



AGENDA

SOLVANG CITY COUNCIL
MONDAY JANUARY 13, 2025
5:30 PM SPECIAL CLOSED SESSION
6:30 PM REGULAR MEETING

City Council:

David Brown,	Mayor
Mark Infanti	District 1
Claudia Orona	District 2
Vacant	District 3
Elizabeth Orona	District 4

1644 Oak Street, Solvang, Ca 93463
Virtual & in Council Chamber

AGENDA AND SUPPORTING MATERIALS – Available for viewing 8:00a.m.-5:00p.m. at City Hall, 1644 Oak Street, Solvang, and on the City’s website <https://www.cityofsolvang.com/agendacenter>. Additional writings distributed to a majority of the City Council after the posting of the agenda will be made available at City Hall and on the City’s website.

AGENDA POSTING NOTIFICATION - Subscribe to receive email or text message notifications when agendas are posted online through “Notify Me” at: <https://www.cityofsolvang.com/List.aspx>

PUBLIC COMMENT - The public is encouraged to address the City Council in-person, virtually, or in-writing on agenda and non-agenda items. If provided in writing, comments must be submitted to the City Clerk at cityclerk@cityofsolvang.com by 5:00 p.m. on the Friday before the meeting to be considered. Your comment will be recorded and distributed appropriately. Comments on agenda items will be heard at the time each item is considered, including non-agenda items. In-person speakers will be invited to make public comments first. Virtual speakers will follow.

CAMPAIGN CONTRIBUTION DISCLOSURE - Pursuant to Government Code Section 84308, any party to a City proceeding must disclose on the record any campaign contributions made to a member of the City Council [or commission] in excess of \$250 in the past 12 months. This disclosure requirement includes contributions by the party’s agent and aggregated contributions from persons or entities related to the party. Please make the disclosure as soon as possible, but not later than the beginning of the proceeding.

AMERICANS WITH DISABILITIES ACT - If, as a participant of this meeting, you need special assistance the City will attempt to accommodate you in every reasonable manner. Please contact the City Clerk at either (805) 688-5575 x206 or cityclerk@cityofsolvang.com. 72- hours’ notice is requested.

LET YOUR VOICE BE HEARD! Do you have about one minute a month to help make Solvang better? The City of Solvang is working with FlashVote to engage the community and gather valuable input from residents to inform our decisions. We encourage residents to sign up at www.flashvote.com/Solvang or call 775-235-2240 to participate by phone or text only.

PARTICIPATING IN THE MEETING -City Council meetings will be in person and conducted by video/teleconferencing through Zoom. The meeting will also be broadcast live on Channel 23 and streamed on the City’s website, Vimeo, and YouTube <https://www.youtube.com/@CityofSolvang1/>

- To join by Zoom, visit <https://zoom.us/j/3066529195>. If you wish to speak, please use the “raised hand” symbol.
- To join by phone, call (888) 788-0099 and enter Meeting ID: **306 652 9195#**. The phone line will be open 30 minutes before the meeting.

5:30 PM SPECIAL CLOSED SESSION

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

1. PUBLIC COMMUNICATIONS ON CLOSED SESSION ONLY

This section is intended to provide members of the public with the opportunity to comment on Closed Session Items. This section is limited to 30 minutes. Each speaker will be afforded three minutes and may speak only once.

2. RECESS TO CLOSED SESSION

- a. **CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION** – Significant exposure to litigation pursuant to Gov. Code Section 54956.9(d)(2)

One potential case

RECONVENE TO OPEN SESSION

3. ANNOUNCEMENT OF CLOSED SESSION ACTIONS

4. ADJOURNMENT

6:30 PM REGULAR MEETING

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

1. DISCUSSION ITEMS PART A

- a. Discussion and possible action to select a new Council Member as Solvang’s District 3 representative. 4

2. PROCLAMATIONS, COMMENDATIONS AND CEREMONIAL ITEMS

- a. Refugio del Cielo Chapter of the Daughters of the American Revolution Proclamation. 15

3. PRESENTATIONS

4. PUBLIC COMMUNICATIONS – NON- AGENDA AND CONSENT ITEMS

This section is intended to provide members of the public with the opportunity to address the Council on items not on the Agenda and on Consent. This section is limited to 30 minutes. Each speaker will be afforded three minutes and may speak only once. State law does not allow the Council to discuss or act on issues not on the agenda, except to briefly respond or ask Staff to follow up on such items.

5. CITY MANAGER REPORT AND ADVANCE CALENDAR

Informational Report & WWTP Improvement project update 16

6. GC SECTION 53232.3(d) (aka AB 1234) and GC SECTION 84308 (aka SB 1439) REPORT OUT, COUNCIL COMMENTS, REQUESTS

Reports of meetings attended, contributions made or received, and Comments and requests from City Council Members.

7. CONSENT ITEMS

Consent is designed for routine; administrative city matters and is approved by roll call vote with one motion. These items are discussed only at the request of council members. Members of the public were afforded an opportunity to speak on Consent items during the Public Communications portion of this agenda.

- a. Approve Order of Agenda as Presented.
- b. Approve City Council Minutes: December 9, 2024

- c. Adopt Resolution No. 25-1275 Authorizing Signatories to City bank accounts with Montecito Bank and Trust. 30
- d. Approve Amendment 1 to the Agreement with Pavement Engineering, Inc for the preparation of design and construction documents for the Alamo Pintado Rehabilitation project for the additional amount of \$99,745, for a total agreement amount not to exceed \$130,441, and to extend the term to December 31, 2025, and authorize the Mayor to execute on behalf of the City. 33
- e. Adopt Resolution No. 25-1276 to adopt the updated RATP DEV/Santa Ynez Valley Transit FTA Drug and Alcohol Policy. 43
- f. Receive and file Santa Barbara County Sheriff's statistics 86
- g. Approve Monthly Financial Report 92
- h. Adopt Resolution No. 25-1277 Adopting the Annual Investment Policy for calendar year 2025. 94
- i. Receive and file SBC Fire Report 110
- j. Approve Amendment 1 to the Agreement with JJ Fisher Construction, Inc. for PW 24-04 Concrete Repairs Change Order 1 for the additional Copenhagen Sidewalk Work, and Tree Removal No. 1, 2, 3 for the additional amount of \$62,772.79 for a total Contract Amount not to exceed \$534,987.79, and authorize the Mayor to execute on behalf of the City 118

8. PUBLIC HEARINGS

9. DISCUSSION ITEMS PART B:

- a. Discussion and possible action to Adopt Resolution No. 25-1278 Granting Consent to the County of Santa Barbara to Establish the Santa Barbara County Wine Improvement District (SBCWID) and Include the City of Solvang in the Established SBCWID 122
- b. Discussion and possible action to select representatives for Advisory Body Positions: 180
 - i. Planning Commission
 - ii. Design Review Committee
 - iii. Measure U Citizens Oversight Committee.
- c. Discussion and possible action to Adopt Resolution No. 25-1279 Amending the Remote Public Comment and "Zoom Bombing" Policy and Renaming said policy the "Remote and In-Person Public Comment and Disruptive Speech Policy." 234

10. COUNCIL CLOSING COMMENTS

11. ADJOURNMENT

AFFIDAVIT OF POSTING

I, Annamarie Porter, City Clerk for the City of Solvang, California, DO HEREBY CERTIFY under penalty of perjury under the laws of the State of California, that the foregoing revised notice was posted at the City of Solvang City Hall bulletin board at 1644 Oak Street, Solvang, CA and on the City of Solvang website not less than 72 hours prior to the meeting, per Government Code 54954.2.
 Dated this 9th day of January 2025.



CITY COUNCIL STAFF REPORT

AGENDA ITEM 1.a

Meeting Date: January 13, 2025

SUBJECT: Discussion and possible action to select a new Council Member as District 3 representative.

PREPARED BY: Annamarie Porter, CMC, City Clerk

DISCUSSION:

With the results from the November 5, 2024 election, a vacancy was created on the Solvang City Council. This was due to the election of Mayor pro tem Brown to serve as the Mayor. There are two years left on his term for District 3 representation until the 2026 election.

California Government Code addresses vacancies for cities in California. Government Code Section 36512 provides in pertinent part as follows:

If a vacancy occurs in an elective office, the council shall, within 60 days from the commencement of the vacancy, either fill the vacancy by appointment or call a special election to fill the vacancy.

The commencement of the vacancy was December 9, 2024 when Mayor Brown was sworn into office. At the November 12, 2024 meeting, the City Council directed Staff to post an application on the City's website to attract applicants to fill the vacancy in District 3. 2 applications were received by the January 3, 2025 deadline. Council could allow each of the applicants an allotted time to present themselves to the full City Council and the public, after which the Council could consider nomination motions.

Applications received:

V. Louise Smith
Melanie Eckford-Prossor

ALTERNATIVES:

The City Council could choose to delay filling the vacancy by only a few weeks or the vacancy would have to go through the election process, therefore having a vacant position until the next election in California which is thus far undeclared.

FISCAL IMPACT:

Costs of having a special election would be approximately \$30,000 in County of Santa Barbara fees, plus consultant and other internal costs.

ATTACHMENTS:

- A. Applications received
- B. Public Comment received



CITY OF SOLVANG, CALIFORNIA
CITY COUNCIL DISTRICT 3 APPLICATION
2-Year Term to December 2026

City Clerk's Office
1644 Oak Street, Solvang, CA 93463
PH (805) 688-5575 x206
Email: cityclerk@cityofsollvang.com

Interested parties must submit cover letter, application, and resume to the City Clerk's office
at cityclerk@cityofsollvang.com no later than 5:00 p.m. on Friday January 3, 2025

Applicant's Name Melanie Eckford-Prossor

Registered Voter's Home Address [redacted] District# 3

Home Phone same as cell Cell Phone: [redacted]

E-mail: [redacted] Years Lived in Solvang-: 23

Present Occupation-: Bookseller/ Director Name of Employer-: The Book Loft/Liberty Cap Foundation

Previous service on any Commission/Board/Council? [checked] Yes ___ No

If Yes, which C/B/C? Solvang Theaterfest Board, 2010-12
St. Mark's Vestry, 2015-2017
Santa Barbara City College Foundation, 2022-23 When?

Are you available to attend evening meetings? [checked] Yes ___ No Earliest Hour? ___

Are you able to Attend Day Meetings? [checked] Yes ___ No

Are you able to attend weekend community meetings or events? [checked] Yes ___ No

Do you presently contract any services or are you otherwise employed by the City? ___ Yes [checked] No

If so, what is the nature of the contract or employment? _____

Educational Background:

Ph.D., UCLA, English, 1988

BA, UCLA, English with Honors, 1979

Professional Experience:

The Book Loft, Book seller, 2024-present

The Liberty Cap Foundation (numismatic and historical), Director of Outreach and Curriculum, 2022-present

[Santa Barbara City College, English Professor, 2001-2023 See resume for key leadership positions :](#)

[Mississippi State University, English Professor, 1992-2001, See resume for key leadership positions](#)

[Cal State Northridge, English Professor, 1989-1992, See resume for key leadership positions](#)

[UCLA Writing Programs, Lecturer, 1988-1989](#)

Civic Activities & Community Involvement:

[Santa Barbara Community Rowing, 2023-present](#)

[The Book Loft's 2024 Danish Days pop-up: Melly's Baked Goods, liscensed cottage foods](#)

[Santa Barbara Audobon Society](#)

Approximately how many City Council meetings have you attended in the last 24 months? Please describe the reasons for attendance or topics of Interest?

[I have not attended any in-person City Council meetings. I have kept up online, via YouTube and City Council](#)

[agendas and minutes. My reasons ranged from wanting to know more about City procedures, to questions about new housing and the impact of new housing on wildlife. I followed discussions in 2021 on the General Plan, and I have followed the change in district voting and discussions of Measure E.](#)

Why are you seeking the appointment to the City Council?

[As someone who lives and works in district 3, I see the small, simple things that can be done to make](#)

[life enjoyable for all, such a more signs about deer on Alisal and Viborg, or working water fountains in HCA park. Better lighting. And maybe some attempt to make some streets more walkable, when pedestrians have to waik on the shoulder of certain roads.](#)

[Working at The Book Loft during December 2024, I listened to tourists anxious to do things in Solvang, but other than the park's light show, and the occasional pop-up maker's market ,there was little to do or see that was offered by the city. I think we have many resources here that are under-used and that could make Julefest better for tourists and more manageable and successful for buisnesses. Above all, I want to be part of the City Council to foster a deeper, more pragmatic and genuine sense of community for District 3 dwellers.](#)

I hereby certify that the information contained in this application and any accompanying documents is true and correct to the best of my knowledge.

Signature 

Date: [1/3/2025](#)

Information provided on this form is public information and may be made available to other applicants, members of the press, or the general public.

Melanie Eckford-Prossor District 3 Vacancy Cover Letter

Dear Solvang City Council—

I wish to apply for the District 3 vacant seat: I have lived in the Valley for 23 years, and I have resided in District 3 for 9. I love the variety of this area: from children walking to school with their friends, to people gathering around eloteros carts speaking Spanish, to dog walkers exchanging pleasantries. Like my neighbors, I walk my dog almost daily in HCA park, amble to my part-time job at The Book Loft, and am lucky enough to walk to the Solvang Festival Theater. This variety of people with vastly different ages and backgrounds, all living in a “dense” Solvang environment, speaks to the ideal of village life. We share mutual spaces in ways that people on larger properties don’t necessarily do, and with schools and park, church and businesses nearby, we participate each day in civic connection with each other.

Rather than simply living in Solvang, appreciating it, and being part of select groups (I have been on the Board of Solvang Theatrefest and on the Vestry of St. Mark’s), I want to help shape the larger community, a passion of mine since I directed The Honors Program at SBCC, whose goal was to create community and personal academic excellence. While I have not attended any City Council meetings in person, I read agendas and minutes of meetings, and I watch recordings of meetings on YouTube.

Working at The Book Loft, I see the challenges merchants face in Solvang, and having worked the 2024 holidays in retail, I see the pains the city faces as we welcome people to our small village. I would like to work with the Council to make Solvang more hospitable for the small businesses that keep the town unusual, as well as support improvements in shared spaces, such as HCA park. My ethos is community focused. Our village should offer people the balm of nature and the opportunity to expand our experience via art and plays, movies in the park, and the beauty of our Valley. The heart of Solvang is community. I would be honored to help build and improve that.

My final position at SBCC was as Academic Senate President: a job that is often contentious, because people care about outcomes. That position has given me concrete experience navigating hot-button, potentially divisive—yet important— issues. I know the Brown Act and understand its goals. I am a quick study, work hard, and am diligent, and maybe most important, I love District 3 and Solvang. I would welcome the opportunity to interview with you for the position.

Sincerely,

Melanie Eckford-Prossor

Melanie Eckford-Prossor

Multiple leadership positions; focused on improving community

[REDACTED]
Solvang, CA 93463
[REDACTED]
[REDACTED]

EXPERIENCE

The Liberty Cap Foundation—Director Curriculum and Outreach

2023 - present

Co-created Foundation website; write all copy and create curriculum on American coins and history; manage grant applications and interview applicants; lead seminars on early American coins, 1793-1836 with a focus on representations of liberty.

The Book Loft, Solvang — Book Seller

April 2024-present

Pair customers with books they will love; suggest books to carry; design some window displays; focus is the Scandinavian section and literary fiction.

Santa Barbara City College, —Academic Senate President, Board Member of the SBCC Foundation, Director of The Honors Program at SBCC, and English Professor

August 2001 - June 2023

As **Academic Senate President** helped spearhead a new committee on teaching and learning. Worked with Administration on questions of class size and cost and represented diverse faculty interests to administration and the faculty union. As **Foundation Board member** represented the faculty's desire to support students; had input into SBCC Promise. Worked to build community within **The Honors Program**, arguing that Honors students are made, not born. Increased size of Program from 30 to 330. Honors Program students transferred to Stanford, UCs, Harvard, and one won a NSF grant. As **English Professor** was part of an ad-hoc group headed by the President that reconsidered the structure and mission of the College and that resulted in structural changes to College governance.

Mississippi State University, —Academic Senate President, Director of Women's Studies, and English Professor

August 1992- June 2001

SKILLS

Skilled writer

Confident public speaker

Adept at Brown Act

Excellent listener

Builder of consensus

AWARDS

Professor Emerita for outstanding contributions to SBCC.

University-wide Lower Division Teaching Award at Mississippi State University. Nominated by committee of faculty, students, and alumni.

COMMUNITY SERVICE

Vestry, St. Mark's, Los Olivos
Involved in community outreach, in planning for a community kitchen, and helped initiate a Sunday school program.

Board Member, Solvang Theaterfest our focus in my term was to open the venue to acts and groups in addition to PCPA. Goal was to provide more entertainment for Valley

and increase theatre funding.

Cal State Northridge, — Director of Department Honors and English Professor

August 1989- June 1992

EDUCATION

UCLA, — Ph.D in English

June 1988-

Focused on the novel and contemporary British and American literature.

UCLA — BA in English with Honors

June 1979



CITY OF SOLVANG, CALIFORNIA
CITY COUNCIL DISTRICT 3 APPLICATION
2-Year Term to December 2026

City Clerk's Office
1644 Oak Street, Solvang, CA 93463
PH (805) 688-5575 x206
Email: cityclerk@cityofsolvvang.com

Interested parties must submit cover letter, application, and resume to the City Clerk's office at cityclerk@cityofsolvvang.com no later than 5:00 p.m. on **Friday January 3, 2025**

Applicant's Name V. LOUISE SMITH

Registered Voter's Home Address [REDACTED] District# 3

Home Phone [REDACTED] Cell Phone: [REDACTED]

E-mail [REDACTED] Years Lived in Solvang:-: 15

Present Occupation:-: Small Business Owner Name of Employer:-: LOUISE'S KITCHEN TABLE, LLC

Previous service on any Commission/Board/Council? --- Yes --- No

If Yes, which C/B/C? Tourism Advisory Committee When? 2023

Are you available to attend evening meetings? --- Yes --- No Earliest Hour?---

Are you able to Attend Day Meetings? --- Yes --- No

Are you able to attend weekend community meetings or events? -- Yes --- No

Do you presently contract any services or are you otherwise employed by the City? ___ Yes No

If so, what is the nature of the contract or employment? _____

Educational Background:

MBA UNIVERSITY OF CALIFORNIA

BA SOCIOLOGY WASHINGTON & JEFFERSON COLLEGE

SANTA BARBARA COLLEGE OF LAW

Professional Experience:

OWNER & EXECUTIVE CHIEF LOUISE'S KITCHEN TABLE, LLC
TASMAN ROOM / WINE CLUB MANAGER VARIOUS WINERIES IN SYD
ETHICS ADVISOR TENET HEALTHCARE

Civic Activities & Community Involvement:

CURRENT BOARD PRESIDENT ROSENBERG HOA
PAST BOARD & COMMITTEE MEMBER: SB RARE CRISIS CENTER,
VISIT SYD, PACIFIC PRIME FOUNDATION, SB RED CROSS,
BIG BROTHERS / BIG SISTERS

Approximately how many City Council meetings have you attended in the last 24 months? Please describe the reasons for attendance or topics of interest?

≈ 18 VIA ZOOM / IN PERSON

WATER INDEPENDENCE, GROWTH, HOUSING, TOURISM

Why are you seeking the appointment to the City Council?

I HAVE WORKED IN SYD FOR OVER 20 YEARS & CALLED
SOLVANG MY HOME FOR 15 YEARS. MY BUSINESS TRAVELS
ON BOTH LOCAL BUSINESSES, INDIVIDUALS & TOURISTS.

WITH MY VARIED BACKGROUND & EXPERIENCE, I HAVE A LOT TO
OFFER THE SOLVANG CITY COUNCIL.

I hereby certify that the information contained in this application and any accompanying documents is true and correct to the best of my knowledge.

Signature V-Louise Smith Date: 12-6-24

Information provided on this form is public information and may be made available to other applicants, members of the press, or the general public.

V. LOUISE SMITH

[REDACTED] Solvang, CA 93463

e-Mail: [REDACTED]

PERSONAL AND PROFESSIONAL STRENGTHS

- Innovative manager with exceptional record of outstanding service to customers, staff and owners
- Excellent communicator who takes a creative approach to problem solving
- Experienced Tasting Room Manager who excels at hands-on, personal service to staff, customers and wine club members
- Skillful at tax compliance, bookkeeping and database management
- Proven high standards of responsibility, dedication and performance
- Strong supporter and participant in local chambers, businesses and volunteer organizations

EMPLOYMENT HISTORY / RELEVANT EXPERIENCE

Louise's Kitchen Table/Culinary Creations, Solvang, CA *Executive Chef & Owner* 2004-Present

- Small event catering
- Personal Chef specializing in local ingredients and healthy diets
- Specialty desserts including award-winning cheesecakes
- Dietary consultation

Vega Vineyard & Farm, Buellton, CA *Wine Ambassador & Server (Part-Time)* 2023-Present

Allan Hancock College *Teacher (Part-Time)* 2012-Present

Solvang Taxi & Wine Tours *Independent Contractor Wine Tour Guide* 2018-Present

Wandering Dog Wine Bar, Solvang, CA *Bartender & Server (Part-Time)* 2018-2020

Loring Wine Company, Buellton, CA *Tasting Room Associate (Part-Time)* 2022-Present

Mosby Winery, Buellton, CA *Tasting Room & Wine Club Manager* 2009-2022

- Managed all aspects of the tasting room and wine club
- Responsible for monthly tax compliance, bookkeeping and database management

Ken Brown Wines, Buellton, CA *Tasting Room Associate (Part-Time)* 2017-2019

Longoria Winery, Los Olivos & Lompoc CA *Tasting Room Associate (Part-Time)* 2011-2019

Brander Vineyard, Los Olivos, CA *Tasting Room Manager* 2005-2011

- **Managed all aspects of tasting room, wine club and events**
- **Responsible for monthly tax compliance, sales and trends, newsletters and guest communications**

American Red Cross, Santa Barbara, CA *Donor Database Coordinator* 2005-2010

- **Handled all aspects of incoming donations and donor acknowledgements**

Tenet Healthcare, Santa Barbara, CA *Ethics Representative/Employee Relations* 2002-2004

- **Advised over 115,000 healthcare employees located throughout the USA.**

EDUCATION

- **Masters of Business Administration: Management and Leadership, University of LaVerne, Oxnard, CA**
- **Bachelor of Arts Degree: Sociology, Washington & Jefferson College, Washington, PA**
- **Santa Barbara College of Law, Santa Barbara, CA**

CERTIFICATIONS

- **ServSafe Food Safety Certification**
- **Responsible Beverage Service Certification**
- **Level I Sommelier-Court of Master Sommeliers**

From: [Corey Evans](#)
To: [Public City Council Group](#)
Cc: [Elizabeth Orona](#)
Subject: Letter of Support for Louise Smith for City Council
Date: Wednesday, January 8, 2025 9:38:02 PM

Caution! This message was sent from outside your organization.

Dear Members of the Solvang City Council,

I am writing to express my enthusiastic support for Louise Smith in her candidacy for the Solvang City Council. As a longtime member of this community and a patron of Louise's Kitchen Table catering business, I have had the pleasure of witnessing firsthand the dedication, creativity, and passion she brings to her work.

Louise is not only a talented and successful business owner, she is deeply committed to our community. Her involvement in local events, fundraisers, and support for fellow businesses in Solvang demonstrates her genuine care for the well-being of our city. As someone who works closely with many local vendors and residents, Louise is uniquely positioned to understand the needs of both small businesses and the community at large.

I believe that Louise Smith will bring a fresh perspective to the City Council, with a focus on strengthening local businesses, enhancing community engagement, and ensuring that Solvang remains a welcoming and thriving place for residents and visitors alike. She possesses a strong sense of integrity, a solutions-oriented approach, and a deep love for the values that make Solvang such a special place.

Please join me in supporting Louise Smith for Solvang City Council. I am confident that her leadership will be invaluable to the future of our beloved city.

Thank you for your consideration.

Sincerely,

Corey Evans,
Founder & President
Santa Barbara Wine Country Cycling Tours
winecountrycycling.com | 805.686.9490
Los Olivos, Solvang & Santa Ynez

City of Solvang Proclamation

Refugio del Cielo Chapter of The Daughter's of the American Revolution Proclamation

WHEREAS, on December 13, 2014, The Refugio del Cielo Chapter of The Daughter's of the American Revolution (or DAR) was formed and certified marking this Santa Ynez Valley Chapter's 10th anniversary December of 2024; and

WHEREAS, The National Society of the Daughter's of the American Revolution was founded in 1890 as a non-profit, non-political volunteer women's service organization with each woman having a direct lineal descent from an ancestor who aided in achieving U.S Independence and is dedicated to promoting historical preservation, education, and patriotism across the United States; and

WHEREAS, The Refugio del Cielo Chapter follows this tradition by devoting many hours of service to our active service men and women, as well as our veterans with events and activities honoring them, such as Veteran's Day, Veterans Stand Down, Salute the Troops, the 4th of July parade, and Wreaths Across America. This local chapter also presents youth citizenship awards to schools, as well as scholarships to high school students; and

WHEREAS, the Refugio del Cielo DAR Chapter will continue to strive to make a difference in our community for years to come.

