



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

Council Chambers
1644 Oak Street
Solvang, CA 93463

October 28, 2019
Monday
6:30 p.m.

CALL TO ORDER:

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

ROLL CALL:

PRESENT:

Mayor Ryan Toussaint, Council Members Chris Djernaes, Daniel Johnson and Karen Waite

ABSENT:

Mayor Pro Tem Robert Clarke

STAFF:

Xenia Bradford, Acting City Manager/Administrative Services Director; Chip Wullbrandt, Interim City Attorney; Matt van der Linden, Public Works Director; Kady Fleckenstein, Public Information Officer and Daryl A. Betancur, Interim City Clerk

PLEDGE OF ALLEGIANCE

Led by Council Member Waite.

Mayor Toussaint announced Mayor Pro Tem Clarke had a death in the family and is absent. He called for a moment of silence.

1. PUBLIC COMMUNICATIONS – WRITTEN OR VERBAL

Daniel Lahr, IDK Events

- Provided an update on the status of Julefest events
- Discussed efforts made to date

Michael Kocken, Viking Hill

- Reported receiving a notice regarding races on Chalk Hill
- Expressed concern Chalk Hill will be blocked until 6:00 p.m. to allow for the race
- Indicated that will cause residents to be "trapped" without egress access
- Objected to the proposed plan

Mark Infante, Solvang Resident

- Announced he is applying for a position in the BAR
- Offered to respond to questions from City Council

a. Figueroa Mountain Gran Fondo Event Presentation

Kurt Nordgren, CTS Productions, provided a report on the upcoming Figueroa Gran Fondo Event noting there will be no road closures outside of Copenhagen and First Street and presented an update on the status of the event. He invited City Council to attend and participate and thanked the City for its support.

2. **EXECUTIVE, PIO REPORTS & ADVANCE CALENDAR**

Acting City Manager/Administrative Services Director Xenia Bradford, Interim City Attorney Chip Wullbrandt and Public Information Officer Kady Fleckenstein gave informational reports.

Interim City Attorney Wullbrandt reported PIO Fleckenstein will provide a summary of his report regarding the SVBC.

Brenda Ball, Representative from the Solvang Visitor Center gave an informational report on the Center's activities and statistics.

3. **CONSENT AGENDA**

- a. Approval of Agenda as Presented
- b. Approval of Draft Minutes of the Regular Meeting of August 26, Special Meeting of October 14, and Regular Meeting of October 14, 2019
- c. Receive and File Sheriff's Department Report for September 2019
- d. Q1 Investment Report
- e. Adopt Resolution No. 19-1092 Amending the City of Solvang's Flexible Benefits Plan

Council Member Djernaes pulled Items No. b. and d. from the Consent Agenda for separate consideration and action.

b. Approval of Draft Minutes of the Regular Meeting of August 26, Special Meeting of

Council Member Djernaes reported contacting the City Clerk's office with a request to amend the minutes of August 26, 2019 to capture the essence of his comments regarding SVBC and the amendment was made.

Council Member Johnson made a correction to his name on the minutes of August 26, 2019.

d. Q1 Investment Report

Council Member Djernaes indicated he would like to better-understand the City's investment in CalPers and Acting City Manager/Administrative Services Director Bradford reported that was an investment in the OPEB Trust and noted it is in regards to creating a structure that would pre-fund some of the OPEB liability.

Council Member Johnson asked whether it was a better investment than other potential investments and Acting City Manager/Administrative Services Director Bradford indicated that would be a conversation to have when CalPers and OPEB reports are presented in a future meeting.

Motion made by Council Member Waite to approve the Consent Agenda with corrections discussed relative to the City Council meeting minutes of August 26, 2019, seconded by Mayor Toussaint, and carried with a roll call vote of 4-0, with Mayor Pro Tem Clarke, absent.

PUBLIC HEARING(S)

4. MOUNTAIN VIEW ELEMENTAL WELLNESS APPEAL

Acting City Manager/Administrative Services Director Bradford presented the staff report noting it is a request for Council to adopt a formal resolution regarding the action taken on October 14, 2019 relative to denial of appeals of Mountain View Elemental Wellness from the City Manager's medical cannabis permit application.

Mayor Toussaint opened and closed public comments at 8:06 p.m.

