



**MINUTES OF THE REGULAR MEETING OF THE
SOLVANG CITY COUNCIL**

Council Chambers
1644 Oak Street
Solvang, Ca. 93463

September 12, 2011
7:00 pm

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

ROLL CALL

PRESENT: Mayor Richardson, Council Members Duus, Jamieson and Wood
Council Member Palmer absent.

STAFF: Brad Vidro, City Manager; Roy Hanley, City Attorney; Matt van der
Linden, Public Works Director; Arleen Pelster, Planning/Economic
Development Director; Charlie Uhrig, Community Resource Officer;
Mary Ellen Rio, City Clerk

PLEDGE OF ALLEGIANCE Led by Council Member Wood.

CITY MANAGER'S STATUS REPORT

Informational report only.

1. PUBLIC COMMUNICATIONS - WRITTEN OR VERBAL

Mary Harris, Santa Ynez Valley Hotel Association

- Grant applications are available and will be accepted from September 1 to the 30th, 2011
- Recipients will be selected and notified in the early part of October
- Read a list of the prior year's recipients

2. COUNCIL REQUESTS

None.

3. APPROVAL OF AGENDA AS PRESENTED

No changes.

4. AUGUST 22, 2011 CITY COUNCIL MINUTES

Motion was made by Council Member Duus, seconded by Council Member Wood to approve the minutes as presented. **Motion carried** with a verbal response of 4 ayes, 1 absent with Council Member Palmer absent.

5. CONSENT AGENDA

Consent agenda read by the City Clerk.

- a. Approval of pre-issued warrants dated August 22, 23, 24, September 1, 2, 2011
- b. Approval of warrant register dated September 12, 2011
- c. Public Transportation Modernization Improvement and Service Enhancement Account Bond Program:
 1. Adopt Resolution No. 11-____, A Resolution of the City Council of the City of Solvang providing authorization for the execution of the certifications & assurances for the Public Transportation Modernization Improvement and Service Enhancement Account (PTMISEA) bond program
 2. Authorize the City Manager and Public Works Director to execute all required PTMISEA Program documents
- d. Approve Professional Service Agreement with Penfield & Smith Engineers for Oak Street Drainage Improvement Project and Second Street Conceptual Drainage Analysis
- e. Approve Professional Service Agreement with CBM Consulting for Pine Street Drainage Improvement Project and Sidewalk & Access Ramp Project
- f. Approve Professional Service Agreement with Bengal Engineering for Alisal Bridge Structural Inspection Project

Motion was made by Council Member Duus, seconded by Council Member Wood to approve the Consent Agenda as presented. **Motion carried** with a roll call vote of 4 ayes, 1 absent with Council Member Palmer absent.

REGULAR AGENDA

6. LETTER OF NECESSITY TO ALCOHOL BEVERAGE CONTROL FOR C AND R IMPORTS, INC.

Staff report by City Manager

- Letter of Necessity required for this request which is a type 42 license
- Council previously requested that all such requests be presented to them for approval

Public Comment:

Randy Ophaug

- This will be just a small part of our business
- Hoping to improve our business which tends to be very slow in the afternoons and evenings

Motion was made by Council Member Duus, seconded by Council Member Wood to authorize the Letter of Necessity for C and R Imports, Inc. **Motion carried** with a roll call vote of 4 ayes, 1 absent with Council Member Palmer absent.

7. SMART METERS

Staff report by City Manager

- City staff received a request for the City Council to consider sending a letter of support for a “no cost opt out” program for customers who do not wish to have the smart meters installed
- The CPUC will be holding a Public Workshop in San Francisco on September 14th at which these letters will be accepted
- The City of Buellton and Santa Barbara County Board of Supervisors recently approved sending similar letters
- The concerns have to do with the accuracy, the electromagnetic field and the radio frequency emissions
- Staff is looking to Council for direction

Public Comment:

Pat Gott

- As a resident of Los Olivos, we were not given the opportunity to opt out; a representative just showed up and replaced the meter
- My bill went up dramatically with the new meter and people need to be aware

Coral Seamount

- Have many concerns with these smart meters, they can be used as surveillance devices and are the same as wire tapping which is illegal
- They can track your every move in the privacy of your own home
- The transmissions can be picked up by anyone and used in criminal ways

Esther Andrews

- Fortunately I was home when they came to change out my meter and I was able to stop them
- We do not know the long term effects of the electronic emissions from these meters; there are no long term studies yet
- Concerned about health and privacy; if the information falls in the wrong hands it can be used illegally
- These meters track your every move, your habits and literally invade your privacy
- I would like to see an “opt out program” at no charge

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Jean Seamont

- There is a cautionary principle that is to be followed and PG&E usually safeguards against health risks
- There are studies about the dangers of radiation from the electric monitoring
- I would like the City to emphasize the need for the “opt out” program and stress the cautionary principle

Eileen Anthony

- I have many reasons for not trusting PG&E or the CPUC referring to the unfortunate incidences which have occurred lately in various areas
- Many studies are flawed
- Urge the Council to send the letter to the CPUC for the “opt out” program
- Would like additional time to refute some of the comments by PG&E representatives when they speak

Rudie Henderson

- Many in Buellton have opted out of the smart meter program
- As the owner of my own well, there is no way that I want PG&E to have the ability to shut off my meter; in case of fire I do not want to find myself with no water
- Smart meters are deadly for all of us

Patricia Wilmore, local area manager for PG&E for government agencies

- All utilities have been directed to bring this technology to our customers
- It will aid customers in viewing their information to improve their efficiency
- PG&E meets all health standards and studies have confirmed the accuracy of the meters
- A proposal was filed with the CPUC for an “opt out” program however it will have a fee

Michael Herrs

- Explained the ability for the smart meters to work with new smart appliances which when turned on by the meter can be programmed to work when the demand for electricity is at the lowest
- Smart meters have been tested for accuracy and possibly if an older meter was not running correctly it could possibly have been reflected when the new meter was installed; if there are concerns, you can always contact PG&E for an explanation
- California has always led the way for energy conservation and this will allow customers to aid in their own efficiency

Council Members inquired about the ability to access the data being collected and what options there are for those that unwillingly had a smart meter installed. Mr. Herrs responded that only the customer of record can obtain information on their account and that their data is not viewed by PG&E unless a problem is noted. PG&E has an enormous amount of customers. At this time there is not an option for removing a smart meter which has already been installed. If PG&E is directed to offer this by the CPUC, customers will be notified.

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Motion was made by Council Member Jamieson, seconded by Council Member Duus to direct staff to send a letter to the California Public Utility Commission (CPUC) regarding a no cost "opt-out" program for Smart Meters. **Motion carried** with a roll call vote of 4 ayes, 1 absent with Council Member Palmer absent.

8. **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)**

- Centennial Organizing Committee
- Santa Barbara County Association of Governments
- Air Pollution Control Board
- Joint Wastewater Committee
- Finance Committee
- Water Committee

9. **CLOSED SESSION** (Added as an addendum)

Public Comment: None

Council entered into closed session at 8:15 pm

GC 54956.9 (b) (2) potential litigation, and 54956.9 (3) (e)

Council adjourned to open session with Mayor Richardson reporting no reportable action.

10. **ADJOURNMENT** Mayor Richardson adjourned the meeting at 8:34 pm


Mary Ellen Rio, City Clerk