NOW, THEREFORE BE IT RESOLVED, that I, Mayor David Brown, along with the City Council of the City of Solvang, California do hereby proclaim January 2025 as the beginning of the **10th year of the Refugio del Cielo Chapter of the DAR** in our valley.

IN WITNESS THEREOF, I have hereunto set my hand and have caused the Official Seal of the City of Solvang, California, to be affixed this 13th day of January, 2025.



David Brown, Mayor



CITY COUNCIL ADVANCE CALENDAR

Meeting Date	Agenda Item	Agenda	Dept
27-Jan	Compensation & Class Study Receive & File	Consent	Finance
	Annual Comprehensive Financial Report	Discussion	Finance
	Black History Month	Proclamation	Clerk
	Human Trafficking Awareness	Proclamation	Clerk
	Award Recreation Master Plan contract	Discussion	Parks & Rec
10-Feb	Short Term Vacation Rental update	Discussion	Finance/Planning
	Compensation & Class Study	Discussion	Finance
	Video Surveillance Policy	Discussion	Administration
	Mid-Year Budget Adjustments	Discussion	Finance
	Brown Act, Public Records Act, Levine Act Training	Presentation	City Attorney
10-Mar	Adopt Fee Schedule Reso	Public Hearing	Finance
	RFQ Interim Financing WWTP Administration	Discussion	Finance
Future Meetings	Storm drain modification	Discussion	Public Works
	Outdoor dining ordinance	Public Hearing	Planning
	Modify City Code Title 9, Chapter 3, 9-3D-3 Water Conservation	Public Hearing	Utilities
	JJ Fisher Construction NOC	Discussion	Public Works
	Award Nyborg Estates Water Mainline Replacement Contract	Discussion	Utilities
	Calpers Debt Reduction Plan	Discussion	City Manager

Council Requested Agenda Items

Meeting Date	Agenda Item	Agenda	Dept
	Fire abatement and brush removal program	Discussion	City Manager
	Guidebook for development standards	Discussion	Planning
	DRC Role & Processing Procedures	Discussion	Planning
	On-street Parking Restrictions Policy Direction	Discussion	Public Works

Annual Reports

	Agenda Item	Agenda	Dept
January	Annual Comprehensive Financial Report	Discussion	Finance
January (odd years)	Brown Act, Public Records Act, Levine Act Training	Presentation	City Attorney
January (odd years)	Appointment to Boards, Commissions, Committees	Discussion	City Clerk
January	Fee Schedule Review	Discussion	Finance
January	Investment Policy Annual Review	Discussion	Finance
February (even years)	Budget to Actual	Discussion	Finance
February	Measure A 5-Year Local Program of Projects	Public Hearing	Public Works
February	Mid-Year Budget Adjustments		Finance
February (even years)	Council Budget Goal Setting	Public Workshop	City Manager
March	Housing General Plan Annual Report	Discussion	Planning
March	SB1 RMRA project List	Public Hearing	Public Works
March	Solvang Mesa LLMD Annual Assessment	Public Hearing	Public Works
March	FTA 5311 Grant Agreement	Consent	Public Works
March	TDA Grant Funding	Consent	Public Works
May (even years)	Ordinance 1st Reading & Adoption Conflict of Interest	Public Hearing	City Attorney
May	Grant Funding Applications review	Discussion	Finance
Oct/Jan/April/July	Quarterly Financial Reports	Consent	Finance
Oct/Jan/April/July	Quarterly Marketing Update	Presentation	Parks & Rec
Oct/Jan/April/July	Quarterly Public Records Requests Report	Consent	City Clerk
June	Preliminary Budget	Discussion	Finance
June	Two-Year Financial Plan Development or Supplemental Budget adoption	Discussion	Finance
June	Capital Improvement Program	Discussion	FIN/Public Works
June/July	Amend Appropriation Limit (GANN)	Public Hearing	
November	Stormwater Management Program Annual Report	Consent	Public Works
December	AB 1600 Report	Discussion	Public Works
December	City Council Reorganization - Appointment of Mayor pro tem	Discussion	City Clerk
December (even years)	City Council Reorganization Council selection of representatives to Committees and Agencies	Discussion	City Clerk

WWTP IMPROVEMENT PROJECT UPDATE



AGENDA

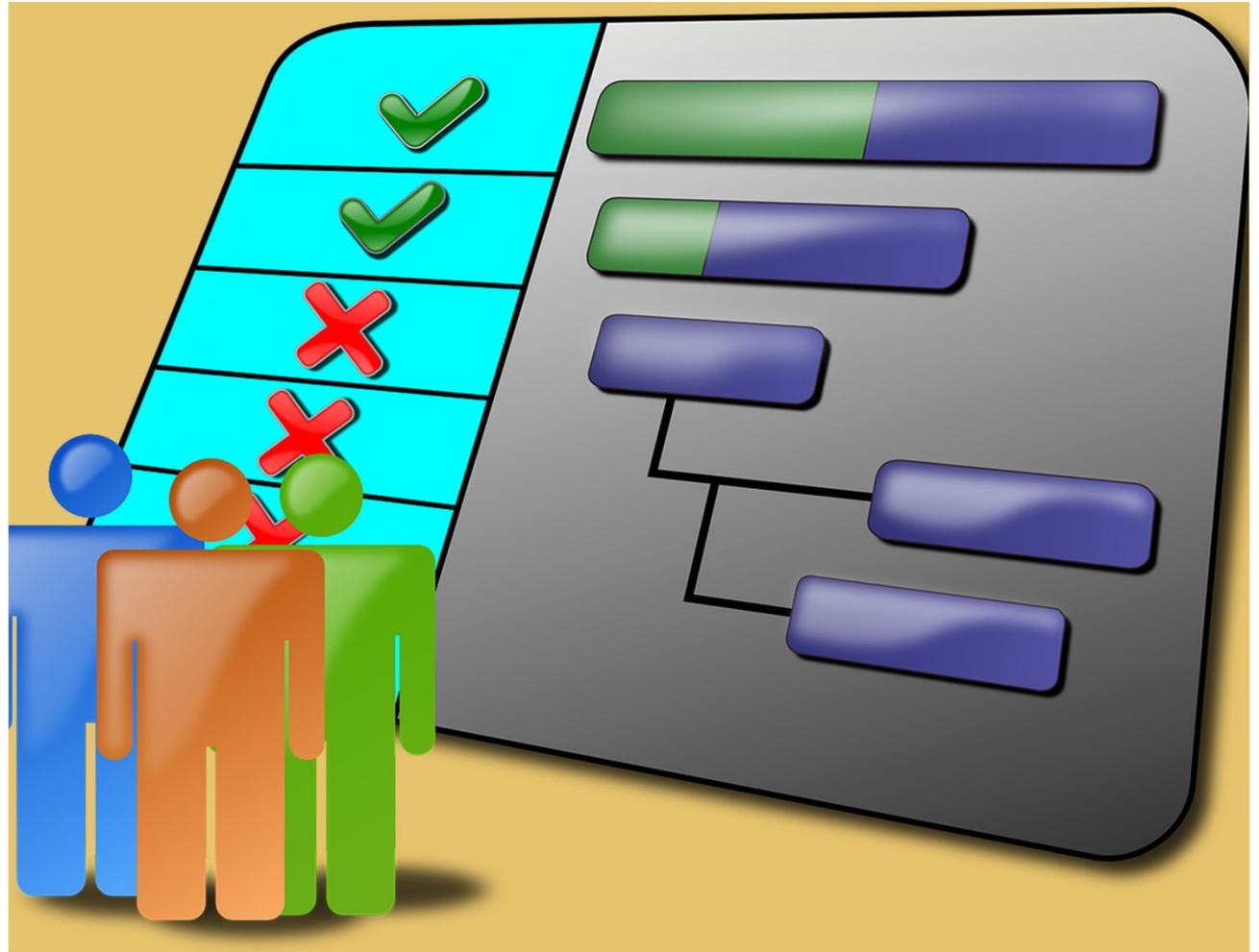
Funding Update

Design Update

Anticipated RFP Release

Anticipated Construction Update

Regulatory Update



USDA FUNDING UPDATE

- Updating Preliminary Engineering Report (PER)
- Submittal of environmental documents, CEQA and NEPA
- Submittal of loan application for USDA review, amount financed ~\$15.9 m



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WWTP UPGRADE DESIGN UPDATE

- Reengage with Carollo to commence the Engineering and Design phase
- Discussions for Administration Building design
- Discussions for the plant processes and infrastructure
- Anticipate 100% Plans by end of 2025



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REQUEST FOR PROPOSALS

- Anticipate releasing RFP for construction 1st quarter of 2026
- Selection of contractor 2nd quarter 2026

CONSTRUCTION UPDATE

- Anticipated construction timeline, 2nd quarter 2026 through 1st quarter 2028
- Acceptance of project 2nd quarter 2028

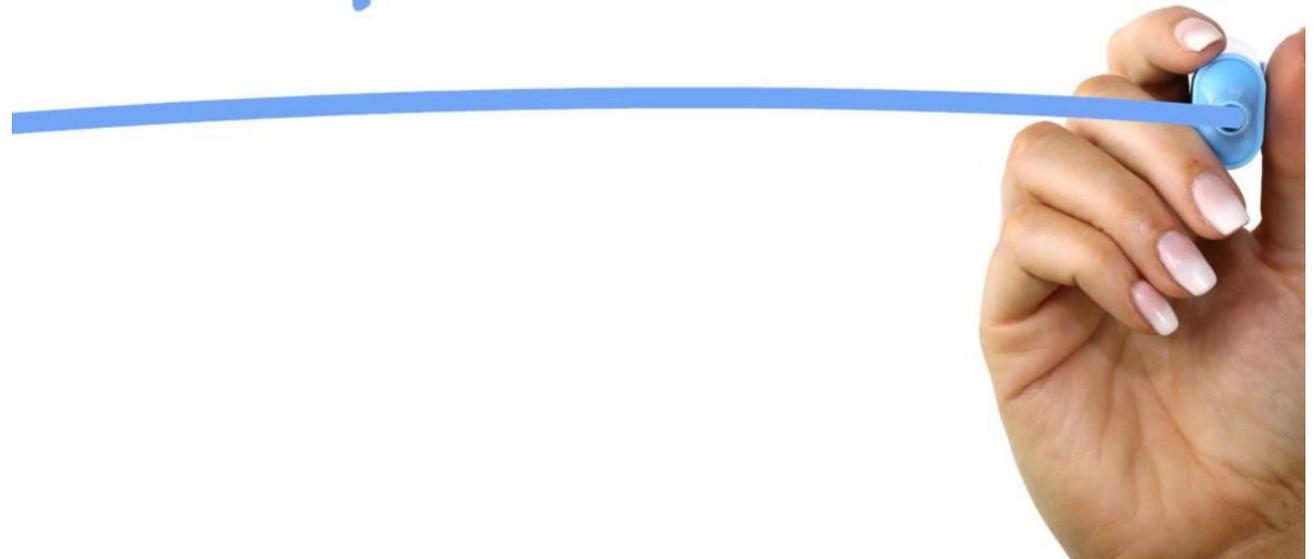


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REGULATORY UPDATES

- Working with Carollo on Source Water Study
- Collecting water quality data from surrounding wells
- Discussing options to treat for current imposed parameters
- Discussing regulatory approaches to present to RWQCB

REGULATIONS



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**MINUTES
SOLVANG CITY COUNCIL
MONDAY, DECEMBER 9, 2024**

Regular and Adjourned Regular Meeting – 6:30 PM

6:30 PM REGULAR MEETING

CALL TO ORDER

Mayor Infanti called the Regular meeting to order at 6:33 p.m. in the City Hall Council Chamber, 1644 Oak Street, Solvang, California.

ROLL CALL

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

Staff: City Manager Randy Murphy, City Attorney Chelsea O'Sullivan, City Clerk Annamarie Porter, Planning Manager Rafael Castillo

PLEDGE OF ALLEGIANCE

Buellton Mayor-Elect David Silva led in the Pledge of Allegiance.

1. **PROCLAMATIONS, COMMENDATIONS AND CEREMONIAL ITEMS** - None
2. **PRESENTATIONS** - None
3. **PUBLIC COMMUNICATIONS – NON-AGENDA AND CONSENT ITEMS**

Mayor Infanti invited public comments.

Al Cortese
Lansing Duncan
Steven Martin

There were no other public comments on Non-Agenda and Consent Items.

4. CITY MANAGER REPORT AND ADVANCE CALENDAR

City Manager Murphy reported the tree burn was rescheduled to January 3, 2025; noted an email from SBCAG reminding everyone there is still an opportunity to provide input for unmet transit needs.

5. GC SECTION 53232.3(d) (aka AB 1234) and GC SECTION 84308 (aka SB 1439) REPORT OUT, COUNCIL COMMENTS, REQUESTS

Mayor pro tem Brown thanked the Parks and Recreation Department for the parade and the tree-lighting ceremony and his approval of the crossing guards.

Councilmember Elizabeth Orona thanked Staff for the parade event and reported she (virtually) and Mayor pro tem Brown attended the Valley Wide Groundwater Management Area (Central, Western and Eastern Management Area) JPA Committee meeting.

Mayor Infanti thanked Staff for the Friday and Saturday events.

6. CONSENT ITEMS

- a. Approve Order of Agenda as Presented
- b. Approve City Council Minutes: November 25, 2024
- c. Receive and File Visit SYV 2nd quarter report
- d. Adopt Resolution No. 24-1274, a Resolution of the City Council of the City of Solvang California Reciting the Facts of the General Municipal Election held on November 5, 2024, and Declaring the result and such other matters as provided by law; and

Declare the Vote of the People to Adopt by Title only Ordinance No. 24-379, an Ordinance of the People of the City of Solvang, California Amending Section 3-2-2 of the Solvang Municipal Code to Continue and Modify the Transient Occupancy Tax Rate from 12 Percent to 14 Percent and Make a Determination of Exemption under the California Environmental Quality Act

- e. Receive and file SR 154 and Roblar Avenue Intersection Safety Concerns letter

Motion by Councilmember Clarke to approve Consent Items, seconded by Mayor pro tem Brown and carried, 5-0.

7. PUBLIC HEARINGS - None

8. DISCUSSION ITEMS

- a. Discussion and Possible Action to:

Adopt by title only, Ordinance No. 24-376 rezoning APN 137-290-013, 012, 022, 024, 029, and 137-310-001 from Recreational (REC) to Open Space (OS) and Amend the official Zoning Map of the City of Solvang to reflect the same. For second reading

Adopt by Title Only, Ordinance No. 24-377 Creating the Village Design District Overlay Zone (DD-1); Rezoning the Tourist Commercial (TRC) Zone to Village Mixed-use (VMU); Rezoning the Institutional (I) Zone to Public/Institutional (PI); Rezoning APN 139-300-001 (Creekside Open space) from Recreational (REC) to Open space (OS); Rezoning APN 139-181-014 5 10 24 46 49 Agenda 2024-12-09 CC (Solvang Park) from Recreational (REC) to Parks (P); Rezoning APN 139-181-061 (parking lot across from Solvang Park), APN 139-173-018 (parking lot between Mission Street and Copenhagen Drive), APN 139-174-040 and APN 139-174-042 (Oak Street parking lot), and APN 139-191-008 (annex building) from Tourist Commercial (TRC) to Public/Institutional (PI); and Amending the official Zoning Map and Title 11 (Zoning Ordinance) of the Solvang Municipal Code to reflect the same. For second reading

Adopt by Title Only, Ordinance No. 24-378 of the City Council of the City of Solvang California Repealing and Replacing Title 11 (Zoning Regulations) of the Solvang Municipal Code and the Official Zoning Map of the City of Solvang. For second reading.

Planning Manager Castillo presented details of the report.

City Attorney O'Sullivan noted these updates make up for the lack of updates for decades; reported the hope and goal is to get the City to a point where going forward, the updates will be more "bite size" that are more reactive to State law as it comes about.

Mayor Infanti invited public comments.

Steven Martin
Al Cortese
Craig Kent
Aaron Petersen
Ed Skytt

There were no other public comments on this item.

Regarding Ordinance No. 24-377, Councilmember Claudia Orona declared she has conflict of personal interest within 500-1,000 feet of the zone change in question; recused herself and left the chamber.

Regarding Ordinance No. 24-377 and Ordinance No. 34-376, Councilmember Elizabeth Orona declared she has conflicts of personal interest within 500-1,000 feet of the zone change in question; recused herself and left the chamber.

Discussion followed regarding the consequences and alternatives to not adopting Ordinance No. 24-377, timing, Staff recommendations and alternatives, most recent communication with HCD, Staff's responsibility to provide Council with advice that provides the least risk option and the importance of having a compliant Housing Element.

Motion by Mayor Infanti to adopt by title only Ordinance No. 24-377 and direct staff to bring forward for a community public workshop within 60 days the following:

- *Amendment to the general plan to remove the R-3 lots from the Village Design District*
- *Amendment to the Zoning Ordinance to repeal Chapter 10 objective standards for the Village Design District (DD-1)*
- *Amendment to the Zoning Ordinance Table 11.7 to only allow up to 49% of the gross floor area for residential uses in the VMU, seconded by Mayor pro tem Brown, and carried 3-0. Councilmembers Claudia and Elizabeth Orona absent (recused).*

Councilmember Claudia Orona returned to the chamber.

City Attorney O'Sullivan addressed Ordinance No. 24-376.

Motion by Mayor pro tem Brown to adopt by title only Ordinance No. 24-376, seconded by Mayor Infanti, and carried 4-0. Councilmember Elizabeth Orona absent (recused).

Councilmember Elizabeth Orona returned to the chamber.

Motion by Mayor Infanti to adopt by title only Ordinance No. 24-378, seconded by Councilmember Clarke, and carried 5-0.

9. COUNCIL CLOSING COMMENTS

Thanks from Councilmembers to outgoing members, and thanks to the City Manager.

10. ADJOURNMENT – 8:00 p.m.

Mayor Infanti adjourned to an Adjourned Regular Meeting of the City Council on December 9, 2024, immediately after outgoing member Reception.

OPEN SESSION – ADJOURNED REGULAR MEETING

PRESENTATIONS

City Clerk Porter administered the Oath of Office to Mayor-Elect David Brown, and Council Members-Elect Mark Infanti, District 1 and Claudia Orona, District 2.

CALL TO ORDER

Mayor Brown called the Regular meeting to order at 8:23 p.m. in the City Hall Council Chamber, 1644 Oak Street, Solvang, California.

ROLL CALL

Present: Mayor David Brown, Councilmembers Mark Infanti, Elizabeth Orona and Claudia Orona

Staff: City Manager Randy Murphy, City Attorney Chelsea O'Sullivan, City Clerk Annamarie Porter

PLEDGE OF ALLEGIANCE

Al Cortese led in the Pledge of Allegiance.

1. PROCLAMATIONS, COMMENDATIONS AND CEREMONIAL ITEMS

a. Carey McKinnon, Senior Library Technician Retiree

2. PUBLIC COMMUNICATIONS – NON- AGENDA AND CONSENT ITEMS

Craig Kent
Steven Martin

3. CITY MANAGER REPORT AND ADVANCE CALENDAR

City Manager Murphy reported rescheduling the tree burn to January 3; announced a reception honoring Carey McKinnon for her service; reminded applications are open for the vacancies and recognized Rodger Olds for his service to the City and wished him well.

4. GC SECTION 53232.3(d) (aka AB 1234) and GC SECTION 84308 (aka SB 1439) REPORT OUT, COUNCIL COMMENTS, REQUESTS - None

5. CONSENT ITEMS

a. Approve Order of Agenda as Presented

b. Approve amendment 2 to the agreement with SaberDome Corporation dba Lanspeed for IT services for an additional amount not to exceed \$34,205, for a total contract amount not to exceed \$219,541, and to extend the term to June 30, 2025, and authorize the Mayor to execute on behalf of the City

c. Approve Amendment 1 to the Agreement with Brightview Landscape Services for Landscape Maintenance Services for Solvang Mesa for the additional amount of \$22,146, for a total agreement amount not to exceed \$577,285.58, and to extend the term to March 31, 2025, and authorize the Mayor to execute on behalf of the City

- d. Approve a Memorandum of Understanding between the Cities of Lompoc, Buellton, Solvang and the County of Santa Barbara for the operation and shared funding of the inter-agency transit service for the amount not to exceed \$20,000, for a total contract amount not to exceed \$100,000, for the term July 1, 2024 – June 30, 2029 and authorize the Mayor to execute on behalf of the City
- e. Approve Amendment 1 to the agreement with Cannon Corporation for Wastewater Treatment Facility Manual and Adaption Plan Services to extend the term to June 30, 2025, and authorize the Mayor to execute on behalf of the City
- f. Approve 2025 City Council meeting calendar

Motion by Councilmember Elizabeth Orona to approve Consent items, seconded by Councilmember Infanti, and carried 4-0.

6. PUBLIC HEARINGS - None

7. DISCUSSION ITEMS:

- a. Discussion and possible action regarding:
 - i. Designation of Mayor pro tem for 2025
 - ii. Establishing council seating arrangements.
 - iii. Councilmember appointments to Outside Agency Boards and Committees

Motion by Councilmember Elizabeth Orona to appoint Councilmember Claudia Orona as Mayor pro tem for 2025, seconded by Councilmember Infanti, carried 4-0.

Mayor Brown invited public comments.

There were no public comments at this time.

Motion by Councilmember Infanti to accept the present seating position, seconded by Mayor pro tem Claudia Orona, carried 4-0.

Motion by Councilmember Infanti to appoint: Mayor Brown as the SBCAG and APCD representative with Mayor pro tem Claudia Orona as the alternate, City Manager Randy Murphy as the California League of Cities representative with Mayor Brown as the alternate, Councilmember Elizabeth Orona as the EM-GSA representative with Councilmember Infanti as the alternate, Mayor pro tem Claudia Orona as the Central Coast Community Energy representative with Councilmember Infanti as the alternate, Councilmember Infanti as the Santa Barbara County Library Advisory Committee representative with Mayor pro tem Claudia Orona as the alternate, the to-be-determined Councilmember as the representative for JPIA with Mayor pro tem Claudia Orona as the alternate, seconded by Councilmember Elizabeth Orona, carried 4-0.

8. COUNCIL CLOSING COMMENTS

Mayor Brown wished Staff and residents a Merry Christmas and Happy Holidays.

9. ADJOURNMENT -The meeting was adjourned at 9:03 p.m.

Respectfully submitted:



CITY COUNCIL STAFF REPORT

Agenda Item: 7.c

Meeting Date: January 13, 2025

SUBJECT: Adopt Resolution 25-1275, authorizing signatories to City Bank Accounts with Montecito Bank & Trust.

PREPARED BY: Wendy Berry, Administrative Services Director

DISCUSSION:

Montecito Bank & Trust requests specific designation of individuals for authorized access to the City's bank accounts with that institution. The attached Resolution specifies the Mayor, Mayor Pro Tem, City Manager, and Administrative Services Director as authorized positions for signature on the City's MBT accounts. Approval of the Resolution will authorize Randy Murphy, City Manager, David Brown, Mayor, Claudia Orona, Mayor pro tem and Wendy Berry, Administrative Services Director as authorized signors. Once the resolution is signed MBT will generate new signature cards and each individual will need to go to the bank and sign the new cards.

ALTERNATIVES:

No changes

FISCAL IMPACT:

No fiscal impact

ATTACHMENTS:

A. Resolution 25-1275

RESOLUTION NO. 25-1275

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SOLVANG, CALIFORNIA AUTHORIZING SIGNATORIES TO CITY BANK ACCOUNTS
WITH MONTECITO BANK AND TRUST**

WHEREAS, the City maintains bank accounts with Montecito Bank & Trust ending in XXXXX6832 and XXXXX3849; and

WHEREAS, the City's existing check authorization policy designates the Mayor, Mayor pro tem, City Manager and Administrative Services Director as authorized signatories to the City's bank accounts; and

WHEREAS, Montecito Bank & Trust has requested the City provide explicit authorization to named individuals for access to the bank accounts listed above.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOLVANG DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Recitals set forth above are true and correct and are adopted in support of the Council's action herein.

SECTION 2. The City Council hereby authorizes the following individuals to be signatories for the City's accounts with Montecito Bank & Trust ending in XXXXX6832 and XXXXX3849: David Brown, Mayor, Claudia Orona, Mayor pro tem, Randy Murphy, City Manager, and Wendy Berry, Administrative Services Director.

SECTION 3. The City Council hereby directs removal of Mark Infanti and Elizabeth Orona as authorized signatories to the bank accounts identified in Section 2.

SECTION 4. This Resolution is effective immediately upon adoption.

SECTION 5. The City Clerk shall certify the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED, AND ADOPTED on this 13th day of January, 2025.