Motion made by Mayor Toussaint to adopt Resolution No. 19-1090 with findings for denial of appeals of Mountain View Elemental Wellness from the City Manager's medical cannabis permit application deficiency Determination, seconded by Council Member Johnson, and carried with a roll call vote of 4-0, with Mayor Pro Tem Clarke, absent.

5. FRISTADEN WELLNESS APPEAL

Acting City Manager/Administrative Services Director Bradford presented the staff report noting it is a request for Council to adopt a formal resolution regarding the action taken on October 14, 2019 relative to denial of appeals of Fristaden Wellness from the City Manager's medical cannabis permit application.

Mayor Toussaint opened and closed public comments at 8:07 p.m.

Motion made by Mayor Toussaint to adopt Resolution No. 19-1091 with findings for denial of appeal of Fristaden Wellness of the rejection of its medical cannabis permit application, seconded by Council Member Johnson, and carried with a roll call vote of 4-0, with Mayor Pro Tem Clarke, absent.

REGULAR BUSINESS AGENDA

6. FIRST QUARTER 2019-2020 FINANCIAL REPORT

Acting City Manager/Administrative Services Director Bradford presented details of the staff report.

Mayor Toussaint opened public comments at 8:27 p.m.

Ed Skytt, Solvang Resident

- Asked about projected revenues for the City relative to STOMP, Fall Fest and Julefest
- Requested clarification of reduced funding for SCVB noting the contract was cancelled
- Opined actions relative to SCVB were the result of personal bias by the City Council against members of the SCVB
- Believed there was miscommunication on both sides
- Suggested rather than engage in lawsuit, the City should cut its losses and start over

Mayor Toussaint noted each event was negotiated slightly differently; addressed estimates and summarized the terms. Additionally, he explained in terms of the SCVB, City Council previously adopted a budget with new recommended-funding levels.

Mayor Toussaint closed public comments at 8:32 p.m.

Motion made by Council Member Djernaes to receive and file the First Quarter FY 2019-20 Financial Report and approve the requested budget adjustments, seconded by Mayor Toussaint, and carried with a roll call vote of 4-0, with Mayor Pro Tem Clarke, absent.

RECESS AND RECONVENE

Mayor Toussaint called for a recess at 8:37 p.m. The assembly reconvened at 9:46 p.m. with all Council Members, present except Mayor Pro Tem Clarke.

7. **2019-2020 TOURISM MARKETING & CITY BRANDING**

Public Information Officer Kady Fleckenstein presented details of the staff report.

Mayor Toussaint opened and closed public comments at 8:38 p.m.

Motion made by Mayor Toussaint to approve staff recommendations concerning tourism marketing, sales and City rebranding solutions and develop an advertising revenue plan to help offset tourism marketing costs, seconded by Council Member Waite, and carried with a roll call vote of 4-0, with Mayor Pro Tem Clarke, absent.

8. **2019 JULEFEST EVENTS**

Acting City Manager/Administrative Services Director Bradford and PIO Fleckenstein presented details of the staff report.

Mayor Toussaint opened public comments at 9:13 p.m.

Daniel Lahr, IDK Events

- Discussed elements of each event
- Noted the City has first rights to the Julefest Drone Show

Joan Jameson, Solvang Resident

- Opined the City should approve both the Julefest Drone Show and the Julefest Night-Time Light Experience, especially as this is a relaunch of Julefest

Mayor Toussaint closed public comments at 9:15 p.m.

Brief discussion followed regarding the possibility of offering incentives for sponsorships of the events.

Motion made by Council Member Djernaes to authorize the City Manager to amend the contract with IDK to fund two additional events as pass through costs: Julefest Drone Show on December 21, 2019 and the Julefest Night-Time Light Experience not to exceed \$110,000, seconded by Council Member Waite, and carried with a roll call vote of 4-0, with Mayor Pro Tem Clarke, absent.

9. **SB2 PLANNING GRANT APPLICATION**

Troy Butzlaff, ICMA-CM, Advisor to Special City Auditor, presented details of the staff report.

Mayor Toussaint opened and closed public comments at 9:26 p.m.

Motion made by Council Member Djernaes to adopt Resolution No. 19-1089 authorizing submittal of a grant application to the California Department of Housing and Community Development (HCD) for receipt of

Senate Bill (SB 2) Planning Grants Program Funds in the amount of \$160,000, seconded by Mayor Toussaint, and carried with a roll call vote of 4-0, with Mayor Pro Tem Clarke, absent.

