



**MINUTES
SOLVANG CITY COUNCIL
SPECIAL CLOSED SESSION**

March 6, 2023
Monday

3:45 PM CITY COUNCIL SPECIAL CLOSED SESSION

CALL TO ORDER

Mayor Infanti called the meeting to order at 3:47 p.m. in the Solvang Veterans Memorial Hall, Legion Wing, 1745 Mission Drive, Solvang, California.

ROLL CALL

Present: Mayor Mark Infanti, Mayor pro tem Elizabeth Orona; Councilmembers David Brown, Robert Clarke (arrived 3:55 p.m.), Claudia Orona

Staff: Interim City Manager Bradley Vidro, City Clerk Annamarie Porter

PLEDGE OF ALLEGIANCE

Mayor Infanti led in the Salute to the Flag.

1. PUBLIC COMMUNICATIONS ON CLOSED SESSION - None

2. RECESS TO CLOSED SESSION – 3:48 p.m.

a. PUBLIC EMPLOYEE APPOINTMENT - pursuant to Gov. Code §54957(b)(1)

Title:
City Manager

RECONVENE TO OPEN SESSION – 4:57 p.m.

3. ANNOUNCEMENT OF CLOSED SESSION ACTIONS

Interim City Manager Vidro stated there was no reportable action.

4. ADJOURNMENT

The Special Closed Session was adjourned at 4:57 p.m.

6:30 PM REGULAR MEETING

CALL TO ORDER

Mayor Infanti called the meeting to order at 6:30 p.m. in the City Hall Council Chamber, 1644 Oak Street, Solvang, California.

ROLL CALL

Present: Mayor Mark Infanti; Mayor pro tem Elizabeth Orona, Councilmembers David Brown, Robert Clarke and Claudia Orona

Staff: Interim City Manager Bradley Vidro, City Attorney David Fleishman, Public Works Director Rodger Olds, Planning Manager Sophia Checa, City Clerk Annamarie Porter

PLEDGE OF ALLEGIANCE

Mayor pro tem Elizabeth Orona led in the Pledge of Allegiance.

PROCLAMATIONS, COMMENDATIONS AND CEREMONIAL ITEMS - None

PRESENTATIONS - None

1. PUBLIC COMMUNICATIONS ON NON-AGENDA AND CONSENT ITEMS

Tony Trad, Owner, Tony's Smoke Shop
C.J. Jackson Alamo Pintado Creek conditions
Hank Homburg – Pride
Kief Adler, City financial losses.

There were no other public comments.

2. CITY MANAGER REPORT AND ADVANCE CALENDAR

Interim City Manager Vidro noted that sandbags are available at the Solvang Veterans Memorial Hall and discussed the Advance Calendar.

3. COUNCIL COMMENTS AND REQUESTS

Councilmember Claudia Orona reported that the phishing scam is under investigation and felt that whenever possible, the City should inform the public for the sake of transparency.

Mayor pro tem Elizabeth Orona stated exposure to the phishing scam was covered in the audit report; noted the City has put policies and procedures in place, the City received some reimbursement from insurance, referenced the Transit Management Plan and asked Scramble crosswalks to be on a future agenda.

There was consensus to direct staff to place consideration of scramble crosswalks on a future City Council meeting agenda.

Councilmember Clarke apologized for previously taking the "Lord's name in vain"; asked about next steps for the owner of Tony's Smoke Shop to take; spoke about getting the public involved in stopping future phishing scams and requested addressing Mr. Jackson's concerns at a future meeting.

Councilmember Brown requested directing staff to place consideration of the City's Banner Policy on an upcoming City Council meeting agenda to improve clarity and remove ambiguities.

There was consensus to direct staff to place consideration of the City's Banner Policy on an upcoming meeting agenda.

Discussion followed regarding maintaining Alamo Pintado Creek, inspections, challenges with enforcement and working with other cities to address the homeless encampment issue.

4. CONSENT ITEMS

a. Approve Order of Agenda as Presented

c. Approve Warrant Register for February 2023

Mayor pro tem Elizabeth Orona pulled Item No. 4.b. for separate discussion.

Motion by Councilmember Clarke, to approve the Consent Item 4.a, seconded by Mayor pro tem Elizabeth Orona, and carried 5-0.

b. Approve City Council Minutes of January 23, 2023 and February 13, 2023

Motions on specific items were confirmed in the minutes.

Motion by Mayor pro tem Elizabeth Orona, to approve Item No. 4.b., seconded by Councilmember Clarke, and carried 5-0.

5. PUBLIC HEARINGS

a. Public Hearing to consider approving submittal of the 2022 Housing Element Annual Progress Report to the Governor’s Office of Planning and Research and to the State Department of Housing and Community Development

Planning Manager Checa presented details of the report and discussed review by the Planning Commission.

Discussion followed regarding RHNA numbers and the need to provide a buffer, ADUs, Council’s actions relative to rezoning and next steps.

Mayor Infanti opened the public hearing.

There were no public comments on this item and Mayor Infanti closed the public hearing.

City Council accepted the report and took no further action.

b. Public Hearing to Consider Horzes Entertainment LLC dba Solvang Streetcars Electric Trolley License

Councilmember Claudia Orona declared an interest in Horzes Entertainment LLC; recused herself from the matter and left the Chamber at 7:08 p.m.

Interim City Manager Vidro presented details of the report.