David Brown, Mayor

APPROVED AS TO FORM:

ATTEST:

Craig Steele, Acting City Attorney

Annamarie Porter, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA)ss
CITY OF SOLVANG)

I, Annamarie Porter, City Clerk of the City of Solvang, California do hereby certify that Resolution No. 25-1275 was passed and adopted by the City Council of the City of Solvang at a regular meeting of said City Council held on the 13th of January 2025, and thereafter signed and approved by the Mayor and attested by the City Clerk, and that said resolution was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Annamarie Porter, CMC, City Clerk



AGENDA ITEM 7.d

Meeting Date: January 13, 2025

SUBJECT: Approve Amendment 1 to the Agreement with Pavement Engineering, Inc for the preparation of design and construction documents for the Alamo Pintado Rehabilitation project for the additional amount of \$99,745, for a total agreement amount not to exceed \$130,441, and to extend the term to December 31, 2025, and authorize the Mayor to execute on behalf of the City.

PREPARED BY: Randy Murphy, City Manager

DISCUSSION:

Pavement Engineering, Inc. (PEI) has been under contract with the City to update the Pavement Management Program which also included pavement conditional inspection, substantial roadway deflection testing, and a 10-year capital program of projects to treat every public roadway surface in the City of Solvang within a 10-year timeframe with the correct and recommended roadway treatment. The first project on the list is the rehabilitation of Alamo Pintado Road from Vyborg to the northern City limit.

In order to expedite the process of design and construction, staff asked PEI to provide a cost proposal to prepare plans and specifications to formally bid the project for construction. Having recently assessed the roadway and recommended the appropriate treatment for the roadway, PEI is uniquely positioned and qualified to prepare the design and can begin the design process without the need to come up to speed on the roadway and the needed rehabilitation.

The proposed design cost is roughly 4.5% of the estimated construction costs for the project which is consistent with industry standards. The design proposal and contract amendment are “not to exceed”, therefore the design costs will only be for the costs as needed to complete the design and produce the bid documents.

ALTERNATIVES:

Council could decide to not approve Amendment No. 1 to the Contract, and direct staff to advertise a formal RFP for the design or the roadway. This would result in delays to the design and ultimately the construction of the project and would likely not result in cost savings to the City.

FISCAL IMPACT: The design cost for this project is included in the Capital Improvement Program. No budget adjustments are required.

ATTACHMENTS:

A. Amendment 1 to the Agreement with Pavement Engineering, Inc.

AMENDMENT NO. 1

to the Agreement with

PAVEMENT ENGINEERING, INC

THIS FIRST AMENDMENT is made and entered into this **13th** day of **January 2025** between the **CITY OF SOLVANG**, a municipal corporation, and Charter City and **PAVEMENT ENGINEERING, INC**, a California Corporation with its principal place of business at 3485 Sacramento Drive, Suite A, San Luis obispo, CA 93401 (Consultant). In consideration of the mutual covenants and conditions set forth in the original Agreement dated, **April 3, 2024**, the parties agree to this first amendment for the preparation of design and construction documents for the Alamo Pintado Rehabilitation project (Exhibit A) for the additional amount of **\$99,745**, for a total contract amount not to exceed **\$130,441**, and to extend the term to **December 31, 2025**.

Campaign Contribution Disclosure: Pursuant to Government Code Section 84308, any party to a City proceeding (which includes, but is not limited to, all contracts with the City, other than competitively bid, labor, or personal employment contracts) must disclose on the record any campaign contributions made to a member of the City Council or other elected or appointed officer of the City, any candidate for elected office of the City, or any candidate for elective office of any other agency who is also an elected or appointed officer of the City in excess of \$250 in the past 12 months. This disclosure requirement includes contributions by the party’s agent, such as a consultant, and aggregated contributions from persons or entities related to the party. Consultant is required to fill out and provide the attached “Exhibit C” Applicant/Interested Party Campaign Contribution Disclosure Form’ with submission of this Agreement and to update this form after each contribution and no later than the beginning of any associated proceeding.

All remaining portions of the original Agreement and applicable portions of prior Amendment(s) shall remain in full force and effect.

CITY OF SOLVANG

BRIGHTVIEW LANDSCAPE SERVICES, INC

David Brown, Mayor

Joseph L. Ririe, Senior Principal Engineer

APPROVED AS TO FORM:

Craig Steele, Acting City Attorney

ATTEST:

Annamarie Porter, City Clerk



November 19, 2024

MP24-676

Rodger Olds, P.E.
 Public Works Director/City Engineer
 City of Solvang
 411 Second Street
 Solvang, CA 93463

Subject: Preparation of Plans, Specifications and Estimates for the City of Solvang's Alamo Pintado Road Pavement Rehabilitation Project

Dear Rodger:

We are pleased to submit our proposal for the subject project. We value our relationship with the City of Solvang and appreciate your confidence in our services. Our proposal for this work is outlined below.

SCOPE OF WORK

The scope of this work is to prepare design documents for the Alamo Pintado Road pavement rehabilitation project. This project includes the following street:

- Alamo Pintado Road – Viborg Road to the North City Limit (~3,675 LF, 2 lanes)

We have broken our work into several tasks for your review.

TASK 1 – PROJECT ADMINISTRATION AND MEETINGS

This work includes a kick-off meeting with Solvang staff to confirm the project's scope of work, schedule, budget and availability of project documents; review project goals; discuss format of deliverables; and clarify the responsibilities of each party for the project.

Progress meetings will be arranged to review the work at critical stages. For this project we are recommending that we meet at the 65% stage to confirm the design approach and budget and the 95% stage to review and confirm the final documents. We anticipate three (3) in person and or virtual meetings with City of Solvang staff.

TASK 2 – PRELIMINARY ENGINEERING

The purpose of this task is to gather and confirm all necessary information, either from field measurements or existing archives, to facilitate the design and development of the project's contract documents. This information can then be used to refine the project to fit the City's anticipated construction budget.

Phase 2.1 – Measure Field Quantities

PEI will physically walk each of the project street to measure and record all pertinent field quantities, including the location of existing striping, pavement markers and paint markings; location of underground utility covers; and the total area of pavement to be resurfaced. If we identify any concrete repairs or tree root damage during our field reviews, we will note it and bring it to the City's attention to determine if the repairs should be added to the contract.

As part of our proposal preparation, PEI determined that there are eleven (11) curb ramp locations within the project limits. Included in the task will be assessing each of the curb ramp locations to determine if they conform to the latest Caltrans A88A and A88B Standard Plans and DIB 82-06 guidelines for curb ramp designs. This information will be compiled and reviewed with City staff to determine which locations will receive updated curb ramps.

Phase 2.2 – Monument Perpetuation

State Business and Professions Code Section 8771 requires that a licensed land surveyor or registered civil engineer legally authorized to practice land surveying reference the monuments any time a street, highway, right-of-way or easement is improved, constructed, reconstructed, maintained or resurfaced. If a monument is relocated, it must be reset into the surface of the new construction and recorded with the County Surveyor's Office; otherwise, monuments must be retained or replaced in their original positions upon completion of the work. The local government agency that has jurisdiction over the project property also must be involved in the monument identification and preservation process.

PEI will assist the City of Solvang with compliance of Section 8771 by using a licensed surveyor from Pace Engineering to perform a records search to locate any potential recorded survey monuments within the project streets. Our surveyor will prepare a written report that PEI will review with the City to determine which monuments might potentially be disturbed during construction and how to perpetuate them.

Phase 2.3 – Concept level budget analysis

After the site investigations and work outlined in Phases 2.1 and 2.2 are complete, PEI will meet with the City to review the gathered information. During the meeting, we will review preliminary cost information as well as discuss any drainage issues that are observed to determine if and how to implement the needed improvements.

In addition to the tasks listed above, PEI will coordinate with City staff to obtain the following information:

- Parcel data for right-of-way, subdivision maps, corner records, monument data
- Facility maps from utility agencies
- Other available design data such as drainage facility maps, traffic data, City standards, front-end specifications, etc.

Task 2 – Deliverables

- A budget breakdown and 65% plans

TASK 3 – DEVELOP PLANS, SPECIFICATIONS AND ESTIMATES

Our work for this task includes all the items required to prepare and finalize bidding documents.

Phase 3.1 – 65%, 95% and Final PS&E Submittals

PEI will develop plans and technical specifications for the project using the pavement evaluation report prepared by PEI dated June 14, 2024 for the City of Solvang. We will submit any portion of the work that requires further clarification in the form of drafted plan views, details, elevations, or cross sections, as is necessary. PEI will use aerial photographs from AutoCAD's online map database supplemented with the field data collected in Phase 2.1 to develop base sheets.

We will meet with City staff after their review of the 65% submittal to resolve any outstanding issues and will adjust the contract documents accordingly. We will submit again at the 95% design stage. At this stage, we will submit our technical specifications for City review. The technical specifications will be in CSI format. The City will provide the front end documents. A final 100% submittal will follow after we receive the City's 95% comments.

PEI will show the existing striping and pavement markings on the plans. It is anticipated that the existing striping pattern will remain the same. Significant changes in the striping pattern will constitute a change in scope and may trigger additional fees.

This task includes specifying the type and location of any curb ramp upgrades on the plans. It is anticipated that the curb ramps will be field fit during construction. To facilitate the construction work, we will collect the quantities necessary to construct each ramp. The quantities will be tabulated and included in the plan set. The curb ramps to be upgraded will be determined by City staff based on the information PEI collected as part of our curb ramp assessment. This work does not include topographic survey and detailed curb ramp designs with dimensions and elevations.

Phase 3.2 – Utility Research

PEI will coordinate with local utility companies and incorporate all utility facilities affecting the projects into the contract documents. PEI's field crew will collect the location of all the visible utility covers located within the project street limits. This information will be supplemented with information gathered from PEI's outreach to utility companies. PEI will obtain a current listing of utility companies and contact information from the City for this task.

Task 3 – Deliverables

- The 65% submittal will include a PDF file of the plans and an engineer's estimate.
- The 95% submittal will include a PDF file of the plans, engineer's estimate and an electronic version of the technical specifications.
- Final approved drawing submittals will include one electronic version of the plans, estimates and technical specifications.

TASK 4 – BID PERIOD SERVICES

During the bid period, we will be available to answer any specific questions from the City concerning the design. Should the need arise, we will prepare an addendum as required. In addition, we will also be available to attend a pre-bid meeting and help with questions from the contractors during the bidding process. All fees for this task will be on a time and materials bases.

TASK 5 – CONSTRUCTION SUPPORT

During construction, PEI will provide construction support as needed. This work may include reviewing material submittals, answering contractor RFIs, and attending meetings as requested. Our work for this task will be invoiced on a time and material basis. We have included an estimated amount in our fee schedule.

EXCLUDED WORK

Our work excludes performing topographic survey and researching ROW, developing traffic control or phasing plans, preparing detailed curb ramp designs, culvert upgrades, performing complete street studies and providing material testing and inspection services during construction. Also not included is any electronic locating or potholing of underground utilities. It is anticipated that the project will be confined to the existing footprint of each roadway and therefore any design work related to CEQA is excluded. In addition, our work excludes any design for green infrastructure as required by the current MRP. PEI will provide a proposal for any of these services at the City's request.

Rodger Olds, P.E.
MP24-676
November 19, 2024
Page 5

OBLIGATIONS

PEI's indemnity obligations to the City on the Project shall not exceed the fees paid by the City to PEI on the Project. Neither party shall be liable to the other for any incidental, indirect or consequential damages.

PROPOSED SCHEDULE

PEI anticipates being able to deliver a completed bid package by the first week of March 2025 so the City of Solvang can bid the project early in the year when the City can expect to receive the most competitive bids.

PROPOSAL FEE & FEE BREAKDOWN

Pavement Engineering's fee for the work is based on our experience with similar projects performed for agencies throughout the State. We estimate our fee for the outlined work will be \$99,745, which is based on a project with construction costs of approximately \$2,200,000.

The attached fee breakdown schedules show our projected costs for each project task. The individual fees associated with each task will serve as guidelines for progress payments. All fees and costs associated with this project are subject to final negotiation with the City of Solvang. Any change in scope may result in additional fees. The enclosed proposal conditions apply.

Please feel free to contact us at (805) 781-2265 with any questions you may have concerning this proposal.

Very truly yours,
PAVEMENT ENGINEERING INC.



Joseph L. Ririe, P.E.
Senior Principal Engineer

Attachments: Estimated Fee Breakdown Schedule
 Proposal Conditions

pc: C File
 M File
 MP Files

**ESTIMATED FEE BREAKDOWN SCHEDULE
 CITY OF SOLVANG
 ALAMO PINTADO ROAD PAVEMENT REAHBILITATION PROJECT**

TASK 1 PROJECT ADMINISTRATION AND MEETINGS				
Position	Rate	Hours	Total	
Senior Principal Engineer	\$270	24	\$6,480	
Associate Engineer	\$190	24	\$4,560	
Senior Engineering Technician	\$165	24	\$3,960	
			Est. Total:	\$15,000
TASK 2 PAVEMENT ANALYSIS & PRELIMINARY ENGINEERING				
Phase 2.1 Measure Field Quantities				
Associate Engineer	\$190	8	\$1,520	
Senior Engineering Technician	\$165	15	\$2,475	
Engineering Technician	\$150	15	\$2,250	
			Est. Total:	\$6,245
Phase 2.2 Monument Perpetuation				
Associate Engineer	\$190	4	\$760	
Pace Engineering - Monument Perpetuation Report			\$1,850	
			Est. Total:	\$2,610
Phase 2.3 Concept Level Budget Analysis				
Senior Principal Engineer	\$270	8	\$2,160	
Associate Engineer	\$190	16	\$3,040	
Senior Engineering Technician	\$165	16	\$2,640	
			Est. Total:	\$7,840
TASK 3 PLANS, SPECIFICATIONS and ESTIMATES				
Phase 3.1 65%, 95% and Final PS&E Submittals				
Senior Principal Engineer	\$270	27	\$7,290	
Associate Engineer	\$190	59	\$11,210	
Assistant Engineer	\$185	86	\$15,910	
Senior Engineering Technician	\$165	64	\$10,560	
Engineering Technician	\$150	64	\$9,600	
			Est. Total:	\$54,570
Phase 3.2 Utility Research				
Associate Engineer	\$185	4	\$740	
Senior Engineering Technician	\$165	16	\$2,640	
			Est. Total:	\$3,380

(Continued on Next Page)

**ESTIMATED FEE BREAKDOWN SCHEDULE
 CITYOF SOLVANG
 ALAMO PINTADO ROAD PAVEMENT REHABILITATION PROJECT (Cont.)**

TASK 4 BID SUPPORT SERVICES			
Senior Principal Engineer	\$270	2	\$540
Associate Engineer	\$190	8	\$1,520
Senior Engineering Technician	\$165	8	\$1,320
Est. Total:			\$3,380
TASK 5 CONSTRUCTION SUPPORT			
Senior Principal Engineer	\$270	8	\$2,160
Associate Engineer	\$190	24	\$4,560
Est. Total:			\$6,720
Total Estimated Project Fee:			\$99,745

PROPOSAL CONDITIONS

1. Proposal is valid for thirty days from the date of the proposal.
2. All work shall be performed utilizing common methods and practices of the civil engineering profession. Reports and construction documents will be signed by a registered civil engineer.
3. Fees for Lump-Sum or Unit Price Proposals will be charged at the quoted price. The quoted prices include all laboratory testing costs. Fees for Engineering and Technical Services on a Time and Materials Basis will be charged at the applicable hourly rates of the current PEI Fee Schedule.
4. The proposal is based upon providing liability insurance with limits up to \$2,000,000.
5. Payment: Invoices will be submitted at the completion of the work for Engineering Reports. Inspection fees will be invoiced on a monthly basis. All invoices are due upon receipt. Interest of 1-1/2% per month (but not exceeding the maximum rate allowable by law) will be payable on any amounts not paid within 30 days, payment thereafter to be applied first to accrued interest and then to the principal unpaid amount. Attorneys' fees or other costs incurred in collecting any delinquent amount shall be paid by the client.



CITY COUNCIL STAFF REPORT

AGENDA ITEM 7.e

Meeting Date: January 13, 2025

SUBJECT: Adopt Resolution No. 25-1276 to adopt the updated RATP DEV/Santa Ynez Valley Transit FTA Drug and Alcohol Policy.

PREPARED BY: Randy Murphy, City Manager

DISCUSSION:

The U.S. Department of Transportation provides federal funding to states for transit operations through the Federal Transit Administration (FTA) to support operating assistance projects for non-urbanized public transportation systems under Section 5311 of the Federal Transit Act. The California Department of Transportation (Caltrans) administers these federal Section 5311 grant funds for rural transit and intercity bus service throughout the state.

The Santa Ynez Valley Transit System is allocated Section 5311 funds annually for the operation of the SYVT service. Section 5311 funds are an integral and necessary part of the funding for Santa Ynez Valley Transit (SYVT) system.

The FTA requires the service provider (RATPDev) to have a Drug & Alcohol Policy approved by the Administrative Agency (City of Solvang).

ALTERNATIVES:

City Council could choose not to approve the Resolution. This is not recommended, as it would jeopardize Federal transit funding for the SYVT service area.

FISCAL IMPACT:

None

ATTACHMENTS:

- A. 25-1276 FTA Section 5311
- B. RATPDev Drug & Alcohol Policy

RESOLUTION NO. 25-1276

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLVANG, CALIFORNIA ADOPTING
THE UPDATED RATP DEV/SANTA YNEZ VALLEY TRANSIT
FTA DRUG AND ALCOHOL POLICY**

WHEREAS, the City of Solvang maintains an agreement with the County of Santa Barbara and the City of Buellton for the funding and administration of the Santa Ynez Valley Transit (SYVT) bus service; and

WHEREAS, the City of Solvang is the authorized administrator of the SYVT program; and

WHEREAS, given that the SYVT program utilizes Federal funding, the Federal Transit Administration (FTA) requires the City adopt and maintain a current substance abuse policy; and

WHEREAS, the Caltrans has updated its procedures for oversight of subrecipient FTA Drug and Alcohol Policies and requires any subrecipient with a Policy that was adopted before November 2023 to adopt an updated policy reflective of one of its FTA-approved templates; and

WHEREAS, the City's contracted service operator RATP Dev is responsible for adherence to all required substance abuse policies, reporting, and monitoring, RATP Dev has updated its FTA Drug & Alcohol Policy to reflect the most current FTA and Caltrans requirements; and

WHEREAS, failure to adopt the proposed RATP Dev/Santa Ynez Valley Transit FTA Drug & Alcohol Policy could result in a negative finding in the City's future FTA and/or TDA Triennial Performance Audits, and jeopardize Federal transportation funding for the operation of the SYVT program.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOLVANG DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council of the City of Solvang adopts as findings the recitals set forth above.

SECTION 2. That this resolution shall be effective upon adoption.

SECTION 3. That the City Clerk shall certify to the passage and adoption of this resolution and shall cause a certified copy to be filed in the book of original resolutions.

PASSED, APPROVED, AND ADOPTED on this 13th day of January, 2025.

David Brown, Mayor

APPROVED AS TO FORM:

ATTEST:

Craig Steele, Acting City Attorney

Annamarie Porter, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA)ss
CITY OF SOLVANG)

I, Annamarie Porter, City Clerk of the City of Solvang, California do hereby certify that Resolution No. 25-1276 was passed and adopted by the City Council of the City of Solvang at a regular meeting of said City Council held on the 13th day of January 2025, and thereafter signed and approved by the Mayor and attested by the City Clerk, and that said resolution was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Annamarie Porter, City Clerk



**SANTA YNEZ VALLEY TRANSIT
DRUG & ALCOHOL POLICY**



RATP Dev USA

***Revised
Effective March 1, 2024***

ROADRUNNER MANAGEMENT SERVICES

240 S. Glenn Drive Camarillo CA 93010



Drug and Alcohol Policy and Prevention Program

Prepared By:

 03/01/2024
June Martinez, Safety Manager, Roadrunner Management Services

Approved By:

 3/6/24
Dominick Perez, General Manager, Roadrunner Management Services

Approved By:


Andre Thingli, General Manager, Roadrunner Management Services

POLICY RATP-001-024

DRUG AND ALCOHOL POLICY AND PREVENTION PROGRAM

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Introduction: Drug and Alcohol Policy and Prevention Program

To: All Covered Employees

From: Roadrunner Management Services / RATP Dev

Date: March 1, 2024

- I) **Purpose:** To establish a Drug and Alcohol policy, program, procedures, and responsibilities in compliance with (49 CFR Part 40 and Part 655). The Drug and Alcohol Policy and Prevention Program is designed to promote a Drug and Alcohol-Free Workplace implementing a safety culture.
- II) **Cancellation:** All Previous **Roadrunner Management Services** Drug and Alcohol policy documents are hereby cancelled. All prior employee participation requirements will remain in effect. RMS/ RATP Dev, retains the sole right to change, amend, or modify any term or provision of this policy, so long as it is more restrictive than governing policy documents and meets federal legislative guidelines.
- III) **Scope:** This policy is to maintain a drug-free and alcohol-free workplace and prohibit the manufacture, sale, distribution, dispensing, possession, or use of illicit drugs and alcohol by any employee in the workplace. The policy prohibits employees from reporting to work under the influence of drug or alcohol. The policy applies to all safety-sensitive transit system employees as identified in “covered employees”. Paid part-time employees and contractors, when performing safety-sensitive duties, are also covered by this policy when performing any Company-related business. This policy applies to off-site lunch periods or breaks when an employee is scheduled to return to work. Additionally, this policy applies to volunteers who perform safety-sensitive duties who are required to hold a Commercial Driver’s License (CDL), or who receive remuneration in excess of his/her actual expenses incurred while engaging in the volunteer activity.
- IV) **Monitoring:** Controlled Substances or Alcohol testing is required by the Federal Motor Carrier Safety Regulations (FMCSR Part 40) and the Federal Transit Administration (FTA Part 655) RMS/ RATP Dev is committed to protecting the safety, health, well-being, and property of its employees, its customers, and the community. Alcohol and drug abuse pose a direct and significant threat to those goals and objectives. The abuse of illicit drugs and/ or alcohol directly interferes with the development and performance of the individual. Also, the effects of that use/ misuse diminish the working environment for all employees. Therefore, it is the Company’s policy to provide a “**zero tolerance,**” drug and alcohol-free workplace.

Zero Tolerance

Pursuant to the Drug-Free Workplace Act of 1988, employees who engage in the unlawful manufacture, distribution, dispensing, possession, or use of prohibited substances on **RMS/ RATP Dev Facilities, in **Contract company vehicles** or RMS/ RATP Dev vehicles, or while on **work duty status** , or RMS/ RATP Dev business, will be immediately discharged.**

Employees who fail to pass a drug and/or alcohol test shall be removed from duty immediately and discharged. A drug or alcohol test is considered positive if the individual is found to have a quantifiable presence of a prohibited substance in the body above the minimum thresholds defined in Title 49, §655.21 §655.31

Participation in Roadrunner Management Services Drug and Alcohol Testing Program is a requirement of each employee performing safety-sensitive duties and is therefore a condition of employment.

Covered employees include:

RMS/ RATP Dev Safety Sensitive Positions and Testing Authorities		
Job Title	Testing Authority	Duties
Managers/ Supervisors With CDL-CLASS B License	FTA	- Operating a revenue service vehicle - Operating a revenue service vehicle when not in revenue service not limited to daily operations - Controlling Dispatch movement of a revenue service vehicle - When non-revenue service vehicle is required to be operated by a commercial driver license (CDL)
Drivers with CDL-CLASS B License (VTT-SPAB-P Endorsements)	FTA	- Operating a revenue service vehicle - Operating a revenue service vehicle when not in revenue service including training - When non-revenue service vehicle is required to be operated by a commercial driver license (CDL)
Dispatchers/ Call Center/ Clerks With CDL- CLASS B License and Dispatchers that are in direct contact with Revenue Service Drivers in compliance with the FTA rule	FTA	- Operating a revenue service vehicle - Operating a revenue service vehicle when not in revenue service including training - Controlling Dispatch movement of a revenue service vehicle - When non-revenue service vehicle is required to be operated by a commercial driver license (CDL)
Vehicle Maintenance Workers With CDL- CLASS B License	FTA	- Operating a revenue service vehicle - Operating a revenue service vehicle when not in revenue service including BTW training - When non-revenue service vehicle is required to be operated by a commercial driver license (CDL)
Detailers/ Utility With CDL- CLASS B License	FTA	- Operating a revenue service vehicle - When non-revenue service vehicle is required to be operated by a commercial driver license (CDL)
Contractors	FTA	- Persons or organizations that provide safety sensitive services that reflect formal or informal ongoing relationship
Managers/ Supervisors	PUC-Non DOT FTA	- Any operation that is not associated with Public Agency revenue services
Senior Staff Positions	PUC-Non DOT FTA	- Any operation that is not associated with Public Agency revenue services
Drivers -C	PUC-Non DOT FTA	- Any operation that is not associated with Public Agency revenue services
Dispatchers/ Call Center/ Clerks	PUC-Non DOT FTA	- Any operation that is not associated with Public Agency revenue services
Drivers-CDL-B	DOT FMCSA	RMS/ RATP Dev Charter Drivers
Mechanics-CDL-B	DOT FMCSA	RMS/ RATP Dev Charter Drivers

ROADRUNNER MANAGEMENT SERVICES HAS ADOPTED A DRUG AND ALCOHOL POLICY TO CONVEY OUR COMMITMENT TO THE SAFETY OF OUR PASSENGERS, THE PUBLIC AND OUR FELLOW EMPLOYEES. IT IS THE COMPANY POLICY TO PROVIDE FOR A DRUG-FREE AND ALCOHOL-FREE WORK ENVIRONMENT. THE OMNIBUS TRANSPORTATION EMPLOYEE TESTING ACT OF 1991 REQUIRES TRANSPORTATION INDUSTRIES TO ADOPT A STRICT DRUG AND ALCOHOL TESTING PROGRAM FOR EMPLOYEES WHO ARE REQUIRED TO HAVE A COMMERCIAL DRIVER'S LICENSE AND PERFORM CERTAIN SAFETY-SENSITIVE FUNCTIONS. THE PROGRAM INCLUDES PROVIDING INFORMATION TO COVERED EMPLOYEES TO ASSIST THEM IN UNDERSTANDING THEIR ROLE AND RESPONSIBILITIES FOR ACHIEVING A DRUG-FREE AND ALCOHOL-FREE WORK ENVIRONMENT. (49CFR PART 40)

1.The Physical Signs of Substance Abuse: DRUG AND ALCOHOL

Seeing physical signs of a substance abuse problem(s) may be difficult because abusers often become good at hiding them. Physical signs and symptoms usually are not noticeable until the abuse problem has progressed to an advanced level. At advanced stages, the drug or alcohol abuser is less able to disguise the physical signs and often becomes careless because of a clouded mental state.

