled for May 10, 2010
- ❖ The City of Buellton adopted a resolution authorizing consent of the TBID
- ❖ The County of Santa Barbara Board of Supervisors has not scheduled the date for authorizing consent
- ❖ At the final hearing if less than 50% of protests are received, the TBID will be established

Mayor Richardson opened the public meeting at 7:40 p.m.

Council Members discussed the amount of time and responsibility of the City for handling of the funds.

Public Comment:

Bill Phelps

- ❖ The idea behind the TBID is for the hoteliers to help themselves; hopefully the additional promotion will increase occupancy during the off season
- ❖ When this was started hoteliers were asked to voluntarily pay \$100 to help with some of the startup fees and about 10 hotels did, however if the TBID moves forward, all the hoteliers will have the opportunity to vote on how funds are spent

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- ❖ The \$2 assessment was patterned after what was being proposed in Santa Barbara and it seemed fair and equitable
- ❖ The TBID is scheduled for a five year life however after one year owners paying more than 50% of the assessment have a 30 day period to protest and terminate the district
- ❖ The boundaries were established to encompass all of the Santa Ynez Valley

Susan Williams

- ❖ As a representative for the Solvang Chamber, we support the TBID
- ❖ This will fund needed promotion
- ❖ Last year the Tourist Occupancy Tax and retail revenues were down
- ❖ Looking around at our competition, we need to be proactive

Tracy Farhad

- ❖ The Solvang Conference and Visitors Bureau (SCVB) support the TBID
- ❖ It is these strong partnerships that keep us at the top of the ever-increasing competitive destination market
- ❖ We have a close working relationship with the hoteliers and their efforts to increase tourism compliment the efforts of the SCVB

Kathy Vreeland

- ❖ On behalf of the Buellton Chamber of Commerce and Visitors Bureau, we support the TBID; extra funding for promotion is always good

Kui Li

- ❖ How can you judge that this will increase tourism
- ❖ This additional fee will be difficult for small hotels/motels
- ❖ Our customers are price conscious and \$2 a night can make a big difference
- ❖ Would you consider a percentage instead of a flat fee, or maybe consider charging this fee only on rates that are above \$100; or possibly a private fundraising effort for additional promotional funding
- ❖ This charge will generate a lot of complaints, I could not charge this fee to my customers, I will have to absorb the \$2

Bill Phelps

- ❖ The anticipated amount to be generated was based on the numbers from prior years
- ❖ Other cities with TBID's have shown growth in occupancy
- ❖ All hotels will be charging the fee, a customer can't avoid paying
- ❖ There are probably 37 or 38 cities who have established TBID's
- ❖ I can't think of any cities that have ever terminated one

Doug Ziegler

- ❖ We are in a war with other municipalities who are all trying to increase tourism
- ❖ We need to advertise, we have a world class product and need to support it

Mike Hendrick

- ❖ Mr. Li has a great hotel project he wants to build in Buellton so I am surprised he would vote against this
- ❖ This is just another line item on the hotel bills and it would need to be a consistent charge for all establishments
- ❖ We need to market our community and need the funds to do this
- ❖ After one year, if no one likes it, it can be voted out

Council took public testimony on the establishment of the SYVTBID; the public meeting was closed at 8:23 p.m. with confirmation that a Public Hearing will be held May 10, 2010.

Council Member Skytt returned to Council Chambers.

6. RESOLUTION OF SUPPORT FOR A SOCIAL HOST ORDINANCE

Staff report by City Manager

- ❖ Request from the Santa Ynez Valley Coalition to Promote Drug Free Youth to adopt resolution urging the County Board of Supervisors to adopt a Social Host Ordinance
- ❖ Council discussed this in September 2008 and voted to wait for the County to adopt the ordinance
- ❖ County has had the item on their agenda a total of twelve times with the last action directing staff to review concerns and issues raised by the Board
- ❖ The SYV Coalition has drafted a resolution asking the City to support efforts for urging the County to adopt a Social Host Ordinance

Lois Craig and Mary Conway of the SYV Coalition to Promote Drug Free Youth were introduced and explained the need to discourage under aged drinking in the valley. County has asked local cities to adopt this resolution. It has been a proven fact that alcohol affects the brains of young children and statistics show younger and younger children are being affected. Youth have made it known that alcohol is easily obtained and that most of it is obtained in private homes. While laws are in place to handle most situations, this ordinance will be an additional tool to be used by law enforcement to hold hosts accountable.