10. IMPLEMENTATION OF NEW PERMITTING SOFTWARE

Acting City Manager/Administrative Services Director Bradford presented details of the staff report. She added staff will consider applying funds received from the SB 2 Planning Grant, considered under Item No. 9 to this item.

Mayor Toussaint opened and public comments at 9:32 p.m.

Motion made by Mayor Toussaint to receive and file the report as an informational item and defer new Permitting Software as a potential SB 2 Grant item, seconded by Council Member Johnson, and carried with a roll call vote of 4-0, with Mayor Pro Tem Clarke, absent.

11. BOARD OF ARCHITECTURAL REVIEW DISCUSSION

Acting City Manager/Administrative Services Director Bradford presented details of the staff report.

Mayor Toussaint opened public comments at 9:34 p.m.

Joan Jameson, Solvang Resident

- Noted the need to update the General Plan and the Housing Element
- Addressed Elements specific to Solvang
- Encouraged City Council to keep the BAR and appoint Mr. Mark Infante as the new Board Member

Elsa Marie Petersen, Solvang Resident and BAR Board Member

- Spoke in support of Mr. Mark Infante as the new Board Member

Mayor Toussaint closed public comments at 9:37 p.m.

Motion made by Mayor Toussaint to direct staff to return to Council with an analysis of whether the Board of Architectural Review Ordinance and scope should be modified or combined with the Planning Commission, issue an RFP for the Sign Ordinance and Design Guidelines, and evaluate current options of the BAR including help with the Sign Ordinance re-do and Design Elements and consider bringing in residents and business owners as a larger committee to work with a consultant and appoint Mark Infante to the BAR, seconded by Council Member Waite, and carried with a roll call vote of 4-0, with Mayor Pro Tem Clarke, absent.

12. MONTEREY BAY COMMUNITY POWER AUTHORITY

Interim City Clerk Daryl Betancur presented details of the staff report.

Mayor Toussaint opened public comments at 9:52 p.m.

Mark Infante

- Indicated his Form 700 is up to date and his ethics training is still valid

Interim City Clerk Betancur will follow-up with Mr. Infante to determine if there are further documents Mr. Infante needs to submit.

Mayor Toussaint opened public comments at 9:55 p.m.

Motion made by Mayor Toussaint to adopt Resolution No. 19-1087 authorizing the City of Solvang to enter into a cost sharing agreement with the Monterey Bay Community Power; and Resolution No. 19-1088, authorizing the City of Solvang to enter into a memorandum of understanding between the cities of Solvang and the City of Guadalupe regarding participation with the Monterey Bay Community Power Authority, and appoint Mr. Mark Infante to the BAR, seconded by Council Member Johnson, and carried with a roll call vote of 4-0, with Mayor Pro Tem Clarke, absent.

13. AB1234 REPORT OUT, COUNCIL COMMENTS AND REQUESTS

Mayor Toussaint and Council Member Djernaes reported attending the League of California Cities meeting and Joint Powers Insurance Authority. Mayor Toussaint noted Mayor Pro Tem Clarke also attended the League of California Cities meeting.

Council Member Djernaes thanked City staff for their excellent work and reports.

Council Member Waite discussed her participation in the (inaudible), noted the Interim City Attorney should have the MOUs with other agencies.

Public Works Director Matt van der Linden reported the item will be presented to City Council at an upcoming meeting.

In addition, she reported speaking with Gay Infante regarding public awareness in monitoring of aquifers and the ability to pump.

Mayor Toussaint thanked staff for their hard work; reported speaking with staff regarding existing inefficiencies in the City's telephone system and suggested staff request quotes for a new telephone system.

Acting City Manager/Administrative Services Director Bradford provided efforts, to date, regarding the possibility of purchasing a new telephone system for the City.

Mayor Toussaint discussed the need for a Municipal Code update and Interim City Clerk Betancur noted the need for a recodification of the Solvang Municipal Code as the last one took place in 2001. Mayor Toussaint asked to include the item on City Council's Advance Calendar.

14. ADJOURNMENT Mayor Toussaint adjourned the meeting at 10:06 p.m.

Minutes Prepared By:


DARYL A. BETANCUR, MMC
Interim City Clerk

In accordance with Solvang Municipal Code Section 1-4-16 (Ord. 14-305), minutes of the City Council of the City of Solvang are prepared in action style.