1.1 Prohibited Substances/ Prohibited Behavior §655.21, §655.22-§655.30

- Amphetamines (amphetamine, methamphetamine, MDMA, MDA)
- Marijuana (THC metabolite)
- Opiates and Opioids (including heroin, codeine, morphine, hydrocodone, hydromorphone, oxycodone, oxycodone)
- Cocaine
- Phencyclidine (PCP)
- alcohol concentration of 0.02 or greater while on duty or performing safety-sensitive functions

1.2 Specific signs may include any combination of the following:

- Blood spots on shirt sleeves (indicating intravenous needle use)
- Bloodshot or watery eyes
- Slowed, slurred or incoherent speech
- Hand tremors
- Swaying or staggering
- Odor of alcohol on breath
- Odor of marijuana smoke
- Racing heartbeat or irregular rhythms
- Runny nose or sores around nostrils (caused by chronic cocaine snorting)
- Slow reactions
- Very large or small pupils
- Use of "slang" words for drugs
- Secretive behavior (e.g., whispering, wearing sunglasses indoors)

1.3 The mental effects of drug and alcohol abuse:

Drug and alcohol abusers use substances habitually and excessively without regard for their health. This causes problems on the job because the effects of drugs and alcohol occur not only during intoxication, but also in the aftermath in the form of hangovers, general tiredness and mental impairment. This impairment complicates and endangers the lives of the user and the people around them. Consider what safety problems might be caused by a truck driver, bus driver or heavy equipment operator showing the following effects of substance abuse:

- Psychotic behavior
- Learning difficulty
- Excessive sadness or fear
- Poor memory
- An "I don't care" attitude
- Loss of concentration
- Slow reactions
- Difficulty prioritizing tasks
- Poor coordination
- Refusal to accept authority
- Delayed decision making
- Overconfidence, feeling of invincibility
- Confusion
- Sleeping on the job

1.4 The subsequent effects of drug and alcohol abuse in the workplace:

Employees under the influence of drugs or alcohol affect everyone in the workplace. The problems their substance abuse can cause for themselves and fellow employees include the following:

- Higher rate of accidents or "near misses"
- Equipment breakdown due to careless or inadequate maintenance
- Absenteeism or tardiness
- Lower productivity
- Poor work quality, including excessive waste
- Low morale, problems working with others
- Theft of material or equipment to support high expense of drug habit
- Quitting or transferring to avoid detection

2. Pre-Employment Testing:

2.1 Pre-employment drug testing is mandatory after applicants or current employees are offered a conditional offer of employment in a safety-sensitive position requiring a commercial driver's license or are identified by RMS as a covered employee. These individuals will be required to provide a urine sample that the laboratory tests and reports as negative to the Human Resource Manager prior to performing any safety-sensitive functions. Each applicant must complete and consent to the RMS Drug/ Alcohol Testing Condition of Employment Form and will be asked whether he/she has tested

positive or refused to test with any previous employment within the past 3 years. If the applicant admits that he/she has tested positive, or refused to test, on any previous employment drug test, the applicant will not be considered for employment with the company. **Note: Zero Tolerance policy shall apply.** A pre-employment drug test will be conducted after the company has made a contingent offer of employment or transfer, subject to the individual passing the pre-employment drug test. The pre-employment drug test will follow drug testing procedures **§655.41**. An individual shall not begin performing safety-sensitive functions until RMS/ RATP Dev receives a negative test result for that individual. If the applicant or (covered employee) drug test returns positive, the applicant's offer of employment will be rescinded and the (covered employee) will be released of all duties with Roadrunner Management Services.

Pre-Employment Safety History Review

2.2 Pre- Employment Verification and Release Form: Human Resources must submit a Safety History Reference check on the applicant within the first 30 days, if the applicant has previous commercial driver history. Likewise, the RMS will release the testing information of its current or former employees to subsequent employers upon receiving a request containing the applicant's **signed consent**. **§40.25** Safety History Reference returned by the previous employer will be reviewed using federal guidelines. If the Safety History Reference is returned with a Positive drug test response, the offer of employment will be rescinded. Request is only made to DOT regulated employer(s) who have employed the employee during any period in the three years preceding the date of application or transfer. Individual must provide to each employer, from whom you request information, written employee consent for the release of the information cited. The release of information under this section must be in any written form (e.g., fax, e-mail, letter) that ensures confidentiality. We must maintain a written, confidential record of the information obtained or of the good faith efforts you made to obtain the information. We must retain this information for three years from the date of the employee's first performance of safety-sensitive duties for you. As the previous employer, you must maintain a written record of the information released, including the date, the party to whom it was released, and a summary of the information provided. If information is requested, we must, after reviewing the employee's specific, written consent, immediately release the requested information to the employer making the inquiry. Information should include .02 or greater alcohol concentration tests, verified positive drug tests, refusals to be tested (including verified adulterated or substituted drug test results). Other violations of DOT agency drug and alcohol testing regulations. For any violation, documentation of the employee's successful completion of DOT return to duty requirements. **Note: Zero Tolerance shall apply.** If feasible, employers must obtain and review information before the employee first performs safety-sensitive functions. If not feasible, employers must obtain and review information as soon as possible. However, **employers must not permit the employee to perform safety-sensitive functions after 30 days from the date on which the employee first performed safety-sensitive functions**, unless information received or made and documented a good faith effort (certified FAX and mailing dates/ times) to obtain this information. If information validates employee violated a DOT agency drug and alcohol regulation and it is confirmed that employee has subsequently complied with the return-to-duty requirements, he or she is not eligible for hire with Roadrunner Management Services. **Note: Zero Tolerance shall apply.**

3. Random Testing

3.1 Random testing will be conducted for all safety sensitive positions. The Direct Employer Responsible (DER), will submit accurate updated employee lists to the testing facility quarterly and activate new

employees as a contingent hire if they have or are seeking a commercial driver's license (CDL). The testing facility will produce the random sample based on quarterly updated lists and provide the (DER) with selected names. The Selection process is a scientifically valid method §655.45 and as follows:

3.2 Random testing will be spread reasonably throughout the calendar year. The minimum annual percentage rate for alcohol testing will be 10 percent of the average number of drivers. The minimum annual percentage rate for controlled substances testing will be 50% for FTA employees and 50% for FMCSA employees. This sample rate is subject to change based on violation rates. The testing facility will notify (DER) of sample selection. All random alcohol and drug tests will be unannounced, with each driver having an equal chance of being tested each time selections are made. Any employee who communicates to another employee that they have been randomly selected to be tested will be subject to discipline up to and including termination. Non-DOT employees that do not meet the federal criteria standards will be enrolled in a separate random pool selection. **Note: Zero Tolerance policy shall apply.** Once the (DER) notifies employee that he/she has been randomly selected for testing, the employee must proceed immediately to the assigned collection site.

3.3 An employee will be removed from service if they refuse to test or fail a test. Removal from service will be accomplished in person, via email, text, and/or phone call from immediate Supervisor, Human Resource, or (DER) with positive affirmation from each.

4. Post-Accident Testing

4.1 The Federal Transit Administration (FTA) drug and alcohol testing regulation (49 CFR Part 655) requires that safety-sensitive employees involved in a public transportation vehicle accident (as defined in 655.4 & 655.44) submit to tests for alcohol misuse and prohibited drug use as soon as possible following the accident. Part 655 also requires the testing of any other safety-sensitive employee whose performance could have contributed to the accident, as determined by the employer at the scene using the best information available at the time of the decision. **Note: The Agency that we provide service for may require post-accident testing under an additional policy written in the contract whether or not it meets the criteria below.**

Decision Questions:

- **Was there a fatality?** _____ YES (FTA /FMCSA drug and alcohol tests are REQUIRED)
_____ NO
- **If there was NO fatality, answer the following questions:**
 1. Has any individual suffered a bodily injury and immediately received medical treatment away from the scene of the accident? _____YES _____ NO
(FMCSA whether or not the employee receives a citation)
 2. Was there any disabling damage to **any** vehicle involved in the accident, requiring the vehicle to be towed away from the scene? _____YES _____ NO
(FMCSA whether or not the employee receives a citation)
 3. Was the vehicle (if rail car, trolley car, trolley bus, or vessel) removed from operation?
_____YES _____ NO

If you answered yes to any of these three questions, can you completely discount the performance of the operator of the public transportation vehicle as a contributing factor to the accident?

_____ NO (FTA drug and alcohol tests are REQUIRED)

_____ YES, Explain: _____

(If you answered YES, FTA drug and alcohol tests are PROHIBITED)

4.2 Employees are required to notify the dispatcher on duty immediately if they are involved in an accident. If there is no dispatcher available, the driver shall contact a Supervisor/ Manager direct to report the accident. Drug and Alcohol testing is required, as soon as possible, if the accident resulted in a fatality, bodily injury with immediate medical treatment away from the scene or disabling damage to any motor vehicle requiring tow away (*no citation required*). The Manager, Supervisor, or (DER) shall initiate the test in reference to the covered employee's Drug and Alcohol testing program. Conditions of this test include:

4.3 The employee must remain readily available for testing. If the employee isn't readily available for alcohol and drug testing, he/she shall be deemed as refusing to submit to testing. An employee involved in an accident shall not consume alcohol for 8 hours or until testing is completed. If the alcohol test is not administered within 2 hours following the accident the (DER) will prepare a report and maintain a record stating, why the test was not administered within two hours. If the alcohol test is not administered within 8 hours following the accident, all attempts to administer the test will cease. A report and record of why the test was not administered will be prepared and maintained. The drug test must be administered within 32 hours of the accident. If the test could not be administered within 32 hours, all attempts to test the employee will cease. The (DER) will prepare and maintain a record stating the reasons why the test was not administered within the allotted time frame. An employee awaiting results of a post-accident test will be held out of service until results have been confirmed with the (DER) and the Manager. Removal from service will be accomplished in person, via email, text, and/or phone call from immediate Supervisor, Human Resource, or (DER) with positive affirmation from each. Following a negative test and a physician's authorization, return to service will be accomplished in person, via email, text, and/or phone call from immediate Supervisor, Dispatch, Human Resource, or (DER) with positive affirmation from each.

4.4 Note: If the employee is injured due to an accident or incident, he she will be sent to the nearest clinical facility assigned to RMS/ RATP Dev. **29 C.F.R. § 1904.35(b)(1)(iv) does not prohibit workplace safety incentive programs or post-incident drug testing.** The Department of Labor believes that many employers who implement safety incentive programs and/or conduct post-incident drug testing do so to promote workplace safety and health. (Roadrunner Management Injury and illness Prevention Program)

5. Reasonable Suspicion Testing

5.1 Reasonable suspicion referrals must be made by a supervisor or company official who is trained to detect the physical signs and symptoms, facts, circumstances, physical evidence, or patterns of performance and/or behaviors associated with drug use and/or alcohol misuse. If an employee's supervisor, or another company official designated to supervise employees, believes they are under the influence of alcohol or drugs, the employee will be required to undergo a drug and/or alcohol test per **§655.43** and documented per **§655.51**. A reasonable suspicion test for drugs can be conducted anytime a safety sensitive employee is on duty. A reasonable suspicion test for alcohol can only be done when the observations are made during, preceding, or just after the performance of safety-sensitive functions.

Examples include:

- Physical signs and symptoms consistent with prohibited substance use or alcohol misuse.
- All safety-sensitive and non-safety-sensitive employees may be subject to a fitness for duty evaluation, and urine and/or breath testing when there are reasons to believe that drug or alcohol use is adversely affecting his/her job performance.
- Evidence of the manufacture, distribution, dispensing, possession, or use of controlled substances, drugs, alcohol, or other prohibited substance.
- Occurrence of a serious or potentially serious accident that may have been caused by prohibited substance abuse or alcohol misuse.
- Fights (physical altercations), assaults, and flagrant disregard or violation of established safety, security, or other operating procedures.
- Employees and contractors identified in the Policy, may be subject to reasonable suspicion test

The decision to send an employee for a reasonable suspicion test will be specific, contemporaneous, articulate observations concerning the appearance, behavior, speech, or body odors of the employee per training. Two-person integrity is required for verification and facilitation. The employee's supervisor or another company official will immediately remove the employee from all safety-sensitive functions and take the employee or plan for the employee to be taken to a testing facility. Removal from service will be accomplished in person, via email, text, and/or phone call from immediate Supervisor, Dispatch, Human Resource, or (DER) with positive affirmation from each. The person who makes the determination that reasonable suspicion exists to conduct an alcohol test shall not administer the alcohol test. Reasonable suspicion alcohol testing is only authorized if the observations are made during, preceding, or after the driver is performing a safety sensitive function. If the employee tests 0.01 or greater, but less than 0.04, for alcohol, the employee will be removed from all safety-sensitive functions, including driving a commercial motor vehicle, until the start of the employee's next regularly scheduled duty period, but not less than 24 hours following administration of the test. If an alcohol test is not administered within two hours following a reasonable suspicion determination, the (DER) will prepare and maintain a record stating the reasons why the test was not administered within 2 hours. If the test was not administered within 8 hours after a reasonable suspicion determination, all attempts to administer the test shall cease. A record of why the test was not administered must be prepared and maintained. A written record of the observations leading to an alcohol or controlled substance reasonable suspicion test, signed by the observing supervisor or company official, will be completed within 24 hours of the observed behavior or before the results of the alcohol or controlled substances test are released, whichever is first. An employee awaiting results of a reasonable suspicion test will be held out of service until results have been confirmed with the (DER) and the Manager. Following a negative test, return to service will be accomplished in person, via email, text, and/or phone from immediate Supervisor, Dispatch, Human Resource, or (DER) with positive affirmation from each.

6.1 Return to Duty Testing

Note: Zero Tolerance shall apply. Safety Sensitive employees who previously tested positive on a drug or alcohol test, or refused a test, shall be referred to the Substance Abuse Professional (SAP) for evaluation and treatment/ rehabilitation recommendations. If authorized to return to duty, the initial drug and alcohol test must be observed, must test negative for drugs, alcohol (below 0.01 for alcohol),

or both. Return to Duty testing for other service disruptions (greater than 30 days) will be treated per pre-employment testing and collection will not be observed.

6.2 Follow-Up Testing

Note: Zero Tolerance shall apply. Post SAP treatment Drivers or Safety Sensitive Employees, who are required to complete unannounced post treatment follow-up testing, will be tested according to their follow up plan as prescribed by reference §655.47 and as follows:

Unannounced Follow-Up testing will be spread reasonably throughout the calendar year per individual SAP program specifics. Human Resource will schedule and notify employee via (DER) and Manager. All alcohol and drug tests will be unannounced but may be coordinated to accommodate schedule. Once (DER) notifies employee that he/she has been selected for testing, the employee must proceed immediately to the assigned collection site. An employee will only be removed from service if they refuse to test or fail a test. Removal from service will be accomplished in person, via email, text, and/or phone call from immediate Supervisor, Human Resource, or (DER) with positive affirmation from each.

7. Test Notification Procedures

Reasonable suspicion, Follow-Up, Post-accident, and Injury testing will be conducted via a two-person integrity process and according to testing timeline and reporting criteria per reference §655.43-§655.51 regulations. All testing notifications will be made in person, in private, by a (DER) and a Manager/ Supervisor witness (if required). If follow-up-controlled substance testing is scheduled while employee is “off duty”, then the employee will be asked to return to the job site at which time the employee will receive official notification. **Note: Zero Tolerance shall apply.** In addition, appropriate treatment authorization forms will be handed to the employee and will reflect the exact time of notification. The (DER) and witness (if required) will sign the form. All unannounced tests will be scheduled and approved by Human Resource/ (DER) and coordinated with the General Manager. The Program Administrator/ HR will schedule and coordinate (DER) and General Manager unannounced tests. Following valid notification, the (DER) will coordinate and verify removal and return to service as appropriate.

8. Drug Testing Procedures

Per reference §655.51 Drug Testing will be conducted at the nearest clinic or hospital. The collection procedures have been designed to ensure the security and integrity of the specimen provided by each employee. These procedures follow federal guidelines.

(A drug testing custody and control form will be used to document the chain of custody from the time the specimen is collected at the testing facility until it is tested at the laboratory for non-DOT).

A collection kit meeting the regulation requirements must be sealed/ untampered for the drug test.

The specimen collection must be conducted in a suitable location and must contain all necessary personnel, materials, equipment, facilities, and supervision to provide for collection, security, and temporary storage and transportation of the specimen to a certified laboratory. **When the employee arrives at the collection site, the collection site employee will ask for proper identification.** The employee may ask the collection site person for identification. The employee will be asked to remove all unnecessary outer garments (coat, jacket) and secure all personal belongings. The employee may keep his/her wallet. The employee will then wash and dry his/her hands. After washing hands, the employee must remain in the presence of the collection site person and may not have access to fountains, faucets, soap dispensers, or other materials that could adulterate the specimen. The collection site person will select, or allow the employee to select, an individually wrapped or sealed container from the collection kit materials. Either the collection site person or the employee, with both individuals present, must

unwrap or break the seal of the collection container. The seal on the specimen bottle may not be broken at this time. Only the collection container may be taken into the room used for urination. The employee is then instructed to provide his/her specimen in a room that allows for privacy. The specimen must consist of at least 45 mL of urine. Within 4 minutes after obtaining the specimen, the collection site person will measure its temperature. The acceptable temperature range is 90 to 100 degrees Fahrenheit. If the specimen temperature is outside the acceptable range, the collector must note this on the Chain of Custody and must immediately conduct a new collection using direct observation procedures §655.53. Both specimens must be sent to the lab for testing. The collector must notify both the (DER) and collection site supervisor that the collection took place under direct observation and the reason for doing so. The collection site person will also inspect the specimen for color and signs of contamination or tampering. If there are signs of contamination or tampering, the collector must immediately conduct a new collection using direct observation procedures. Both specimens must be sent to the lab for testing. The collector must notify both the (DER) and collection site supervisor that the collection took place under direct observation and the reason for doing so. The 45 ml sample provided must be split into a primary specimen of 30 mL and a second specimen (used as the split) of 15 ml. The collection site person must place and secure the lids on the bottles, place tamper-evident bottle seals over the lids and down the sides of the bottles and write the date on the tamper-evident seals. The employee then initials the tamper-evident bottle seals to certify that the bottles contain specimens he/she provided. All of this must be done in front of the employee. All identifying information must be entered on the Chain of Custody by the collection site person. The Chain of Custody must be signed by the collection site person, certifying collection was accomplished in accordance with the instructions provided. The employee must also sign this form indicating the specimen was his/hers. The collector is responsible for placing and securing the specimen bottles and a copy of the Chain of Custody into an appropriate pouch or plastic bag. At this point, the employee may leave the collection site. The collection site must forward the specimens to the laboratory within 24 hours or during the next business day. **Laboratory analysis:** Only a laboratory certified by the Department of Health and Human Services (HHS) to perform urinalysis for the presence of controlled substances will be retained by the company. The laboratory will be required to maintain strict compliance with federally approved chain-of-custody procedures, quality control, maintenance, and scientific analytical methodologies. All specimens are required to undergo an initial screen followed by confirmation of all positive screen results. **Results:** The laboratory must report all test results directly to Medical Review Officer (MRO). All test results must be transmitted to the MRO in a timely manner, preferably the same day that the review by the certifying scientist is completed. All results must be reported. The MRO is responsible for reviewing and interpreting all confirmed positive, adulterated, substituted, or invalid drug test results. The MRO must determine whether alternate medical explanations could account for the test results. The MRO must also give the employee who has a positive, adulterated, substituted, or invalid drug test an opportunity to discuss the results prior to making a final determination. After the decision is made, the MRO must notify the (DER). If the MRO, after making and documenting all reasonable efforts, is unable to contact a tested employee, the MRO shall contact the (DER) instructing him/her to contact the employee. The (DER) will arrange for the employee to contact the MRO before going on duty. The MRO may verify a positive, adulterated, substituted, or invalid drug test without having communicated with the employee about the test results if: the employee expressly declines the opportunity to discuss the results of the test; neither the MRO or (DER) has been able to contact the employee for 10 days; or within 72 hours after a documented contact by the (DER) instructing the employee to contact the MRO, and the employee has not done so. The MRO may verify an invalid test result as cancelled (with instructions to recollect immediately under direct observation) without interviewing the employee, if: the employee expressly declines the opportunity to discuss the test with the MRO; the (DER) has successfully made and documented a contact with the employee and instructed the employee to contact the MRO, and

more than 72 hours have passed since the time the (DER) contacted the employee; or neither the MRO nor the (DER), after making and documenting all reasonable efforts, has been able to contact the employee within ten days of the date on which the MRO received the confirmed invalid test result from the laboratory. **Split Sample:** The MRO must notify each employee who has a positive, adulterated, or substituted, drug test result that he/she has 72 hours to request the test of the split specimen. If the employee requests the testing of the split, the MRO must direct (in writing) the lab to provide the split specimen to another certified laboratory for analysis. There is no split specimen testing for an invalid result. The employee will pay for the testing of the split specimen. If the analysis of the split specimen fails to reconfirm the results of the primary specimen, or if the split specimen is unavailable, inadequate for testing, or unstable, the MRO must cancel the test and report the cancellation and the reasons for it to the (DER) and the employee. **Specimen Retention:** Long-term frozen storage will ensure that positive urine specimens will be available for any necessary retest. RMS/ RATP Dev designated drug testing laboratory will retain all confirmed positive specimens for at least 1 year in the original labeled specimen bottle.

9.1 Diluted Specimen

If the MRO informs the company that a positive drug test was dilute, RMS/ RATP Dev will simply treat the test as a verified positive test. The company will not direct the employee to take another test unless the MRO directs the company to conduct a recollection under direct observation (i.e., because the creatinine concentration of the specimen was equal to or greater than 2mg/dL, but less than or equal to 5 mg/dL). The following guidelines apply:

The employee is given the minimum possible advance notice that he or she must go to the collection site. The result of the retest, and not a prior test, is accepted as the test result of record. If the result of the retest is also negative and dilute, RMS/ RATP Dev will not make the employee take an additional test because the result was diluted. Provided, however, that if the MRO directs RMS/ RATP Dev to conduct a recollection under direct observation, the company must immediately do so. If the employee declines to take a test as directed, the employee has refused the test for purposes of this part **\$655.49. Note: Zero Tolerance shall apply.** If specimen creatinine concentration is greater than 5mg/dL, a retest will be conducted without direct observation.