Council Members discussed the pros and cons at length, determining that more research and information is needed.

Lt. Julie McCammon offered to write a report which would address some of the questions and concerns that Council had expressed and bring it back at a future meeting.

Public Comment:

Michelle Bradley

- ❖ Having grown up in the valley am aware of the alcohol problem
- ❖ Urge your support for this ordinance, as it will save lives
- ❖ Education is definitely a key to this problem

Kristen Thomsen (Letter read into the record)

- ❖ Strongly urge your support of this ordinance

Motion was made by Council Member Palmer, seconded by Council Member Jamieson to table this item until a report from Lt. Julie McCammon is received.

Mayor Richardson offered a **substitute motion** to accept the resolution for adoption, deleting the last "Whereas" which allowed for adopting the Santa Barbara County Ordinance as a model.

Motion died for lack of a second.

Motion passed on the original motion with a roll call vote of 5 ayes.

7. **LETTER OF CONVENIENCE OR NECESSITY**

Staff report by City Manager

- ❖ Received request for Letter of Necessity for a new convenience store
- ❖ Staff was directed, after prior discussion on this issue by Council in April 2008, to bring new requests with additional background information for discussion
- ❖ Briefly reviewed license types, current licensed establishments, as well as how the number of licenses is determined for an area
- ❖ There has been no increase in alcohol related law enforcement statistics to warrant denial of this letter of necessity

Applicant Golam Mostafa informed Council he has been a resident of Solvang for eleven years and is interested in opening a convenience store in this vacant property. Even in these bad economic times, I'm willing to take on this challenge, hoping to help pay college expenses for two daughters and helping to generate sales tax for the City and create six new jobs. Asking for an opportunity to start this new business.

Public Comment:

Rodney Nielsen

- ❖ Concerned with traffic flow due to increased business
- ❖ There is no provision at this strip mall for deliveries
- ❖ The strip mall customers already use our parking spaces
- ❖ This is a high impact area and I foresee this creating more problems

Roger Nielsen

- ❖ Concur with comments of Rodney Nielsen
- ❖ Loading is a big problem and as a friendly competitor I don't think I would allow any of their customers or employees to use our parking lot
- ❖ They would need to go through the permit process and I'm sure provisions would need to be made for handicap parking
- ❖ We feel strongly that we would not allow use of our parking lot

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- ❖ Am surprised we were never notified about this new business, would think this would have needed to go through the Planning Department or Board of Architectural Review

Council Member Palmer reported that during the previous discussion with Roger Nielsen regarding the TBID, the concerns about the parking lot for this issue were also discussed.

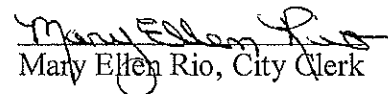
Motion was made by Mayor Richardson, seconded by Council Member Duus to deny the Letter of Necessity based on the close proximity of two other facilities which sell liquor in this area. **Motion carried** with a roll call vote of 5 ayes.

8. COMMITTEE REPORTS (Oral reports)

Solvang Centennial Committee

Council Member Skytt reported on the visit of the Danish Ambassador, unsure on the floral display of the Centennial Logo due to closing of local seed company, ever changing event calendar was distributed, Founders Square will now be known as Centennial Plaza, several applications have been received for use of the Centennial Logo.

9. ADJOURNMENT Mayor Richardson adjourned the meeting at 9:54 p.m.


Mary Ellen Rio, City Clerk