Discussion followed regarding a previous agreement for a one-year license term with a request for a 90-day review, the lack of a 90-day review, the lack of complaints during the term of the license, ensuring ADA compliance or an equivalent facilitation, prior discussions regarding granting a 5-year license for the horse-drawn carriages and granting the license on the condition that it is one-year.

Mayor Infanti opened the public hearing.

Denise El Amin - limiting the license term to one year.

There were no other public comments, and Mayor Infanti closed the public hearing.

Motion by Mayor pro tem Elizabeth Orona, to approve granting a license to Horzes Entertainment LLC for one year, with the condition that Code compliance for ADA compliance is met, assuring all potential customers have full access to an equivalent facilitation upon request. The motion died for lack of a second.

Motion by Mayor pro tem Elizabeth Orona, to approve granting a license to Horzes Entertainment LLC for one year, with the condition that all vehicles are ADA compliant.

Substitute Motion by Mayor Infanti, to approve granting a license to Horzes Entertainment LLC for five years, with the condition that Code compliance for ADA compliance is met, assuring all potential customers have full access to an equivalent facilitation upon request, seconded by Councilmember Clarke, and carried 3-1, with Mayor pro tem Elizabeth Orona, opposed and Councilmember Claudia Orona, absent (recused).

Councilmember Claudia Orona returned to the Chamber at 7:25 p.m. and took her place in the dais.

c. Public Hearing to Consider Adopting Resolution No. 23-1208 Approving the Measure A 5-year Local Program of Projects for Fiscal Years 23/24-27/28

Public Works Director Olds narrated a PowerPoint presentation with details of the report.

Discussion followed regarding the financial structure of SBCAG loans and alternative transportation opportunities.

Mayor Infanti opened the public hearing.

There were no public comments on this item and Mayor Infanti closed the public hearing.

Motion by Mayor pro tem Elizabeth Orona to Adopt Resolution No. 23-1208 approving the Measure A 5-year Local Program of Projects for Fiscal Years 23/24-27/28, seconded by Councilmember Clarke, and carried 5-0.

6. DISCUSSION ITEMS

a. Discussion and possible Action to receive Santa Barbara County Sheriff report on Adult use Cannabis Sales and to provide direction to Staff

Interim City Manager Vidro introduced the item; noted City Council requested a report from the Santa Barbara Sheriff's Department; noted Lieutenant Valencia provided a report and reported he is available to respond to questions from City Council.

Lieutenant Valencia discussed his report; noted there is no baseline as Solvang has not had a dispensary; reported he used data from comparable cities; discussed revenue; reported that since Solvang is a municipality, it is responsible for the costs of compliance and introduced Sergeant Matt Banks and deferred to him to address dispensary requirements in California and costs of compliance.

Discussion followed regarding incremental costs of compliance for recreational cannabis facilities, increased crime connected to cannabis facilities, Lompoc statistics, diversion of legal cannabis to illicit transactions, reduction of revenue by market saturation and recommendations versus prescriptions.

Sergeant Banks discussed dispensary requirements and compliance with State laws; addressed the Sheriff Department's role in terms of compliance and spoke about operations and ties to other businesses.

Mayor Infanti invited public comments.

The following spoke in opposition to the item:

Tyson Gonzalez, Student, Santa Ynez Valley Union High School
Amy Rodriguez, Student, Santa Ynez Valley Union High School

Sandi Guerrero, Student, Santa Ynez Valley Union High School
Diego Bautista, Student, Santa Ynez Valley Union High School
Mya Alvarado, Student, Santa Ynez Valley Union High School
Ruby Carrillo, Student, Santa Ynez Valley Union High School
Jose Mota, Student, Santa Ynez Valley Union High School
John Johnson
Mary Conway
Gary Semergian
Lee Rosenberg
Tony Trad.

There were no other public comments and Mayor Infanti closed public comments.

Members of Council commended the students who attended and spoke this evening.

City Council concurred to direct staff not to return to City Council with an ordinance allowing recreational cannabis sales in Solvang.

b. Discussion and possible action to Adopt Resolution No. 23-1207 Establishing a Citizens' Oversight Committee Pursuant to Ordinance No. 22-0363, a Transaction and Use Tax Ordinance

City Attorney Fleishman presented details of the report.

There were no public comments on this item.

Discussion followed regarding the difference between resolutions and ordinances in terms of effective dates and requiring that the Committee meet every six months.

Motion by Councilmember Claudia Orona, to adopt Resolution No. 23-1207 Establishing a Citizens' Oversight Committee Pursuant to Ordinance No. 22-0363, a Transaction and Use Tax Ordinance.

Mayor pro tem Elizabeth Orona offered an amendment to require that the Committee meet every six months.

Motion by Councilmember Claudia Orona adopt Resolution No. 23-1207 Establishing a Citizens' Oversight Committee Pursuant to Ordinance No. 22-0363, a Transaction and Use Tax Ordinance, as amended, to require that the Committee meet every six months (twice annually), seconded by Councilmember Clarke, and carried 5-0.

7. AB1234 REPORT OUT AND COUNCIL CLOSING COMMENTS

Councilmember Claudia Orona reported she had the opportunity to tour the PG&E Nuclear Power Plant at Diablo Canyon and commented on the experience.

8. ADJOURNMENT

The meeting was adjourned at 8:57 p.m.

Respectfully submitted:

DocuSigned by:

Annamarie Porter

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Annamarie Porter, City Clerk