9.2 Invalid Results

When the laboratory reports that the test result is an invalid result, the MRO must: Contact the employee and inform the employee that the specimen was invalid. After explaining the limits of disclosure, the MRO must determine if the employee has a medical explanation for the invalid result. He/she must inquire about the medications the employee may have taken. If explanation is plausible and acceptable, the MRO must:

Place a checkmark in the "Test Cancelled" box (Step 6) on Copy 2 of the Chain of Custody and enter "Invalid Result" and "direct observation collection not required" on the "Remarks" line. Report to the (DER) that the test is cancelled, the reason for cancellation, and that no further action is required unless a negative test result is required (i.e., pre-employment, return-to-duty, or follow-up tests). If a negative test result is required and the medical explanation concerns a situation in which the employee has a permanent or long-term medical condition that precludes him or her from providing a valid specimen, the MRO must follow the procedures determining if there is clinical evidence that the individual is an illicit drug user. If the medical evaluation reveals no clinical evidence of drug use, the MRO must report this to the employer as a negative test result with written notations regarding the medical examination. The report must also state why the medical examination was required (i.e., either the basis for the determination that a permanent or long-term medical condition exists or because the recollection under

direct observation resulted in another invalid result for the same reason, as appropriate) and for the determination that no signs and symptoms of drug use exist. If the medical evaluation reveals clinical evidence of drug use, the MRO must report the result to the employer as a cancelled test with written notations regarding the results of the medical examination. The report must also state why the medical examination was required (i.e., either the basis for the determination that a permanent or long-term medical condition exists or because the recollection under direct observation resulted in another invalid result for the same reason, as appropriate) and state the reason for the determination that signs and symptoms of drug use exist. Because this is a cancelled test, it does not serve the purpose of an actual negative test result (i.e., **the employer is not authorized to allow the employee to begin or resume performing safety-sensitive functions, because a negative test result is needed for that purpose**). If the employee does not give a reasonable explanation, the MRO: Places a checkmark in the "Test Cancelled" and enters "Invalid Result" and "direct observation collection required" on the "Remarks" line; Reports to the (DER) that the test is cancelled, the reason for cancellation, and that a second collection must take place immediately under direct observation; Instructs the employer to ensure that the employee has the minimum possible advance notice that he or she must go to the collection site. If the employee admits to the MRO that he or she tampered with the specimen, the result is reported as a refusal to be tested. If the employee admits to the MRO that he or she used drugs, the test is cancelled with the reason noted (invalid) and the (DER) is notified of the admission. The (DER) has actual knowledge of a violation and the occurrence is treated the same as a positive result. When the test result is invalid because pH is greater than or equal to 9.0 but less than or equal to 9.5 and the employee has no other medical explanation for the pH, the MRO should consider whether there is evidence of elapsed time and increased temperature that could account for the pH value. The MRO: Is authorized to consider the temperature conditions that were likely to have existed between the time of collection and transportation of the specimen to the laboratory, and the length of time between the specimen collection, and arrival at the laboratory; Communicate with the collection site and laboratory to discuss time and temperature issues, including any pertinent information regarding specimen storage. If MRO determines that time and temperature account for the pH value, he or she must cancel the test and take no further action. If MRO fails to account for the pH value, he or she must cancel the test and direct another collection under direct observation.

10. Positive Test Result

Per reference **§655.61**, no person who has failed an alcohol or drug test, or refused to test, will be allowed to perform safety-sensitive functions until the referral, evaluation, and treatment requirements have been complied with. **Note: Zero Tolerance shall apply.** The following company disciplinary measures apply to all reasonable suspicion, post-accident, random and follow-up tests. In all cases, managers will gain concurrence from a representative within the Human Resources Department prior to finalizing any unfavorable employee action.

Upon notification that an employee has a drug test result of positive, adulterated, or substituted, the employee will be given the option of requesting a test of the split sample within 72 hours. If the employee has requested a test of the split sample, the employee will be suspended without pay until the results of a split sample test are obtained. If the employee doesn't request a split sample test or the split sample test confirms the initial positive, adulterated, or substituted drug test result, the employee will be subject to termination. If the split sample testing disputed the initial test results or if the initial test results are designated invalid, the employee will be reinstated. A notification that an employee has failed an alcohol test (0.04% BAC or greater) is considered grounds for immediate termination. Notifications that an employee tested 0.02% BAC or greater, but less than 0.04% BAC in initial and confirmatory tests for alcohol, will also be grounds for disciplinary action up to and including

termination. **Note: Zero Tolerance shall apply.** An employee's refusal to test for alcohol or controlled substances will be considered a positive test result. Adulteration or tampering with a urine or breath sample is considered conduct that obstructs the testing process and is considered a refusal to test. An employee whose conduct is considered a refusal to test will be subject to termination.

11. Alcohol Testing Procedures

Per reference **§655.31**, Alcohol testing will be conducted at the nearest medical clinic by a qualified breath alcohol technician or screening test technician. The testing will be performed in a private setting. Only authorized personnel will have access and can see or hear the test results.

When the employee arrives at the testing site, the breath alcohol technician or screen test technician will ask for proper identification. The employee may ask the breath alcohol technician or screen test technician for identification. The breath alcohol technician or screen test technician will then explain the testing procedure to the employee. The breath alcohol technician or screen test technician may only supervise one test at a time and may not leave the testing site while the test is in progress. A screening test is performed first. When a breath testing device is used, the mouthpiece of the breath testing device must be sealed before use and opened in the employee's presence. Then the mouthpiece is inserted into the breath testing device. The employee must blow forcefully into the mouthpiece of the testing device for at least 6 seconds or until an adequate amount of breath has been obtained. Once the test is completed, the breath alcohol technician must show the employee the results. The results may be printed on a form generated by the breath testing device or may be displayed on the breath testing device. If the breath testing device does not print results and test information, the breath alcohol technician is to record the displayed result, test number, testing device, serial number of the testing device, and time on the alcohol testing form. If the breath testing device prints results, but not directly onto the form, the breath alcohol technician must affix the printout to the alcohol testing form in the designated space. When an alcohol screening device is used, the screening test technician must check the device's expiration date and show it to the employee. A device shall not be used after its expiration date. The screen test technician will open an individually wrapped or sealed package containing the device in front of the employee and he/she will be asked to place the device in his/her mouth and use it in the manner described by the device's manufacturer. If the employee declines to use the device, or in a case where the device doesn't activate, the screen test technician must insert the device in the employee's mouth and use it in the manner described by the device's manufacturer. The screen test technician must wear single-use examination gloves and must change the gloves following each test. When the device is removed from the employee's mouth, the screen test technician must follow the manufacturer's instructions to ensure the device is activated. If the procedures listed above can't be successfully completed, the device must be discarded, and new test must be conducted using a new device. Again, the employee will be offered the choice of using the new device or having the screen test technician use the device for the test. If the new test can't be successfully completed, the employee will be directed to immediately take a screening test using an evidential breath testing device. The result displayed on the device must be read within 15 minutes of the test. The screen test technician must show the employee the device and its reading and enter the result on the authorization treatment form. If the reading on the evidential breath testing device or alcohol screen device is less than 0.02, both the employee and the breath alcohol technician or screen test technician must sign and date the result form. The form will then be confidentially forwarded to the company's (DER). If the reading on the evidential breath testing device or alcohol screen device is 0.02 or more, a confirmation test must be performed. An evidential breath testing device must be used for all confirmation tests. The test must be performed after 15 minutes have elapsed, but within 30 minutes of the first test. The breath alcohol technician will ask the employee not to eat, drink, belch, or put anything into his/her mouth. These

steps are intended to prevent the buildup of mouth alcohol, which could lead to an artificially high result. A new, sealed mouthpiece must be used for the new test. The calibration of the evidential breath testing device must be checked. All of this must be done in the employee's presence. If the results of the confirmation test and screening test are not the same the confirmation test will be used. Refusal to complete and sign the alcohol testing form or refusal to provide breath or saliva will be considered a failed test, and the employee will be removed from all safety-sensitive functions until the matter is resolved.

12. Test Refusal Criteria and Consequences

Employees shall not refuse to submit to a post-accident, random, reasonable suspicion, or follow-up alcohol or controlled substances test per reference **§655.49**. An employee who refuses to submit to such tests shall be immediately removed from safety-sensitive service. Refusal is considered grounds for termination. Refusal to submit includes failing to provide adequate breath or urine sample for alcohol or drug testing and any conduct that obstructs the testing process. This includes adulteration or substitution of a urine sample.

13. Confidential Employee Assistance Program

Note: Zero Tolerance shall apply. Roadrunner Management Services provides a confidential assistance program to employees who wish assistance or information in matters related to various personal issues, including drug and alcohol abuse. Employees will be given information regarding the requirements in reference to referral, evaluation, and treatment **§655.62**.

Employees who self-identify: The employee makes the admission of alcohol misuse or controlled substances use prior to performing a safety-sensitive function. The employee does not perform a safety-sensitive function until the company is satisfied that the employee has been evaluated and has successfully completed education or treatment requirements in accordance with the self-identification program guidelines. **A list of substance abuse professionals will be provided to all employees who self-identify (the employee will pay for the evaluation by the SAP and any treatment required).** Prior to returning to safety sensitive duty for RMS/ RATP Dev, an employee must be evaluated by the SAP and must complete an education or treatment recommended by a drug and alcohol abuse evaluation expert. The employee must successfully complete a return-to-duty test with a result indicating an alcohol concentration of less than 0.02; and/or a return-to-duty controlled substances test with a verified negative test result. **Note: Zero Tolerance may apply.**

Supervisors will inform all employees of this policy and have the responsibility to help implement/ enforce this policy. If a supervisor has a reasonable suspicion that an employee is under the influence while working, the supervisor with another supervisor will inform the employee of his/her reasonable suspicion and direct the employee to take a drug and alcohol test as a condition of employment. A list of substance abuse professionals will be provided to all employees who fail an alcohol test or test positive for drugs. **Note: Zero Tolerance shall apply.**

14. Confidentiality/ Recordkeeping

All employee alcohol and controlled substance test records are confidential and retained for the time period required according to **§655.71-73** and 49 CFR part 382.401. Confidential record keeping is defined as records maintained in a secure manner, under lock and key, accessible only to Program Administrators.

1 Year: Negative drug test results. Alcohol test results less than 0.02.

2 Years: Education and training records. Records related to the alcohol and drug collection process.

3 Years Previous employer records.

5 Years: Annual MIS reports. Employee evaluation and referrals to SAPs. Follow-up tests and follow-up schedules. Refusals to test. Alcohol test results 0.02 or greater. Verified positive drug test results.

Employee alcohol and controlled substance test records will only be released in the following situations:

- To the employee, upon his/her written request.
- Upon request of a DOT agency with regulatory authority over RMS/ RATP Dev.
- Upon request of state or local officials with regulatory authority over RMS/ RATP Dev.
- Upon request by the United States Secretary of Transportation.
- Upon request by the National Transportation Safety Board (NTSB) as part of an accident investigation.
- Upon request by subsequent employers upon receipt of a written request by a covered employee.
- In a lawsuit, grievance, or other proceeding if it was initiated by or on behalf of the complainant and arising from results of the tests.
- Upon written consent by the employee authorizing the release to a specified individual.

15. Training and Education

EMPLOYER RESPONSIBILITIES: The Safety Manager is the Program Administrator and has responsibility for reviewing, updating, implementing, and coordinating the Drug and Alcohol Program. Other responsibilities include frequent reviews for program consistency, fairness, and safety impacts. Our goal is to ensure that every aspect of the Drug and Alcohol policy meets the standards set forth in Part 655. Additional Safety Supervisors may be assigned as Program Administrator delegates and will support the Program Administrator in fulfillment of program objectives. Managers/ Supervisors are responsible for upholding the highest possible safety standards and investing in the professional development of their subordinates through disciplined and rigorous application of this instruction. The Human Resource Representative will document program elements in employee personnel files and assist with program administration as required. A primary and secondary Designated Employer Representative (DER) will be designated. RMS/ RATP Dev (DER)(s) will follow FMCSR part 40 and Title 49 part 655.

- **POLICY AND ADMINISTRATION:** Manager/ Supervisors shall implement the requirements of this policy and ensure all personnel are aware of the expectations for its application and use. Administration at all levels are responsible for complete compliance adhere in order to establish a safety culture and sustain a safe work environment. The active and consistent involvement of all administration levels support an effective drug and alcohol policy. Administration is also responsible for maintaining documents, records, if applicable, and the willingness to notify higher levels when issues arise outside of his/ her immediate control.
- **TRAINING AND EDUCATION:** RMS will implement the Drug and Alcohol Policy into current Instruction as part of Manager Orientation, Entry Level, and Renewal training. Every employee will receive a copy of this policy and will have ready access to the corresponding federal regulations including FMCSR Part 40 and 49 CFR Parts 655, as amended. RMS/ RATP Dev will provide comprehensive Drug-Free awareness education programs. All employees will receive a

minimum of 60 minutes of training on the signs and symptoms of drug use including the effects and consequences of drug use on personal health, safety, and the work environment.

- **REASONABLE SUSPICION TRAINING:** All supervisory personnel, or company officials, who are required to determine employee fitness for duty, will receive 60 minutes of reasonable suspicion training on the physical, behavioral, and performance indicators of probable drug use and 60 minutes of additional reasonable suspicion training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse. Roadrunner Management Services requires all supervisors to be certified in Reasonable Suspicion Training annually.

Note: All employees must comply and acknowledge the Drug and Alcohol Policy responsibilities and obligations. All employees will be immediately enrolled into an assigned random drug and alcohol testing pool contingent upon hire. All Managers/Supervisors (including Dispatchers) require 60 minutes of drug and alcohol in the workplace training as well as reasonable suspicion training.

Controlled Substance Positive Detection Levels

Initial test analyte	Initial test cutoff ¹ concentration	Confirmatory test analyte	Confirmatory test cutoff concentration
Marijuana metabolites (THCA) ²	50 ng/mL ³	THCA	15 ng/mL
Cocaine metabolite	150 ng/mL ³	Benzoyllecgonine	100 ng/mL
Codeine/Morphine	2000 ng/mL	Codeine Morphine	2000 ng/m 2000 ng/m
Hydrocodone/ Hydromorphone	300 ng/mL	Hydrocodone Hydromorphone	100 ng/mL 100 ng/mL
Oxycodone/ Oxymorphone	100 ng/mL	Oxycodone/ Oxymorphone	100 ng/mL 100 ng/mL
6-Acetyl morphine	10 ng/mL	6-Acetylmorphine	10 ng/mL
Phencyclidine (PCP)	25 ng/mL	Phencyclidine (PCP)	25 ng/mL
Amphetamines AMP/MAMP	500 ng/mL	Amphetamine Methamphetamine	250 ng/mL 250 ng/mL
MDMA ⁴ / MDA ⁵	500 ng/mL	MDMA MDA	250 ng/mL 250 ng/mL

¹For grouped analytes (i.e. two or more analytes that are in the same drug class and have the same initial test cutoff) *Immunoassay*: The test must be calibrated with one analyte from the group identified as the target analyte. The cross-reactivity of the immunoassay to the other analyte(s) within the group must be 80 percent or greater; if not, separate immunoassays must be used for the analytes within the group. *Alternate technology*: Either one analyte or all analytes from the group must be used for calibration, depending on the technology. At least one analyte within the group must have a concentration equal to or greater than the initial test cutoff or, alternatively, the sum of the analytes present (i.e., equal to or greater than the laboratory's validated limit of quantification) must be equal to or greater than the initial test cutoff. ² An immunoassay must be calibrated with the target analyte, D-9-tetrahydrocannabinol-9-carboxylic acid (THCA). ³ *Alternate technology (THCA and Benzoyllecgonine)*: When using an alternate technology initial test for the specific target analytes of THCA and Benzoyllecgonine, the laboratory must use the same cutoff for the initial and confirmatory tests (i.e., 15 ng/mL for THCA and 100ng/mL for Benzoyllecgonine). ⁴ Methylenedioxyamphetamine (MDMA).

⁵ Methylenedioxymphetamine (MDA)

Alcohol Fact Sheet

Alcohol is a drug that has been consumed throughout the world for centuries. It is considered a recreational beverage when consumed in moderation for enjoyment and relaxation during social gatherings. However, when consumed primarily for its physical and mood-altering effects, it is a substance of abuse. As a depressant, it slows down physical responses and progressively impairs mental functions.

Description:

Generic/Chemical Names (Representative): Beer (about 4.5 percent alcohol), wine (about 14 to 20 percent alcohol), distilled spirits or liquor (about 50 percent alcohol).

Alternative Sources: After-shave lotion, cough medicine, antiseptic mouthwash, vanilla extract, disinfectant, room deodorizer fluid, cologne, breath sprays, shaving creams, rubbing alcohol.

Common Street Names: Booze, juice, brew, grain, shine, hooch.

Distinguishing Characteristics: Pure ethanol (sold in some States as “grain alcohol”) is a colorless liquid with a distinctive odor and taste. It has a cooling effect when rubbed on the skin. Most commonly, however, alcohol is consumed as the component of another beverage, and grain alcohol itself is normally diluted with juices or other soft drinks by the consumer. Depending upon the concentration of alcohol in the beverage, the aroma of alcohol may serve as an indicator of the presence of alcohol in a beverage. Since the sale and distribution of all products containing more than a trace amount of ethanol are regulated by Federal and State governments, the best guide to whether a specific beverage contains alcohol will be label information if the original container is available.

Paraphernalia: Liquor, wine, after-shave, or cough medicine bottles; drinking glasses; cans of alcohol-containing beverages; can and bottle openers. Paper bags are sometimes used to conceal the container while the drink is being consumed.

Method of Intake: Alcohol is consumed by mouth. It is infrequently consumed as pure (grain) alcohol. It is, however, frequently consumed in the form in which it is sold (e.g., cans of beer, “straight” liquor, glasses of wine). Alcohol is often consumed in combination with other beverages (“mixers”), either to make it more palatable or to disguise from others that alcohol is being consumed.

Duration of Single Dose Effect: Alcohol is fully absorbed into the bloodstream within 30 minutes to 2 hours, depending upon the beverage consumed and associated food intake. The body can metabolize about one quarter of an ounce (0.25 oz.—roughly half the amount in a can of beer) of alcohol per hour. The effects of alcohol on behavior (including driving behavior) vary with the individual and with the concentration of alcohol in the individual’s blood. The level of alcohol achieved in the blood depends in large part (although not exclusively) upon the amount of alcohol consumed and the time period over which it was consumed. One rule of thumb says that in a 150-pound person, each drink adds 0.02% to blood alcohol concentration and each hour that passes removes 0.01 percent from it. Alcohol is absorbed into the blood relatively quickly and metabolized more slowly. Therefore, the potential exists for alcohol concentrations to build steadily throughout a drinking session. The table below shows some general effects of varying levels of BAC:

- 0.02-0.09% Loss of muscular coordination, impaired senses, changes in mood and personality.
- 0.10-0.19% Marked mental impairment, further loss of coordination, prolonged reaction time.
- 0.20-0.29% Nausea, vomiting, double vision.
- 0.30-0.39% Hypothermia, blackouts, anesthesia.
- 0.40-0.70% Coma, respiratory failure, death.

Detection Time: The detection time for alcohol depends upon the maximum level of BAC achieved and varies by individual. Since under FMCSA regulations alcohol concentrations as low as 0.02 percent (under DOT testing procedures, breath alcohol concentration is used as a proxy for BAC) require employer action, and current technology can reliably detect this level, a driver who had achieved a moderate level of intoxication (i.e., 0.08 percent BAC) would be detectable approximately 8 hours after achieving that level. (Note: this is detectability after achieving this level and not after commencing or stopping drinking).

Dependency Level: The chronic use of alcohol can produce dependence in some individuals manifested by craving, withdrawal, and tolerance. Even though many individuals consume alcoholic beverages (more than 90 percent of Americans at some point during their lives), relatively few of them (only about 10 percent of drinkers) develop psychological and physical dependency on it.

Signs and Symptoms of Use

Evidence of Presence of Alcohol: Bottles, cans, and other containers which alcohol-containing beverages may have been purchased and/or consumed in; bottle caps from alcohol containers; bottle or can openers; drivers drinking from paper bags; odor of alcohol on containers or on driver's breath.

Physical Symptoms: Reduction of reflexes, slurred speech, loss of coordination, unsteady gait.

Behavioral Symptoms: Increased talkativeness, reduced emotional control, distorted judgment, impaired driving ability, gross effects on thinking and memory.

Effects of Alcohol on the Individual

Physical Health Effects

- The liver is the primary site of alcohol metabolism and can be severely affected by heavy alcohol use. The three primary dangers are fatty liver, alcoholic hepatitis, and cirrhosis.
- Heavy alcohol use can also severely affect the gastrointestinal tract, contributing to inflammation of the esophagus, exacerbating peptic ulcers, and causing acute and chronic pancreatitis. It interferes with the absorption of nutrients from food and contributes to malnutrition.
- Heavy alcohol use affects the heart and vascular system, contributing to heart attacks, hypertension, and strokes.
- Either because of direct action or indirectly through the malnutrition, liver disease, and other effects it causes, alcohol depresses immune system functioning and increases the likelihood of infection.
- There is considerable evidence that alcohol abuse is associated with the incidence of cancer, particularly cancers of the liver, esophagus, nasopharynx, and larynx.
- Heavy alcohol consumption causes brain damage, manifested through dementia, blackouts, seizures, hallucinations, and peripheral neuropathy.

Other Health Effects

In addition to having direct health effects through physiological changes in the drinker's body, alcohol contributes significantly to health problems indirectly. While most of the medical consequences of alcohol use listed above result from chronic use, these other effects can often result from a single episode of acute use:

- One half of all traffic accident fatalities are alcohol related.

- The risk of a traffic fatality per mile driven is at least eight times higher for a drunk driver than for a sober one.
- Falls are the most common cause of nonfatal injuries in the U.S. and the second- most common cause of fatal accidents. Estimates of the involvement of alcohol in these falls range from 20 to 80 percent. A BAC between 0.05 and 0.10 percent increases the likelihood of a fall by three times. Between 0.10 and 0.15 percent, it increases by a factor of 10, and above 0.16 percent it increases by a factor of 60.
- Research indicates over 60 percent of those dying in nonvehicular fires (fourth leading cause of accidental death in the United States) have BACs over 0.10 percent.
- Approximately 38 percent of those drowning (third leading cause of accidental death in the United States) have been exposed to alcohol at the time of their deaths.
- Between 20 and 36 percent of suicide victims have a history of alcohol abuse or were drinking shortly before their suicides.
- Alcohol also plays a significant role in crime and family violence, including spousal and child abuse.

Effects on Driver Performance

The statistics reported above make it clear that alcohol can have a devastating effect on driver performance. By affecting vision, reflexes, coordination, emotions, aggressiveness, and judgment, alcohol deprives the professional driver of most of the tools he or she relies upon to perform safely.

Hangovers also present a risk to driving behavior, as would other illnesses. The sick feeling associated with hangovers, including headaches, nausea, and other symptoms, can distract a driver's attention and lead to accidents even though alcohol may no longer be detectable in the body.

Overdose Effects

Unconsciousness, coma, death.

Withdrawal Syndrome

Repeated use of alcohol results in tolerance, with increasing consumption necessary to attain its characteristic effects. Alcohol at a given blood level produces less impairment in heavy drinkers than it does in lighter drinkers. Alcohol is toxic by itself and, coupled with the malnutrition common in alcoholics, can lead to kidney disease, deterioration of mental faculties, and psychotic episodes of Delirium tremens (the "DTs") if the alcohol is withdrawn. The DTs are characterized by hallucinations and extreme fear, and their presence are a clear indication of alcohol dependence. Withdrawal and the associated DTs can be fatal.

References

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Amphetamine Fact Sheet

Amphetamines are central nervous system stimulants that speed up the mind and body. The physical sense of energy at lower doses and the mental exhilaration at higher doses are the reasons for their abuse. Although widely prescribed at one time for weight reduction and mood elevation, the legal use of amphetamines is now limited to a very narrow range of medical conditions. Most amphetamines that are abused are illegally manufactured in foreign countries and smuggled into the United States or clandestinely manufactured in crude laboratories.

Description

Generic/Chemical Names: Include amphetamine and methamphetamine.

Trade names include: Desoxyn, Dexapex, Fastin, Vasotilin, Dexedrine, Delcobese, Fetamine, Obetrol.

Common Street Names: Uppers, speed, bennies, crystal, black beauties, Christmas trees, white crosses, mollies, bam, crank, meth, ice, LA ice.

Distinguishing Characteristics: In their pure form, amphetamines are yellowish crystals. They are manufactured in a variety of forms, including pill, capsule, tablet, powder, and liquid. Amphetamine (“speed”) is sold in counterfeit capsules or as white, flat, double-scored “mini bennies.” Methamphetamine is often sold as a creamy white, granular powder or in lumps wrapped in aluminum foil or sealable plastic bags.

Paraphernalia: Needles, syringes, and rubber tubing for tourniquets, used for the injection method.

Method of Intake: The most common forms of amphetamines are pills, tablets, or capsules, which are ingested. The less frequent forms, liquid and powder, are injected or snorted.

Duration of Single Dose Effect: 2 to 4 hours.

Detection Time: 1 to 2 days after use.

Dependency Level: Psychological dependence on amphetamines is known to be high. Physical dependence is possible.

Signs and Symptoms of Use

Evidence of Presence of Amphetamines: Most frequently—pills, capsules, or tablets; envelopes, bags, vials for storing the drug; less frequently—syringes, needles, tourniquets.

Physical Symptoms: Dilated pupils, sweating, increased blood pressure, palpitations, rapid heartbeat, dizziness, decreased appetite, dry mouth, headaches, blurred vision, insomnia, high fever (depending on the level of the dose).

Behavioral Symptoms: Confusion, panic, talkativeness, hallucinations, restlessness, anxiety, moodiness, false sense of confidence and power; “amphetamine psychosis” which might result from extended use (see health effects).

Effects of Amphetamine Use on the Individual

Physical Health Effects

- Regular use produces strong psychological dependence and increasing tolerance to drug.
- High doses may cause toxic psychosis resembling schizophrenia.
- Intoxication may induce a heart attack or stroke due to spiking of blood pressure.
- Chronic use may cause heart and brain damage due to severe constriction of capillary blood vessels.
- The euphoric stimulation increases impulsive and risk-taking behaviors, including bizarre and violent acts.
- Long-term heavy use can lead to malnutrition, skin disorders, ulcers, and various diseases that come from vitamin deficiencies.
- Lack of sleep, weight loss, and depression also result from regular use.
- Users who inject drugs intravenously can get serious and life-threatening infections (e.g., lung or heart disease, kidney damage) from nonsterile equipment or contaminated self-prepared solutions.

Effects on Mental Performance

- ANXIETY / RESTLESSNESS / MOODINESS / FALSE SENSE OF POWER
-

Large doses over long periods can result in

- HALLUCINATIONS / DELUSIONS / PARANOIA / BRAIN DAMAGE
-

Effects on Driver Performance

Amphetamines cause a false sense of alertness and potential hallucinations, which can result in risky driving behavior and increased accidents. Drivers who fail to get enough rest may use the drug to increase alertness. However, although low doses of amphetamines will cause a short-term improvement in mental and physical functioning, greater use impairs functioning. The hangover effect of amphetamines is characterized by physical fatigue and depression, which make operation of equipment or vehicles dangerous.

Overdose Effects

- AGITATION / CONVULSIONS / INCREASE IN BODY TEMPERATURE / DEATH / HALLUCINATIONS
-

Withdrawal Syndrome

- APATHY / DEPRESSION / LONG-TERM PERIODS OF SLEEP / DISORIENTATION / IRRITABILITY
-

Workplace Issues

Because amphetamines alleviate the sensation of fatigue, they may be abused to increase alertness due to unusual overtime demands or failure to get rest.

Low-dose amphetamine use will cause a short-term improvement in mental and physical functioning. With greater use or increasing fatigue, the effect reverses and has an impairing effect. Hangover effect is characterized by physical fatigue and depression, which may make operation of equipment or vehicles dangerous.

Reference

Federal Motor Carrier Safety Administration, Office of Motor Carriers, "Guidelines for Implementing the FMCSA Anti-Drug Program," Publication No. FMCSA-MC-91-014, March 1992.

Cocaine Fact Sheet

Cocaine is used medically as a local anesthetic. It is abused as a powerful physical and mental stimulant. The entire central nervous system is energized. Muscles are more tense, the heart beats faster and stronger, and the body burns more energy. The brain experiences an exhilaration caused by a large release of neurohormones associated with mood elevation.

Description

Generic/Chemical Names: Cocaine hydrochloride or cocaine base.

Common Street Names: Coke, crack, snow, blow, flake, "C", toot, rock, base, nose candy, snort, white horse.

Distinguishing Characteristics: Cocaine is an alkaloid (organic base) derived from the coca plant. In its more common form, cocaine hydrochloride or "snorting coke" is a white to creamy granular or lumpy powder chopped fine before use. Cocaine base, rock, or crack is a crystalline rock about the size of a small pebble.

Paraphernalia: Cocaine hydrochloride—single-edged razor blade, a small mirror or piece of smooth metal; a half straw or metal tube, and a small screw-cap vial or folded paper packet containing the cocaine (used for snorting), needles, tourniquets (used for injecting). Cocaine base—a "crack pipe" (small glass smoking device for vaporizing the crack crystals); a lighter, alcohol lamp, or small butane torch for heating the substance.

Method of Intake: Cocaine hydrochloride is snorted into the nose, rubbed on the gums, or injected into the veins. Cocaine base is heated in a glass pipe and the vapor is inhaled.

Duration of Single Dose Effect: 1 to 2 hours.

Detection Time: Up to 2 to 3 days after last use.

Dependency Level: Research indicates possible physical dependence. Although there is insufficient evidence for humans, animal studies indicate "reverse tolerance," in which certain behavioral effects become stronger with repeated use of cocaine. Psychological dependence on cocaine is known to be high.

Signs and Symptoms of Use

Evidence of Presence of Cocaine: Small folded envelopes, plastic bags, or vials used to store cocaine; razor blades; cut-off drinking straws or rolled bills for snorting; small spoons; heating apparatus.

Physical Symptoms: Dilated pupils, runny or irritated nose, profuse sweating, dry mouth, tremors, needle tracks, loss of appetite, hyperexcitability, restlessness, high blood pressure, heart palpitations, insomnia, talkativeness, formication (sensation of bugs crawling on skin).

Behavioral Symptoms: Increased physical activity, depression, isolation and secretive behavior, unusual defensiveness, frequent absences, wide mood swings, difficulty in concentration, paranoia, hallucinations, confusion, false sense of power and control.

Effects of Cocaine Use on the Individual

Physical Health Effects

- Research suggests that regular cocaine use may upset the chemical balance of the brain. As a result, it may speed up the aging process by causing irreparable damage to critical nerve cells. The onset of nervous system illnesses such as Parkinson's disease could also occur.
- Cocaine use causes the heart to beat faster and harder and rapidly increases blood pressure. In addition, cocaine causes spasms of blood vessels in the brain and heart. Both effects lead to ruptured vessels causing strokes or heart attacks.
- Strong psychological dependency can occur with one "hit" of crack. Usually, mental dependency occurs within days of using crack or within several months of snorting coke. Cocaine causes the strongest mental dependency of any known drug.
- Treatment success rates are lower than those of other chemical dependencies.
- Cocaine is extremely dangerous when taken with depressant drugs. Death due to overdose is rapid. The fatal effects of an overdose are not usually reversible by medical intervention. The number of cocaine overdose deaths in the United States has tripled in the last four years.

Effects on Mental Performance

- PARANOIA AND HALLUCINATIONS / HYPEREXCITABILITY / OVERREACTION TO STIMULUS / DIFFICULTY IN CONCENTRATION / WIDE MOOD SWINGS / WITHDRAWAL LEADS TO DEPRESSION AND DISORIENTATION
-

Effects on Driver Performance

Cocaine use results in an artificial sense of power and control, which leads to a sense of invincibility. Lapses in attention and the ignoring of warning signals brought on by cocaine use greatly increase the potential for accidents. Paranoia, hallucinations, and extreme mood swings make for erratic and unpredictable reactions while driving.

The high cost of cocaine frequently leads to workplace theft and/or dealing. Forgetfulness, absenteeism, tardiness, and missed assignments can translate into lost business.

Overdose Effects

- AGITATION / CONVULSIONS / INCREASE IN BODY TEMPERATURE / DEATH / HALLUCINATIONS
-

Withdrawal Syndrome

- APATHY / DEPRESSION / LONG PERIODS OF SLEEP / DISORIENTATION / IRRITABILITY
-

Reference

Federal Motor Carrier Safety Administration, Office of Motor Carriers, "Guidelines for Implementing the FMCSA Anti-Drug Program," Publication No. FMCSA-MC-91-014, March 1992.

Cannabinoids (Marijuana) Fact Sheet

Marijuana is one of the most misunderstood and underestimated drugs of abuse. People use marijuana for the mildly tranquilizing mood and perception-altering effects it produces.

Description

Generic/Chemical Name: Dronabinol, marinol, nabilone.

Common Street Names: Pot, dope, grass, hemp, weed, hooch, herb, hash, joint, Acapulco gold, reefer, sinsemilla, Thai sticks.

Distinguishing Characteristics: Like tobacco, marijuana consists of dried, chopped leaves that are green to light tan in color. The seeds are oval with one slightly pointed end. Marijuana has a distinctly pungent aroma resembling a combination of sweet alfalfa and incense. Less prevalent, hashish is a compressed, sometimes tarlike substance ranging in color from pale yellow to black. It is usually sold in small chunks wrapped in aluminum foil.

Paraphernalia: Cigarette papers, roach clip holders, and small pipes made of bone, brass, or glass are commonly found. Smoking “bongs” (large-bore pipes for inhaling large volumes of smoke) can easily be made from soft drink cans and toilet paper rolls.

Method of Intake: Marijuana is usually inhaled in cigarette or pipe smoke. Occasionally, it is added to baking ingredients (e.g., brownies) and ingested. Tetrahydro-cannabinol (THC), the active chemical detected in urinalysis, is released by exposure to heat.

Duration of Single Dose Effect: The most obvious effects are felt for 4 to 6 hours. Preliminary studies suggest that performance impairment lasts longer. The active chemical, THC, is stored in body fat and slowly metabolized over time.

Detection Time: Traces of marijuana will remain in the urine of an occasional user for up to 1 week, and, in the case of a chronic user, for 3 to 4 weeks.

Dependency Level: Evidence indicates moderate psychological dependence.

Signs and Symptoms of Use

Evidence of Presence of Marijuana: Plastic bags (commonly used to sell marijuana); smoking papers; roach clip holders; small pipes of bone, brass, or glass; smoking bongs; distinctive odor.

Physical Symptoms: Reddened eyes (often masked by eye drops); stained fingertips from holding “joints,” particularly for nonsmokers; chronic fatigue; irritating cough; chronic sore throat; accelerated heartbeat; slowed speech; impaired motor coordination; altered perception; increased appetite.

Behavioral Symptoms: Impaired memory, time-space distortions, feeling of euphoria, panic reactions, paranoia, “I don’t care” attitude, false sense of power.

Effects of Marijuana Use on the Individual

General Health Effects

- When marijuana is smoked, it is irritating to the lungs. Chronic smoking causes emphysema like conditions.
- One joint can cause the heart to race and be overworked. People with undiagnosed heart conditions are at risk.
- Marijuana is commonly contaminated with the fungus *Aspergillus*, which can cause serious respiratory tract and sinus infections.
- Marijuana smoking lowers the body's immune system response, making users more susceptible to infection. The U.S. Government is actively researching a possible connection between marijuana smoking and the activation of AIDS in positive human immunodeficiency virus (HIV) carriers.

Pregnancy Problems and Birth Defects

- The active chemical, THC, and 60 other related chemicals in marijuana concentrate in the ovaries and testes.
- Chronic smoking of marijuana in males causes a decrease in the male sex hormone, testosterone, and an increase in estrogen, the female sex hormone. The result is a decrease in sperm count, which can lead to temporary sterility. Occasionally, the onset of female sex characteristics, including breast development, occurs in heavy users.
- Chronic smoking of marijuana in females causes a decrease in fertility and an increase in testosterone.
- Pregnant women who are chronic marijuana smokers have a higher-than-normal incidence of stillborn births, early termination of pregnancy, and higher infant mortality rate during the first few days of life.
- In test animals, THC causes birth defects, including malformations of the brain, spinal cord, forelimbs, and liver, and water on the brain and spine.
- Offspring of test animals that were exposed to marijuana have fewer chromosomes than normal, causing gross birth defects or death of the fetus. Pediatricians and surgeons are concluding that the use of marijuana by either or both parents, especially during pregnancy, leads to specific birth defects of the infant's feet and hands.
- One of the most common effects of prenatal cannabinoid exposure is underweight newborn babies.
- Fetal exposure may decrease visual functioning and cause other ophthalmic problems.

Mental Function

Regular use can cause the following effects:

- Delayed decision-making
- Diminished concentration
- Impaired short-term memory, interfering with learning
- Impaired signal detection (ability to detect a brief flash of light), a risk for users who are operating machinery
- Impaired tracking (the ability to follow a moving object with the eyes) and visual distance measurements
- Erratic cognitive function
- Distortions in time estimation

- Long-term negative effects on mental function known as “acute brain syndrome,” which is characterized by disorders in memory, cognitive function, sleep patterns, and physical condition.

Effects on Driver Performance

The mental impairments resulting from the use of marijuana produce reactions that can lead to unsafe and erratic driving behavior. Distortions in visual perceptions, impaired signal detection, and altered reality can make driving a vehicle very dangerous.

Overdose Effects

- AGGRESSIVE / IMMOBILITY / ANXIETY / MENTAL DEPENDENCY / CONFUSION / PANIC / FEARFULNESS / PARANOIAC REACTION / HALLUCINATION / UNPLEASANT DISTORTIONS IN BODY IMAGE / HEAVY SEDATION
-

Withdrawal Syndrome

- SLEEP DISTURBANCE / IRRITABILITY / HYPERACTIVITY / GASTROINTESTINAL DISTRESS / DECREASED APPETITE / SALIVATION, SWEATING, AND TREMORS
-

Workplace Issues

- The active chemical, THC, is stored in body fat and slowly releases over time. Marijuana smoking has a long-term effect on performance.
- A 500 to 800 percent increase in THC concentration in the past several years makes smoking three to five joints a week today equivalent to 15 to 40 joints a week in 1978.
- Combining alcohol or other depressant drugs and marijuana can produce a multiplied effect, increasing the impairing effect of both the depressant and marijuana.

Reference

Federal Motor Carrier Safety Administration, Office of Motor Carriers, “Guidelines for Implementing the FMCSA Anti-Drug Program,” Publication No. FMCSA-MC-91-014, March 1992

Opiates (Narcotics) Fact Sheet

Opiates (also called narcotics) are drugs that alleviate pain, depress body functions and reactions, and, when taken in large doses, cause a strong euphoric feeling.

Description

Generic/Chemical Names: Natural and natural derivatives include opium, morphine, codeine, and heroin (semi-synthetic). Synthetics include meperidine (Demerol), oxymorphone (Numorphan), and oxycodone (Percodan).

Common Street Names: Big M, micro, dots, horse, "H", junk, smack, scag, Miss Emma, dope, China white.

Distinguishing Characteristics: Because of the variety of compounds and forms, opiates are more difficult to clearly describe in terms of form, color, odor, and other physical characteristics. Opium and its derivatives can range from dark brown chunks to white crystals or powders. Depending on the method of intake, they may be in powder, pill, or liquid form.

Paraphernalia: Needles, syringe caps, eyedroppers, bent spoons, bottle caps, and rubber tubing (used in the preparation for and injection of the drug).

Method of Intake: Opiates may be taken in pill form, smoked, or injected, depending upon the type of narcotic used.

Duration of Single Dose Effect: 3 to 6 hours.

Detection Time: Usually up to 2 days.

Dependency Level: Both physical and psychological dependence on opiates are known to be high. Dependence on codeine is moderate.

Signs and Symptoms of Use

Evidence of Presence of Drug: In addition to paraphernalia enumerated above, the following items may be present: foil, glassine envelopes, or paper "bindles" (packets for holding drugs); balloons or prophylactics used to hold heroin; bloody tissues used to wipe the injection site; a pile of burned matches used to heat the drug prior to injection.

Physical Symptoms: Constricted pupils, sweating, nausea and vomiting, diarrhea, needle marks or "tracks," wearing long sleeves to cover "tracks", loss of appetite, slurred speech, slowed reflexes, depressed breathing and heartbeat, drowsiness and fatigue.

Behavioral Symptoms: Mood swings, impaired coordination, depression and apathy, stupor; euphoria.

Effects of Narcotics Use on the Individual

- IV needle users have a high risk for contracting hepatitis and AIDS due to the sharing of needles.
- Narcotics increase pain tolerance. As a result, people could more severely injure themselves or fail to seek medical attention after an accident due to the lack of pain sensitivity.

- Narcotics' effects are multiplied when used in combination with other depressant drugs and alcohol, causing increased risk for an overdose.

Effects on Mental Performance

- **DEPRESSION AND APATHY / WIDE MOOD SWINGS / SLOWED MOVEMENT AND REFLEXES**
-

In addition, the high physical and psychological dependence level of opiates compounds the impaired functioning.

Effects on Driver Performance

The apathy caused by opiates can translate into an "I don't really care" attitude toward performance. The physical effects as well as the depression, fatigue, and slowed reflexes impede the reaction time of the driver, raising the potential for accidents. Although opiates have a legitimate medical use in alleviating pain, workplace use may cause impairment of physical and mental functions.

Social Issues

- There are more than 500,000 heroin addicts in the United States, most of whom are IV needle users.
- An even greater number of medicinal narcotic-dependent persons obtain their narcotics through prescriptions.
- Because of tolerance, there is an ever-increasing need for more narcotic to produce the same effect.
- Strong mental and physical dependency occurs.

The combination of tolerance and dependency creates an increasing financial burden for the user. Costs for heroin can reach hundreds of dollars a day.

Workplace Issues

- Unwanted side effects such as nausea, vomiting, dizziness, mental clouding, and drowsiness place the legitimate user and abuser at higher risk for an accident.
- Narcotics have a legitimate medical use in alleviating pain. Workplace use may cause impairment of physical and mental functions.

Reference

Federal Motor Carrier Safety Administration, Office of Motor Carriers, "Guidelines for Implementing the FMCSA Anti-Drug Program," Publication No. FMCSA-MC-91-014, March 1992

Phencyclidine (PCP) Fact Sheet

Phencyclidine (PCP) was originally developed as an anesthetic, but the adverse side effects prevented its use except as a large animal tranquilizer. Phencyclidine acts as both a depressant and a hallucinogen, and sometimes as a stimulant. It is abused primarily for its variety of mood-altering effects. Low doses produce sedation and euphoric mood changes. The mood can change rapidly from sedation to excitation and agitation. Larger doses may produce a comalike condition with muscle rigidity and a blank stare with the eyelids half-closed. Sudden noises or physical shocks may cause a “freak-out,” in which the person has abnormal strength, extremely violent behavior, and an inability to speak or comprehend communication.

Description

Generic/Chemical Names: Phencyclidine.

Common Street Names: Angel dust, dust, peace pills, hog, killer weed, mint, monkey dust, super grass, Tran Q, weed.

Distinguishing Characteristics: PCP is commonly sold as a creamy, granular powder. It is either brown or white and often packaged in one-inch-square aluminum foil or folded paper packets. Occasionally, it is sold in capsule, tablet, or liquid form. It is sometimes combined with procaine, a local anesthetic, and sold as imitation cocaine.

Paraphernalia: Foil or paper packets; stamps (off which PCP is licked); needles, syringes, and tourniquets (for injection); leafy herbs (for smoking).

Method of Intake: In pill, capsule, or tablet form, PCP may be ingested. It is commonly injected as “angel dust.” It may be smoked or snorted when applied to leafy materials or combined with marijuana or tobacco.

Duration of Single Dose Effect: Days.

Detection Time: Up to 8 days.

Dependency Level: Psychological dependence on PCP is known to be high. Physical dependence is unknown.

Signs and Symptoms of Use

Evidence of Presence of PCP: Packets, stamps, injection paraphernalia, herbs.

Physical Symptoms: Dilated or floating pupils, blurred vision, nystagmus (jerky eye movement), drooling, muscle rigidity, profuse sweating, decreased sensitivity to pain, dizziness, drowsiness, impaired physical coordination (e.g., drunken-like walk, staggering), severe disorientation, rapid heartbeat.

Behavioral Symptoms: Anxiety, panic/fear/terror, aggressive/violent behavior, distorted perception, severe confusion and agitation, disorganization, mood swings, poor perception of time and distance, poor judgment, auditory hallucinations.

Health Effects

- The potential for accidents and overdose emergencies is high due to the extreme mental effects combined with the anesthetic effect on the body.
- PCP is potentiated by other depressant drugs, including alcohol, increasing the likelihood of an overdose reaction.
- Misdiagnosing the hallucinations as LSD-induced, and then treating with Thorazine, can cause a fatal reaction.
- Use can cause irreversible memory loss, personality changes, and thought disorders.

There are four phases to PCP abuse. The first phase is acute toxicity. It can last up to three days and can include combativeness, catatonia, convulsions, and coma. Distortions of size, shape, and distance perception are common. The second phase, which does not always follow the first, is a toxic psychosis. Users may experience visual and auditory delusions, paranoia, and agitation. The third phase is a drug-induced schizophrenia that may last a month or longer. The fourth phase is PCP-induced depression. Suicidal tendencies and mental dysfunction can last for months.

Effects on Mental Performance

- IRREVERSIBLE MEMORY LOSS / PERSONALITY CHANGES / THOUGHT DISORDERS / HALLUCINATIONS

Effects on Driver Performance

The distortions in perception and potential visual and auditory delusions make driver performance unpredictable and dangerous. PCP use can cause drowsiness, convulsions, paranoia, agitation, or coma, all obviously dangerous to driving.

Overdose Effects

- LONGER, MORE INTENSE "TRIP" EPISODES / PSYCHOSIS / COMA / POSSIBLE DEATH

Withdrawal Syndrome

None reported

Workplace Issues

PCP abuse is less common today than in the recent past. It is not generally used in a workplace setting because of the severe disorientation that occurs.

Reference

Federal Motor Carrier Safety Administration, "Implementation Guidelines for Alcohol and Drug Regulations in Highway Transportation," Publication No. FMCSA-CMO-04-001.

Glossary of Terms

Adulterated specimen: A specimen that has been altered, as evidenced by test results showing either a substance that is not a normal constituent for that type of specimen or showing an abnormal concentration of an endogenous substance.

Alcohol: An intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols including methyl and isopropyl alcohol.

Alcohol concentration (or content): The alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test.

Alcohol screening test: An analytic procedure to determine whether an employee may have a prohibited concentration of alcohol in a breath specimen.

Alcohol use: The drinking or swallowing of any beverage, liquid mixture or preparation, including any medication, containing alcohol.

Alcohol screening device: Breath or saliva device, other than an evidential breath testing device that is approved by the National Highway Traffic Safety Administration (NHTSA) and placed on a conforming products list (CPL) for such devices.

Breath Alcohol Technician: An individual who instructs and assists individuals in the alcohol testing process and operates an evidential breath testing device.

Cancelled test: A drug or alcohol test that has a problem identified that cannot be or has not been corrected or requires cancellation. A cancelled test is neither a positive nor a negative test.

Chain of Custody: The procedure used to document on the Custody and Control Form the handling of the urine specimen from the time the employee gives the specimen to the collector until the specimen is destroyed.

Collection site: A place designated by the company, where individuals present themselves for sole purpose of providing a urine specimen for a drug test.

Collector: A person who instructs and assists employees/donors at a collection site, receives and makes an initial inspection of the specimen provided by those employees/donors, and initiates and completes the Custody and Control Form.

Consortium/Third-party administrator (C/TPA): A service agent that provides or coordinates the provision of a variety of drug and alcohol testing services for the company. C/TPAs typically perform administrative tasks concerning the operation of the company's drug and alcohol testing programs. This term includes, but is not limited to, groups of employers who join to administer, as a single entity, the DOT drug and alcohol testing programs of its members. C/TPAs are not "employers."

Controlled Substance: Possessing, using, being under the influence of, testing positive for, selling, offering to buy or sell or distribute controlled substance(s); soliciting or negotiating a purchase or sale of a controlled substance; and purchasing, distributing, manufacturing, cultivating, or dispensing a controlled substance is prohibited and considered a policy violation.

Commercial Motor Vehicle (CMV): Any vehicle, configuration, or ownership, that provides passenger or property transportation for compensation and has a gross combination weight of 26,001 or more pounds inclusive of a towed unit and gross vehicle rating of more than 10,000 pounds; has a gross vehicle rating of more than 26,001

pounds; is designed to carry 16 or more passengers including the driver; or any size if used to transport "placard required" hazardous materials.

Confirmed drug test: A confirmation test result received by an MRO from a laboratory

Custody and Control Form: A Federally mandated form for drug and alcohol testing.

Covered employee: Any person who is designated as subject to drug and alcohol testing. The term includes individuals currently performing safety-sensitive functions designated in Federal regulations and applicants applying for employment in these safety-sensitive classifications subject to pre-employment testing.

Department of Transportation (DOT): Department of the federal government which includes the Federal Transit Administration, Federal Railroad Administration, Federal Aviation Administration, Federal Motor Carriers' Safety Administration, Pipeline & Hazardous Materials Safety Administration, United States Coast Guard, and the Office of the Secretary of Transportation.

Designated Employer Representative (DER): An individual identified by the employer who can receive communications and test results from service agents and who is authorized to take immediate actions to remove employees from safety-sensitive duties and to make required decisions in the testing and evaluation processes. The individual must be an employee trained and qualified of the company.

Dilute specimen: A urine specimen with creatinine and specific gravity values that are lower than expected for human urine.

Disabling damage: Damage that precludes departure of a motor vehicle from the scene of the accident in its usual manner in daylight after simple repairs and includes damage to motor vehicles that could have been driven but would have been further damaged if so driven. This does not include damage which can be remedied temporarily at the scene of the accident without special tools or parts; tire disablement without other damage even if no spare tire is available; headlight or taillight damage; or damage to turn signals, horn, or windshield wipers which make them inoperative.

Driver: Any person who operates a CMV and includes but is not limited to full time, casual part time, leased, and independent owner-operator drivers.

Drug confirmation test: A second analytical procedure to identify the presence of a specific drug or metabolite which is independent of the screening test and which uses a different technique and chemical principle from that of the screen test in order to ensure reliability and accuracy.

Drugs: The drugs for which tests are required under federal regulations; these are cocaine, marijuana, opiates, amphetamines, and phencyclidine (PCP).

Evidential breath testing device: A device approved by the National Highway Traffic Safety Administration for the evidential testing of breath at the .02 and .04 alcohol concentrations and placed on National Highway Traffic Safety Administration's "Conforming Products List of Evidential Breath Measurement Devices."

Federal Motor Carrier Safety Administration (FMCSA): The agency or operating administration of United States Department of Transportation.

Federal Transit Administration (FTA): – Provides financial and technical assistance to local public transit systems, including buses, subways, light rail, commuter rail, trolleys and ferries. FTA also oversees safety measures and helps develop next-generation technology research.

Initial drug test (also known as a “Screening drug test”): An immunoassay screen to eliminate negative urine specimens from further analysis.

Invalid result: The result of a drug test for a urine specimen that contains an unidentified adulterant or an unidentified interfering substance, has abnormal physical characteristics, or has an endogenous substance at an abnormal concentration that prevents the laboratory from completing or obtaining a valid drug test result.

Laboratory: Any U.S. laboratory certified by HHS under the National Laboratory Certification Program as meeting the minimum standards of Subpart C of the HHS Mandatory Guidelines for Federal Workplace Drug Testing Programs; or, in the case of foreign laboratories, a laboratory approved for participation by DOT under Part 40.

Licensed medical practitioner: A person who is licensed, certified, and/or registered, in accordance with applicable federal, state, local, or foreign laws and regulations, to prescribe controlled substances and other drugs.

Medical Review Officer (MRO): A person who is a licensed physician and who is responsible for receiving and reviewing laboratory results generated by an employer's drug testing program and evaluating medical explanations for certain drug test result.

On the Job: An employee is considered “on the job” or “on Company premises” whenever the employee is: On Company property, including parking lots, restrooms, break rooms, lounges, cafeterias, locker areas, etc., at any time; On Company time, even if off Company premises (including paid lunch and rest periods); On the property and/or the facilities of customers, clients, and/or vendors of the Company; or, Driving or riding as a passenger in a Company vehicle or a private conveyance for which the Company reimburses expenses.

Primary specimen: In drug testing, the urine specimen bottle that is opened and tested by a first laboratory to determine whether the employee has a drug or drug metabolite in his/her system; and for the purpose of validity testing. The primary specimen is distinguished from the split specimen, defined in this section.

Positive result: The result reported by an HHS-certified laboratory when a specimen contains a drug or drug metabolite equal to or greater than the cutoff concentrations.

Possession: Substances being physically held by a person and/or stored or deposited in areas the employee controls (e.g., inside purses, lunch boxes, desks, personal automobiles, lockers and limited-access work areas).

Prescription and Over-the-Counter Drug: Use of a physician prescription or a recommended drug (including over-the-counter drugs) that may adversely affect ability to safely and/or efficiently perform assigned duties, is prohibited and considered a policy violation. Prescription medications means the use of legally prescribed medications issued by a licensed health care professional familiar with the employee's work-related responsibilities. Although disclosure of the reason for use is not required, employees must disclose the drug type, frequency, and use duration to Program Administrators or Human Resource. If such use will not adversely affect the employee's ability to safely and/or efficiently perform his/her job, as determined by MRO; the (DER), Program Administrators, Supervisors or Managers, may approve service.

Program Administrator: Designated RMS/ RATP Dev employee responsible for implementing, monitoring, facilitating, improving, and training of all Program elements.

Program Administrators: Designated RMS/ RATP Dev employees responsible for managing all Program elements in support of Program Administrator.

Public Utilities Commission (PUC): Regulates privately owned electric, natural gas, telecommunications, water, railroad, rail transit, and passenger transportation companies. The PUC serves the public interest by protecting consumers and ensuring the provision of safe, reliable utility service and infrastructure at just and reasonable rates, with a commitment to environmental enhancement and a healthy economy.

Safety-sensitive function: All time at an employer or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the employee has been relieved from duty by the company; All time inspecting equipment as required, servicing, or conditioning any commercial motor vehicle at any time; All time spent at the driving controls of a commercial motor vehicle in operation; All time, other than driving time, in or upon any commercial motor vehicle, except time spent resting in a sleeper berth; All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded; and, all time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle. This applies to the control of the “dispatch or movement of a revenue service vehicle”. The Dispatcher, that assigns the employee to a revenue vehicle and ensures that the vehicle is in working condition.

Screening test technician: A person who instructs and assists employees in the alcohol testing process and operates an alcohol screening device.

Split specimen collection: A collection in which the urine collected is divided into two separate specimen bottles, the primary specimen (Bottle A) and the split specimen (Bottle B).

Substance Abuse Professional (SAP): A person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare. A SAP must be: A licensed physician (Doctor of Medicine or Osteopathy); A licensed or certified social worker; A licensed or certified psychologist; A licensed or certified employee assistance professional; or A drug and alcohol counselor certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission (NAADAC) or by the International Certification Reciprocity Consortium/Alcohol and Other Drug Abuse (ICRC), or by the National Board for Certified Counselors, Inc and Affiliates/Master Addictions Counselor (NBCC).

Substituted specimen: A urine specimen with creatinine and specific gravity values that are so diminished or so divergent that they are not consistent with normal human urine.

Validity test: A test to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted.

Verified test: A drug test result or validity testing result for an HHS-certified laboratory that has undergone review and final determination by the MRO.

Zero Tolerance: RMS/ RATP Dev will, in every instance, take disciplinary action in the event of a violation of Company policy, up to and including termination.

Contacts

Drug and Alcohol Program Manager and/or Designated Employer Representative

General Manager
240 S. Glenn Drive Camarillo CA 93010
Work Phone 805-322-3306

Dominick Perez, General Manager
95 Dawson Drive Camarillo CA 93012
Work Phone 805-389-8196

Andre Thingili, General Manager
240 S. Glenn Drive Camarillo CA 93010
Work Phone 805-736-7666

DER: June Martinez, Safety Manager
240 S. Glenn Drive Camarillo CA 93010
Work Phone 805-322-3306

HIRE RIGHT INC
14002 E 21 STREET STE 1200 TULSA OK 74134
Tiffany Wehrum, tiffany.wehrum@hireright.com
1-800-895-9546

Medical Review Officer (MRO)
Name: Dr. Todd Simo
Address: 7427 Matthews-Mint Hill Rd. Suite 105-297 Charlotte NC 28227
Phone: (704)364-7550
Fax: (704)364-5961

LABCORP – APPT RECOMMENDED – S25834
7301 MEDICAL CENTER DRIVE SUITE 304
WEST HILLS CA 91307

Concentra Urgent Care
4934 Verdugo Way, Camarillo CA 93012
(805)484-0095

Concentra Urgent Care
1851 N Lombard St Suite 100
Oxnard CA 93030
(805)983-2234

National Hot Line Numbers and Help Lines:

Cocaine Hotline
1-800-COCAINE
The American Council on Alcoholism Help Line
1-800-527-5344
The National Institute on Drug Abuse Hot Line
1-800-662 HELP
Alcoholics Anonymous
212-686-1100

(49 CFR Parts 40 and Part 655) are available on the FTA Drug and Alcohol Program <https://www.transit.dot.gov/regulations-and-guidance/safety/drug-alcohol-program>.
SAP Program Information and providers in Ventura County

SAP Locations Found (3)

Click on the column headings to change the order of the listing. To print or email results, select one or more SAPs from the list below.

SELECT ALL **SELECT NONE**

Refine Results:

Select	Name	Office Location	Miles
<input type="checkbox"/>	Vinauer, Michael RScP, CADC-II, ICADC, SAP	520 W. 5th Street, #201 Oxnard, CA 93030	8.15
<input type="checkbox"/>	Lythgoe, Marty	On the campus of Embrace Church 260 E. Elm Street Oxnard, CA 93033	8.16
<input type="checkbox"/>	Love, Jeanette	664 Ash Cir Fillmore, CA 93015	15.42

Showing 1 to 3 of 3 SAP Locations



**Drug and Alcohol Policy Acknowledgement
49 CFR Part 655**

Certificate of Receipt

I acknowledge that I have received the Roadrunner Management Services / RATP Dev Drug and Alcohol Policy. I understand that it is my responsibility to read and comprehend all parts written in this Drug and Alcohol Policy and Prevention Program. The policy is not intended to, and does not, create a contract of employment. I understand that all applicants and covered employees will or may be tested as required by the policy. I understand that Roadrunner Management Services / RATP Dev has a ZERO tolerance policy regarding drug and alcohol abuse. I understand that the test results will be kept in confidence and handled only by authorized management personnel, except as required by law, including making records available to a subsequent employer upon receipt of a written request from the covered employee.

I understand that the alcohol and drug related activities listed below are prohibited and that engaging in such activities will result in termination.

- Reporting to duty or remaining on duty to perform safety sensitive functions while having an alcohol concentration of 0.02 or greater.
- Being on duty or operating a commercial motor vehicle while possessing alcohol. This includes possession of medicine containing alcohol (prescription or over the counter), unless the packaging seal is unbroken.
- Using alcohol while performing safety sensitive functions.
- When required to take a post-accident test, using alcohol within eight hours following the accident prior to undergoing a post-accident test, whichever comes first.
- Refusing to submit to a drug or alcohol required test by post-accident, random, reasonable suspicion, or follow-up testing requirements.
- Reporting to duty or remaining on duty to perform safety sensitive functions while using any controlled substance, except when advised by a licensed medical practitioner that the drug does not adversely affect my ability to safely operate a commercial motor vehicle.
- Reporting to duty, remaining on duty performing safety sensitive functions while testing positive for controlled substance.

Name: _____ Employee ID: _____

Signature: _____ Date: _____

Work Location: _____

Witness Signature: _____ Date: _____

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals	YTD
CRIMINAL HOMICIDE 2024	0	0	0	0	0	0	0	0	0	0	0	0	0	0
CRIMINAL HOMICIDE 2023	0	0	0	0	0	0	0	0	0	0	0	0	0	0
CRIMINAL HOMICIDE 2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0
CRIMINAL HOMICIDE 2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals	YTD
FORCIBLE RAPE 2024	0	0	0	0	1	0	0	0	0	0	0	0	1	1
FORCIBLE RAPE 2023	1	0	0	0	0	0	0	0	0	0	0	0	1	1
FORCIBLE RAPE 2022	1	0	0	0	0	0	0	0	0	0	0	0	1	1
FORCIBLE RAPE 2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals	YTD
ROBBERY 2024	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ROBBERY 2023	0	0	0	1	0	0	0	0	0	0	0	0	1	1
ROBBERY 2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ROBBERY 2021	0	0	0	1	0	1	0	0	0	0	0	1	3	2
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals	YTD
ALL ASSAULTS 2024	0	2	1	4	1	1	1	2	3	2	2	0	19	19
ALL ASSAULTS 2023	4	1	5	2	10	2	3	0	1	2	3	2	35	33
ALL ASSAULTS 2022	1	1	4	1	2	2	4	2	3	1	4	3	28	25
ALL ASSAULTS 2021	1	3	3	1	1	2	4	4	2	3	2	0	26	26
BURGLARY	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals	YTD
BURGLARY TOTAL 2024	1	0	0	1	1	1	1	2	0	0	0	0	7	7
BURGLARY TOTAL 2023	2	0	0	0	1	0	0	0	1	0	1	0	5	5
BURGLARY TOTAL 2022	3	2	1	0	1	0	4	0	0	0	1	1	13	12
BURGLARY TOTAL 2021	0	0	0	3	3	0	0	1	0	0	0	0	7	7
RESIDENTIAL 2024	0	0	0	0	1	0	0	1	0	0	0	0	2	2
RESIDENTIAL 2023	0	0	0	0	1	0	0	0	0	0	1	0	2	2

RESIDENTIAL 2022	1	1	1	0	0	0	1	0	0	0	0	0	4	4
RESIDENTIAL 2021	0	0	0	0	1	0	0	0	0	0	0	0	1	1
COMMERCIAL 2024	0	0	0	1	0	1	1	0	0	0	0	0	3	3
COMMERCIAL 2023	1	0	0	0	0	0	0	0	1	0	0	0	2	2
COMMERCIAL 2022	2	1	0	0	1	0	3	0	0	0	1	0	8	8
COMMERCIAL 2021	0	0	0	2	0	0	0	1	0	0	0	0	3	3
INSTITUTIONAL 2024	0	0	0	0	0	0	0	1	0	0	0	0	1	1
INSTITUTIONAL 2023	0	0	0	0	0	0	0	0	0	0	0	0	0	0
INSTITUTIONAL 2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0
INSTITUTIONAL 2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ALL OTHERS 2024	1	0	0	0	0	0	0	0	0	0	0	0	0	1
ALL OTHERS 2023	1	0	0	0	0	0	0	0	0	0	0	0	1	1
ALL OTHERS 2022	0	0	0	0	0	0	0	0	0	0	0	1	1	0
ALL OTHERS 2021	0	0	0	1	2	0	0	0	0	0	0	0	3	3
THEFTS	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals	YTD
THEFTS 2024	3	3	2	2	1	2	4	2	3	7	4	0	33	33
THEFTS 2023	4	3	3	3	4	3	5	2	0	3	1	3	34	31
THEFTS 2022	2	2	10	5	0	2	2	3	4	4	4	3	41	38
THEFTS 2021	3	6	7	10	6	5	6	7	2	8	1	3	64	61
PROPERTY VALUE	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals	YTD
STOLEN 2024	\$ 13,714	\$ 2,188	\$ 1,038	\$ 2,351	\$ 3,175	\$ 330	\$ 23,454	\$ 55,342	\$ 5,446	\$ 29,500	\$ 1,100	\$ -	\$ 137,638	\$ 137,638
STOLEN 2023	\$ 100	\$ 98	\$ 5,300	\$ 7,155	\$ 28,838	\$ 16	\$ 13,852	\$ 12,982	\$ 2,864	\$ 1,135	\$ 15,980	\$ 766	\$ 89,086	\$ 88,320
STOLEN 2022	\$ 16,990	\$ 3,761	\$ 8,685	\$ 54,742	\$ 12,470	\$ 1,200	\$ 14,442	\$ 22,580	\$ 42,087	\$ 21,155	\$ 11,538	\$ 7,777	\$ 217,427	\$ 209,650
STOLEN 2021	\$ 1,174	\$ 567	\$ 7,070	\$ 20,853	\$ 69,420	\$ 36,364	\$ 42,701	\$ 14,990	\$ 650	\$ 7,994	\$ 4,105	\$ 319	\$ 206,207	\$ 205,888
RECOVERED 2024	\$ -	\$ -	\$ -	\$ -	\$ 675	\$ -	\$ 8,010	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 8,685	\$ 8,685
RECOVERED 2023	\$ -	\$ 87	\$ 150	\$ -	\$ 1,300	\$ 11	\$ -	\$ 9,000	\$ -	\$ 280	\$ -	\$ -	\$ 10,828	\$ 10,828
RECOVERED 2022	\$ -	\$ -	\$ -	\$ -	\$ 6,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,000	\$ 6,000

RECOVERED 2021	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,000	\$ -	\$ 220	\$ -	\$ 1,152	\$ -	\$ 9	\$ 6,381	\$ 6,372
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals	YTD
VEHICLE THEFT 2024	2	0	0	0	0	0	1	1	0	0	0	0	4	4
VEHICLE THEFT 2023	0	0	0	0	1	0	2	0	0	0	0	0	3	3
VEHICLE THEFT 2022	1	0	0	3	0	0	0	1	0	1	0	0	6	6
VEHICLE THEFT 2021	0	0	0	0	2	1	0	1	0	0	1	0	5	5
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals	YTD
VEHICLES RECOVERED 2024	0	0	0	0	0	0	1	0	0	1	0	0	2	2
VEHICLES RECOVERED 2023	0	0	0	0	0	0	0	3	0	0	0	0	3	3
VEHICLES RECOVERED 2022	0	0	1	1	2	0	0	0	0	0	0	0	4	4
VEHICLES RECOVERED 2021	0	0	0	0	0	1	0	0	0	0	0	0	1	1
TRAFFIC COLLISIONS	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals	YTD
ACCIDENTS 2024	6	6	1	1	1	3	7	7	4	1	2	0	39	39
ACCIDENTS 2023	2	1	5	1	3	2	3	5	2	4	7	3	38	35
ACCIDENTS 2022	2	1	3	4	3	3	1	3	3	1	4	1	29	28
ACCIDENTS 2021	1	2	2	5	3	4	1	3	2	7	2	2	34	32
INJURY COLLISIONS 2024	0	0	0	0	0	0	1	2	2	1	0	0	6	6
INJURY COLLISIONS 2023	0	0	1	0	0	0	1	1	0	0	0	1	4	3
INJURY COLLISIONS 2022	0	0	0	1	0	1	0	0	0	0	0	0	2	2
INJURY COLLISIONS 2021	0	0	1	0	1	0	0	1	0	2	0	0	5	5
PERSONS INJURED 2024	0	0	0	0	0	0	2	2	4	1	0	0	9	9
PERSONS INJURED 2023	0	0	1	0	0	0	1	1	0	0	0	1	4	3
PERSONS INJURED 2022	0	0	0	1	0	1	0	0	0	0	0	0	2	2
PERSONS INJURED 2021	0	0	1	0	1	0	0	1	0	2	0	0	5	5
FATAL COLLISIONS 2023	0	0	0	0	0	0	0	0	0	0	0	0	0	0
FATAL COLLISIONS 2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0
FATAL COLLISIONS 2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0

City of Solvang Recap														
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals	YTD
TRAFFIC DEATHS 2024	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TRAFFIC DEATHS 2023	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TRAFFIC DEATHS 2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TRAFFIC DEATHS 2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0
CITATIONS 2024	2	1	4	7	8	13	3	4	5	3	5	0	55	55
CITATIONS 2023	7	4	8	6	5	1	12	2	4	5	5	6	65	59
CITATIONS 2022	0	2	2	9	5	11	1	10	3	6	6	6	61	55
CITATIONS 2021	4	2	12	3	5	0	27	11	12	16	15	6	113	107
DUI ARRESTS 2024	4	5	5	3	2	2	0	5	2	0	1	0	29	29
DUI ARRESTS 2023	4	0	1	1	3	1	8	2	2	2	4	2	30	28
DUI ARRESTS 2022	1	1	1	2	5	3	2	1	4	0	2	2	24	22
DUI ARRESTS 2021	1	3	0	1	2	2	2	2	1	1	4	3	22	19
TOWED VEHICLES 2024	0	0	0	0	0	1	0	0	0	0	0	0	1	1
TOWED VEHICLES 2023	1	0	0	0	0	0	0	0	0	0	0	0	1	1
TOWED VEHICLES 2022	0	0	0	2	0	0	1	1	0	0	0	0	4	4
TOWED VEHICLES 2021	1	0	0	0	0	1	0	0	1	2	1	1	7	6
ARRESTS	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals	YTD
FELONY 2024	1	5	1	6	1	1	0	5	3	5	2	0	30	30
FELONY 2023	2	2	2	2	7	2	3	0	0	3	1	2	26	24
FELONY 2022	2	4	4	2	5	0	1	3	1	5	3	2	32	30
FELONY 2021	1	4	4	3	6	0	6	6	3	4	8	1	46	45
MISDEMEANOR 2024	6	11	10	15	13	13	9	17	17	10	11	0	132	132
MISDEMEANOR 2023	13	8	6	6	14	8	18	5	7	13	7	7	112	105
MISDEMEANOR 2022	9	11	7	9	11	8	6	5	9	5	8	9	97	88

MISDEMEANOR 2021	13	7	7	15	14	13	18	16	13	5	18	5	144	139
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals	YTD
CALLS FOR SERVICE 2024	313	301	258	397	374	447	455	355	378	369	370	0	4,017	4,017
CALLS FOR SERVICE 2023	280	294	338	358	398	333	428	334	282	350	302	373	4,070	3,697
CALLS FOR SERVICE 2022	332	309	353	351	419	437	388	393	404	413	391	356	4,546	4,190
CALLS FOR SERVICE 2021	290	337	395	400	401	430	553	452	413	433	428	353	4,885	4,532
REPORTS TAKEN 2024	32	39	36	44	38	42	40	41	43	43	33	0	431	431
REPORTS TAKEN 2023	45	34	41	32	58	32	42	33	29	39	35	30	450	420
REPORTS TAKEN 2022	40	41	47	47	56	37	37	44	46	31	50	32	508	476
REPORTS TAKEN 2021	45	39	41	57	55	45	47	60	46	51	56	27	569	542
Transient/Homeless	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals	YTD
CALLS FOR SERVICE 2024	16	10	7	14	10	10	14	12	15	14	22	0	144	144
REPORTS TAKEN	6	4	2	4	3	3	2	4	3	1	9	0	41	41
ARRESTS MADE	2	2	2	4	3	1	1	2	3	0	4	0	24	24
CALLS FOR SERVICE 2023	11	8	4	3	17	12	16	4	6	11	7	12	111	99
REPORTS TAKEN	3	3	0	2	13	2	6	0	3	7	3	3	45	42
ARRESTS MADE	0	3	0	1	9	1	4	0	2	4	3	2	29	27
Detective Tracking	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals	YTD
2024 New Cases Forwarded to Investigations	10	10	17	13	7	13	13	11	8	17	8	0	127	127
2024 Cases Suspended	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2024 Cases Assigned	0	0	1	0	1	0	1	0	0	0	0	0	3	3
2024 Cases Closed by Arrest	0	0	0	0	0	0	0	0	0	0	1	0	1	1
2024 Cases Closed by Other	10	1	17	13	6	13	12	10	9	16	8	0	115	115
2024 Submitted for Complaint	0	10	0	0	0	0	0	0	0	0	0	0	10	10
2024 Current Active Cases	2	1	1	1	2	2	3	3	2	2	2	0		
2023 New Cases Forwarded to Investigations	8	20	9	10	14	11	9	10	10	11	8	6	126	120
2023 Cases Suspended	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2023 Cases Assigned	0	1	0	1	0	0	0	0	1	0	1	0	4	4
2023 Cases Closed by Arrest	0	0	0	1	0	0	0	0	1	2	0	0	4	4
2023 Cases Closed by Other	11	22	10	0	13	10	8	9	9	9	7	6	114	108

2023 Submitted for Complaint	0	0	0	10	0	1	0	1	0	1	0	0	13	13
2023 Current Active Cases	4	4	2	2	2	2	2	2	2	2	2	2		

CITY OF SOLVANG INVESTMENTS
NOVEMBER 2024

FUND #	FUND	FUND BALANCE	% OF TOTAL
100	GENERAL FUND	\$ 19,456,979.19	50.74%
200	GOVERNMENTAL IMPACT FEES	\$ 1,679,119.18	4.38%
201	TRAFFIC SAFETY	\$ 7,526.20	0.02%
202	GAS TAX FUND	\$ 345,035.91	0.90%
203	LOCAL TRANSPORTATION	\$ 510,674.84	1.33%
204	MEASURE A	\$ 1,629,355.71	4.25%
205	SKYTT MESA LLMD	\$ 455,251.65	1.19%
207	MEASURE U	\$ 1,697,303.13	4.43%
300	CAPITAL PROJECTS	\$ (481,337.61)	-1.26%
500	WATER FUND	\$ 7,404,443.59	19.31%
501	WASTEWATER	\$ 2,104,384.99	5.49%
502	TRANSIT FUND	\$ 2,230,195.33	5.82%
600	EQUIPMENT/VEHICLE POOL	\$ 1,267,490.29	3.31%
800	GENERAL FIXED ASSET GROUP	0.00	0.00%
TOTALS		\$ 38,343,327.22	100%

		Interest Rate
LAIF BALANCE	\$ 1,380,318.18	4.518%
CHECKING ACCOUNTS	\$ 36,963,009.04	4.518%/4.827%
TOTALS	\$ 38,343,327.22	

** All City investments for the month are in compliance with California Government Code, Section 53646(b)(1).

** Current investments meet expenditure requirements for the next six months.

CITY OF SOLVANG INVESTMENTS
OCTOBER 2024

FUND #	FUND	FUND BALANCE	% OF TOTAL
100	GENERAL FUND	\$ 18,964,371.68	50.63%
200	GOVERNMENTAL IMPACT FEES	\$ 1,668,302.64	4.45%
201	TRAFFIC SAFETY	\$ 6,805.68	0.02%
202	GAS TAX FUND	\$ 315,183.39	0.84%
203	LOCAL TRANSPORTATION	\$ 508,914.46	1.36%
204	MEASURE A	\$ 1,587,648.28	4.24%
205	SKYTT MESA LLMD	\$ 469,029.26	1.25%
207	MEASURE U	\$ 1,731,754.87	4.62%
300	CAPITAL PROJECTS	\$ (389,625.66)	-1.04%
500	WATER FUND	\$ 6,964,523.03	18.60%
501	WASTEWATER	\$ 1,982,234.59	5.29%
502	TRANSIT FUND	\$ 2,288,078.67	6.11%
600	EQUIPMENT/VEHICLE POOL	\$ 1,263,121.05	3.37%
800	GENERAL FIXED ASSET GROUP	0.00	0.00%
TOTALS		\$ 37,453,175.76	100%

		Interest Rate
LAIF BALANCE	\$ 1,380,318.18	4.518%
CHECKING ACCOUNTS	\$ 36,072,857.58	4.575%/4.949%
TOTALS	\$ 37,453,175.76	

** All City investments for the month are in compliance with California Government Code, Section 53646(b)(1).

** Current investments meet expenditure requirements for the next six months.



CITY COUNCIL STAFF REPORT

Agenda Item: 7.h

Meeting Date: January 13, 2025

SUBJECT: Adopt Resolution No. 25-1277 Adopting the Annual Investment Policy for calendar year 2025

PREPARED BY: Wendy Berry, Administrative Services Director

DISCUSSION: California Government Code Section §53646 (a)(2) states the Treasurer or Chief Fiscal Officer of the local agency may annually render to the legislative body of that local agency and any oversight committee of that local agency a statement of investment policy, which the legislative body of the local agency shall consider at a public meeting. Any change in the policy shall also be considered by the legislative body of the local agency at a public meeting. Adopting an annual Investment Policy is also recommended by the City's auditors and the Government Finance Officers Association (GFOA).

The purpose of the investment policy is to provide guidelines for ensuring prudent money management, providing for daily cash flow requirements and meeting the objectives of the Policy. The City's goals include the enhancement of economic status and the protection of cash investments. The criteria when selecting investments are Safety, Liquidity and Yield.

Currently, the City's money is held in Montecito Bank & Trust, the Local Agency Investment Fund (LAIF), California Class, Five Star Bank and CD's. The City is earning interest on the Montecito Bank & Trust account at approximately 1.78%, LAIF's interest rate is approximately 4.58%, Five Star Money Market account is 4.575% and California Class is 4.949%. Attachment C is the current listing of the City's CD's.

The City's Investment Policy is reviewed and adopted annually.

ALTERNATIVES:

The City Council may make changes to the policy.

FISCAL IMPACT:

Approving the investment policy does not have significant financial impact.

ATTACHMENTS:

A – Resolution 25-1277

B – Investment Policy

C- CD Listing

RESOLUTION NO. 25-1277

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLVANG
CALIFORNIA ADOPTING THE ANNUAL INVESTMENT POLICY FOR CALENDAR YEAR
2025.**

WHEREAS, the California State Legislature passed legislation during 1984 session required the filing of an annual Statement of Investment Policy by local public agencies; and

WHEREAS, the Governor of the State of California signed such legislation (Chapter 1226 into law effective January 1, 1985); and

WHEREAS, California Government Code §53646 (a)(2) states the treasurer or chief fiscal officer of a local agency or district may submit an investment policy to the governing body and treasurer oversight committee should one exist. Any change in the policy shall also be considered by the legislative body of the local agency at a public meeting. The investment program shall be in conformance with federal, state, and other legal requirements, including California Government Code 53600 and 53630 et seq.; and

WHEREAS, The City of Solvang shall invest public funds in such a manner as to comply with state and local laws, ensure prudent money management, provide for daily cash flow requirements, and meet the objectives of the Policy, in priority order of Safety, Liquidity and Return on investment; and

WHEREAS, The cash management system of the City of Solvang is designed to accurately monitor expenditures and revenues, thus insuring the investment of monies to the fullest extent possible. Attempts to obtain highest interest yields possible are a statement of fact as long as investments meet the criteria required for safety and liquidity, and

WHEREAS, the City's investment portfolio shall remain efficiently liquid to meet all operating requirements that may be reasonably anticipated.

**NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF SOLVANG DOES HEREBY
RESOLVE AS FOLLOWS:**

SECTION 1. That the Annual Investment Policy has been reviewed at a public meeting held on January 13th, 2025.

SECTION 2. That the City Council hereby delegates the duties of the City Treasurer to the Administrative Services Director for a one-year period from January 13, 2025 to January 12, 2026, as per California Government Code §53607.

SECTION 3. That the City Council authorizes the City Manager to execute all required documents for new investments.

SECTION 4. That the City of Solvang does hereby adopt the Investment Policy attached hereto and made part of this Resolution as Exhibit "A".

SECTION 5. The approved financial institution list includes MBS Securities, King Capital Advisors, California Class, LPL Financial LLC, Five Star Bank, Montecito Bank and Trust and Local Area Investment Fund.

SECTION 6. That this Resolution is effective immediately upon adoption.

SECTION 7. That the City Clerk shall certify to the passage and adoption of this Resolution and shall cause a certified copy to be filed in the book of original resolutions.

PASSED, APPROVED AND ADOPTED this 13th day of January, 2025.

David Brown, Mayor

APPROVED AS TO FORM:

ATTEST:

Craig Steele, Acting City Attorney

Annamarie Porter, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA)ss
CITY OF SOLVANG)

I, Annamarie Porter, City Clerk of the City of Solvang, California do hereby certify that Resolution No. 24-1277 was passed and adopted by the City Council of the City of Solvang at a regular meeting of said City Council held on the 24th day of March, 2024, and thereafter signed and approved by the Mayor and attested by the City Clerk, and that said resolution was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Annamarie Porter, City Clerk

 <p style="text-align: center;">Investment Policy</p>	Section: Finance
	Adopted: January 13, 2025
	Last Amended: April 8, 2024 CA Reviewed

1.0 Policy

The City of Solvang shall invest public funds in such a manner as to comply with state and local laws, ensure prudent money management, provide for daily cash flow requirements, and meet the objectives of the Policy, in priority order of Safety, Liquidity and Return on investment. California Government Code §53646 (a)(2) states the treasurer or chief fiscal officer of a local agency or district may submit an investment policy to the governing body and treasurer oversight committee should one exist. Any change in the policy shall also be considered by the legislative body of the local agency at a public meeting. The investment program shall be in conformance with federal, state, and other legal requirements, including California Government Code 53600 and 53630 et seq.

2. Scope

This investment policy applies to all funds and investment activities and financial assets of the City of Solvang. The funds covered by this policy are accounted for and incorporated in the City of Solvang's Annual Comprehensive Financial Report (ACFR) and include:

- General Fund
- Special Revenue Funds
- Debt Service Funds
- Capital Project Funds
- Internal Service Funds
- Agency Funds
- Enterprise Funds

This investment policy does not apply to Bond Proceeds, Deferred Compensation Funds, Retirement or Retiree Health Care savings/trusts/plans. California Government Code Section 5922(d) authorizes proceeds of bonds to be invested in accordance with related offering documentation. These Code Sections recognize the unique needs and objectives of such proceeds. Likewise, Deferred Compensation Plans are covered under California Government Code.

3. 0 Prudence: Reference: CA Govt. Code 53600.3 and 53646

The City Treasurer is authorized to make investment decisions on behalf of the City investing public funds subject to the prudent investment standard. The Prudent Investor Standard (California Government Code Section 53600.3 states, that "When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the City". The standard of prudence to be used by investment officials shall be applied in the context of managing an overall portfolio.

4.0 Objective: Reference: CA Govt. Code 53600.5

The primary objectives, in priority order, of investment activities shall be safety, liquidity, and return on investment.

A. Safety: of principal is the foremost objective of the investment program. Investments of the City shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective the City will diversify its investments by investing funds among a variety of securities with independent returns.

Liquidity:

The City's investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated.

Return on Investments:

The City investment portfolio shall have the objective of attaining a comparative performance measurement or an acceptable rate of return throughout budgetary and economic cycles. These measurements should be commensurate with the City's investment risk constraints identified in the investment Policy and the cash flow characteristics of the portfolio.

5.0 Delegation of Authority: Reference: CA Govt. Code 41006 and 53607

California Government Code Section 53601 states the legislative body of a local agency is authorized to invest surplus moneys as specified in that code section. In accordance with California Government Code Section 53607, the authority to invest or reinvest the funds of the City or to sell or exchange securities so purchased may be delegated to the City Treasurer/Administrative Services Director for a one-year period by the City Council. Subject to review, the City Council may renew the delegation of authority under this code section each year.

The City of Solvang City Council, as permitted under California Government Code 53607 delegates its authority to invest or reinvest City funds to the City Treasurer, who is also the Administrative Services Director. The City Treasurer shall be responsible for all investment transactions undertaken and shall establish a system of controls to regulate the activities of City officials involved in any aspect of the investment program in the absence of the City Treasurer. In case of the City Treasurer's absence, the City Council delegates investment authority to the City Manager. The City Council may renew the delegation of authority under this code section each year.

Duties and Responsibilities

5.1 City Treasurer (Administrative Services Director): Charged with the responsibility for all public funds and securities belonging to or under the control of the City, and for the deposit and investment of those funds in accordance with the principles of sound treasury management and in accordance with the applicable laws, ordinances and policies adopted by the City.

5.2 Administrative Service Department Staff: Charged with recording investment activity in the accounting records and with verifying the Treasurer's records with broker confirmations, bank statements and safekeeping records.

5.3 City Council: May delegate to the City Treasurer for a one-year period, the authority to invest the City's funds. Subject to review, the City Council may also annually consider and approve a written Statement of Investment Policy at a public meeting. Any change to the Investment Policy at any time shall also be considered by the City Council at a public meeting.

6.0 Ethics and Conflict of Interest:

Employees and Investment Officers shall refrain from personal business activity that could conflict with the proper execution and management of the policy and investment program or which could impair their ability to make impartial decisions. Employees and Investment Officers must provide a public disclosure document by February 1 of each year or when the material interest in the financial institutions or personal investment positions require it. Furthermore, Employees and Investment Officers must refrain from undertaking personal investment transactions with the same individual (s) employed by the

financial institution with whom business is conducted on behalf of the City.

7.0 Authorized Dealers and Institutions: Reference: CA Govt. Code 53601.5

The Treasurer will maintain a list of approved financial institutions authorized to provide investment services to the City in the State of California. This list shall be approved by City Council. These may include “primary” dealers or regional dealers that qualify under Securities & Exchange Commission Rule 15C3-1 (uniform net capital rule. Best practices include the following: 1) A competitive bid process, when practical, will be used to place all investment purchases, other than those that are classified as “new issue” securities. On an annual basis, the Treasurer shall recommend a list of at least two broker/dealers who are authorized to provide investment services. All broker/dealers who wish to be considered for the list must meet the following minimum requirements: 1) A determination that all approved broker/dealer firms and individuals covering the public agency, are reputable and trustworthy,; 2) the broker/dealer firms should have the ability to meet all their financial obligations in dealing with City; 3) the firms, individuals covering the agency, should be knowledgeable and experienced in Public Agency investing and the investment products involved; 4)no public deposit shall be made except in a qualified public depository as established by the established state laws 5) all financial institutions and broker/dealers who desire to conduct investment transactions with the public agency may supply the Treasurer with audited financial statements, proof of FINRA certification, trading resolution, proof of State of California registrations, a completed broker/dealer questionnaire, certification of having read City’s investment policy and depository contracts.

An annual review of the financial condition and registrations of qualified bidders may be conducted by the Treasurer and a current audited financial statement requested for each financial institution and broker/dealer in which the City invests.

8.0 Authorized and Suitable Investments:

California Government Code Section 53601, 53601.6, 53601.8, 53635, 53635.2, 53638 and 53684 include a number of requirements on how and where public money may be invested. The City is empowered by statute to invest in the following types of securities:

Permitted Investments	City Dollar Limit, Maximum Percentage of Portfolio Limit	Maturity Limit
Local Agency Investment Fund	\$50 million, 100%	None
Agency Issues (Govt. sponsored Enterprise, or GSE, instruments)	50%	5 years
Negotiable Certificates of Deposits	30%	5 years
Non-Negotiable Certificates of Deposit	50%	5 years
Public Funds Checking or Savings Account	100%	None
Shares of Beneficial Interest (i.e, money market mutual funds)	20% (10% in any one mutual fund)	N/A
U.S. Treasury Issues	100%	5 years

State of California Issues	30%	5 years
Issues of Entities outside of California	30%	5 years
Issues of Other California Entities	30%	5 years
Joint Powers Authority Pool	50%	N/A
City of Solvang Bonds	100%	5 years
Corporate Bonds	30% minimum rating by at least one of the following and a maximum of 10% per issuer: S&P A, Moody's A@, Fitch A	5 years
Commercial Paper	25% or portfolio; 10% per issuer; Rating of A1/P1' or higher from S & P Moody's	270 days

Any State of California legislative action that further restricts allowable maturities, investment types or percentage allocations will be incorporated into the City's Policy and supersedes any and all previous applicable language. If the City is holding an investment that is subsequently prohibited by a legislative change, the City may hold that investment, if it is deemed prudent by the Investment Officer, until the maturity date to avoid an unnecessary loss.

9.0 Review of Investment Portfolio:

The securities held by the City must be in compliance with Section 8.0 Authorized and Suitable Investments at the time of purchase. Because some securities may not comply with Section 8.0 Authorized and Suitable Investments subsequent to the date of purchase, the City Treasurer shall at least quarterly review the portfolio to identify those securities that do not comply. The City Treasurer shall establish procedures to report to the City Council, major and critical incidences of noncompliance identified through the review of the portfolio.

10.0 Investment Pools/Mutual Funds

A thorough investigation of the pool/fund is required prior to investing, and on a continual basis. There shall be a questionnaire developed which will answer the following general questions:

- 10.1. A description of eligible investment securities, and a written statement of investment policy and objectives.
- 10.2. A description of interest calculations and how it is distributed, and how gains and losses are treated.
- 10.3. A description of how the securities are safeguarded (including the settlement processes), and how often the securities are priced and the program audited.
- 10.4. A description of who may invest in the program, how often, what size deposit and withdrawal are allowed.
- 10.5. A schedule for receiving statements and portfolio listings.

10.6. A description of how the pool/fund maintain reserves, retained earnings, etc. or is all income after expenses distributed to participants.

10.7. A fee schedule that discloses when and how fees are assessed.

10.8. The eligibility of the pool/fund to invest in bond proceeds and a description of its practices.

11.0 Collateralization: Reference: CA Govt. Code 53601

Collateralization is required on certificates of deposits and sweep checking accounts. In order to anticipate market changes and provide a level of security for all funds, the collateralization level will be (110%) of market value of principal and accrued interest.

The City chooses to limit collateral to the following: certificates of deposits, sweep checking accounts, and agency issues. Collateral will always be held by an independent third party with whom the entity has a current custodial agreement. A clearly marked evidence of ownership (safekeeping receipt) must be supplied to the entity and retained.

At the City Treasurer's discretion, the collateral requirements may be waived for certificates of deposits up to \$250,000 which are fully insured by the Federal Deposit Insurance Corporation.

12.0 Safekeeping and Custody: Reference: CA Govt. Code 53608

All securities will be received and delivered on a delivery versus payment (DVP) basis. Securities will be held by a third-party custodian/safekeeping account designated by the Treasurer and evidenced by safekeeping receipts. Said securities shall be held in a manner that establishes the government entity's right of ownership. The only exception to the foregoing shall be depository accounts and securities purchases made with: LAIF, time certificates of deposit and money market mutual funds held directly with issuing institution, since the purchased securities are not deliverable.

13.0 Diversification

The City recognizes that investment risks can result from issuer defaults, market price changes, or various technical complications leading to temporary illiquidity. To minimize the City's exposure to these types of risk, the portfolio should be diversified among several types of institutions, instruments, and maturities. The Treasurer shall minimize default risk by prudently selecting only instruments and institutions, which at the time of placement have been evaluated for their financial viability and compliance with this policy.

No individual investment transaction shall be undertaken that jeopardizes the total capital position of the overall portfolio. Risk shall also be managed by subscribing to a portfolio management philosophy that helps to control market and interest rate risk by matching investments with cash flow requirements. See section 9.0 Authorized and Suitable Investments, which lists the City's maximum percentage limits and promotes a diverse portfolio.

14.0 Maximum Maturities

To the extent possible, the City will attempt to match its investments with anticipated cash flow requirements. Matching maturities with cash flow dates will reduce the need to sell securities prior to maturity, thus reducing market risk. Unless matched to a specific cash flow and approved by City Council, the City will not directly invest in securities maturing more than 5 years from the date of purchase.

15.0 Internal Controls

The City Treasurer shall establish an annual process of independent review by an external auditor. This

review will provide internal control by assuring compliance with policies and procedures.

- Proper documentation obtained from confirmation and cash disbursement wire transfers is required for each investment transaction.
- Timely bank reconciliation is conducted to ensure proper handling of all transactions.
- The investment portfolio and all related transactions are reviewed and balanced to appropriate general ledger accounts by the Administrative Services Department on a monthly and quarterly basis.

16.0 Performance Standards

The investment portfolio shall be designed with the objective of obtaining a rate of return throughout budgetary and economic cycles, commensurate with investment risk constraints and cash flow needs.

The City's basic investment strategy is to buy and hold investments until maturity. However, the City Treasurer may sell a security due to adverse changes in credit risk or due to unexpected cash flow needs.

The Market Yield benchmark used by the Treasurer is to determine whether market yields are being achieved and shall be the rate of return from the following indices: Local Agency Investment Fund (LAIF) and 6-month and 1-year Treasury Bills.

17.0 Investment Reporting Reference: CA Govt. Code 53607 and 53646 (b)

In accordance with California Government Code Section 53607, the Treasurer shall file a monthly investment report with the City Clerk who will place the report on the agenda of the next regular City Council meeting. The City Treasurer shall review and render monthly and quarterly investment portfolio reports to the City Manager and City Council.

- The monthly report shall include an accounting of all receipts, disbursements, and fund balances.
- The quarterly reports shall include the book and market value of the cash investment, the classification of the investment, the name of the institution or entity, the rate of interest, and the maturity dates for all securities.
- The quarterly report will include a statement of compliance of the portfolio with the investment policy or an explanation as to why the portfolio is not in compliance per Government Code 53646(b)(2).
- The quarterly report will include a statement on availability of funds to meet its obligations within the next six months per Government Code 53646(b)(3).

18.0 Investment Policy Adoption: Reference: CA Govt. Code 53646

The City's Investment Policy shall be adopted by resolution annually by the City Council. The policy shall be reviewed annually by the City Council and any modifications made thereto must be approved by the City Council.

19.0 Glossary

ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR): The official financial annual report of the City. It includes five combined statements for each individual fund and account group prepared in conformity with GAAP. It also includes supporting schedules necessary to demonstrate compliance with

finance related legal and contractual provisions, extensive introductory material, and a detailed Statistical Section.

AGENCIES: Federal agency securities and/or Government T sponsored enterprises.

ASK PRICE: The price at which securities are offered.

BEAR MARKET: A period of generally pessimistic attitudes and declining market prices.

BENCHMARK: A comparative base for measuring the performance or risk tolerance of the investment portfolio. A benchmark should represent a close correlation to the level of risk and the average duration of the portfolio's investments.

BID PRICE: The price offered by a buyer of securities. (When you are selling securities, you ask for a bid.) See Offer.

BOND: An interest-bearing security issued by a corporation, quasi-governmental agency or other body, which can be executed through a bank or trust company. A bond is a form of debt with an interest rate, maturity, and face value, and is usually secured by specific assets. Most bonds have a maturity of greater than one year, and generally pay interest semiannually.

BOND RATING: The classification of a bond's investment quality.

BOOK VALUE: The amount at which a security is carried on the books of the holder or issuer. The book value is often the cost, plus or minus amortization, and may differ significantly from the market value.

BROKER: A broker brings buyers and sellers together for a commission.

BULL MARKET: A period of generally optimistic attitudes and increasing market prices.

CERTIFICATE OF DEPOSIT (CD): A time deposit with a specific maturity evidenced by a Certificate. Large denomination.

CDs are typically negotiable.

COLLATERAL: Securities, evidence of deposit or other property, which a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

COMMERCIAL PAPER: Short term obligations with maturities ranging from 2 to 270 days issued by banks, corporations, and other borrowers to investors with temporarily idle cash. Such instruments are unsecured and usually discounted, although some are interest bearing.

COMMISSION: The broker's or agent's fee for purchasing or selling securities for a client.

COUPON: (a) The annual rate of interest that a bond's issuer promises to pay the bondholder on the bond's face value. (b) A certificate attached to a bond evidencing interest due on a payment date.

DEALER: A dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling for his own account.

DEBENTURE: A bond secured only by the general credit of the issuer.

DEFAULT RISK: This is the risk that a company or individual will be unable to make the required payments on their obligation. Standard measurement tools to gauge default risk include credit ratings by Nationally Recognized Statistical Rating Organizations (NRSROs).

DELIVERY VERSUS PAYMENT: There are two methods of delivery of securities: delivery versus payment and delivery versus receipt. Delivery versus payment is delivery of securities with an exchange of money for the securities. Delivery versus receipt is delivery of securities with an exchange of a signed receipt for the securities.

DISCOUNT: The difference between the cost price of a security and its maturity when quoted at lower than face value. A security selling below original offering price shortly after sale also is considered to be at a discount.

FEDERAL RESERVE SYSTEM: The central bank of the United States which consists of a seven-member Board of Governors, 12 regional banks and approximately 5,700 commercial banks that are members.

DISCOUNT SECURITIES: Noninterest bearing money market instruments that are issued a discount and redeemed at maturity for full face value (e.g., U.S. Treasury Bills).

DIVERSIFICATION: Dividing investment funds among a variety of securities offering independent returns.

DURATION: A measure of the sensitivity of the price (the value of principal) of a fixed income investment to a change in interest rates. Duration is expressed as a number of years. Rising interest rates mean falling bond prices, while declining interest rates mean rising bond prices.

FEDERAL CREDIT AGENCIES: Agencies of the Federal government set up to supply credit to various classes of institutions and individuals, e.g., S&L's, small business firms, students, farmers, farm cooperatives, and exporters.

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC): A federal agency that insures bank deposits, currently up to \$250,000 per entity.

FEDERAL FUNDS RATE: The rate of interest at which Fed funds are traded. This rate is currently pegged by the Federal Reserve through open market operations.

FEDERAL OPEN MARKET COMMITTEE (FOMC): Consists of seven members of the Federal Reserve Board and five of the twelve Federal Reserve Bank Presidents. The President of the New York Federal Reserve Bank is a permanent member, while the other Presidents serve on a rotating basis. The Committee periodically meets to set Federal Reserve guidelines regarding purchases and sales of Government Securities in the open market as a means of influencing the volume of bank credit and money.

FISCAL YEAR: An accounting or tax period comprising any twelve-month period. The City's fiscal year begins on July 1.

FULL FAITH AND CREDIT: The unconditional guarantee of the United States government backing a debt for repayment.

INTEREST RATE: The interest payable each year on borrowed funds, expressed as a percentage of the principal.

INVESTMENT: Use of capital to create more money, either through income producing vehicles or through more risk-oriented ventures designed to result in capital gains.

INVESTMENT PORTFOLIO: A collection of securities held by a bank, individual, institution, or government agency for investment purposes. LAIF: trade name for the California State Local Agency

Investment Fund. Chapter 730, Statutes of 1976 of the State of California, established the

LAIF. The LAIF enables local governmental agencies to remit money not required for immediate needs to the State Treasurer for the purpose of investment. To derive the maximum rate of return possible, the State Treasurer has elected to invest these monies with State monies as a part of the Pooled Money Investment Account. Each local governmental unit has the exclusive determination of the length of time its money will be on deposit with the State Treasurer. At the end of each calendar quarter, all earnings derived from investments are distributed by the State respective amounts deposited in the LAIF and the length of time such amounts remained therein. Prior to the distribution, the State's cost of administering the program is deducted from the earnings. The California Government Code states that monies placed for deposit in LAIF are in trust in the custody of the State Treasurer and cannot be borrowed or be withheld from the City. Further, the right of the City to withdraw its deposited money from the LAIF upon demand may not be altered, impaired, or denied in any way by any State official or agency based upon the State's failure to adopt a budget by July 1 of each new fiscal year.

LIQUIDITY: A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and reasonable size can be done at those quotes.

MARKET RISK: This is the risk that the value of a security will raise or decline because of changes in market conditions.

MARKET VALUE: the price at which a security is currently being sold in the market.

MATURITY: the date that the principal or stated value of debt instrument becomes due and payable.

MONEY MARKET: The market in which short-term debt instruments (bills, commercial paper, bankers' acceptances, etc.) are issued and traded.

MUTUAL FUND: An investment company that pools money and can invest in a variety of securities, including fixed income securities and money market instruments. Mutual funds are regulated by the Investment Company Act of 1940 and must abide by Securities and Exchange Commission (SEC) disclosure guidelines.

NEGOTIABLE CERTIFICATES OF DEPOSIT: Fixed deposit certificate that may be negotiated (traded) to a third party. The institution issuing the certificate promises to pay face value plus accrued interest at maturity or semiannually if maturity is over one year.

NRSRO: This acronym stands for Nationally Recognized Statistical Rating Organization, which is a credit rating agency that issues credit ratings that the U.S. Securities and Exchange Commission (SEC) permits other financial firms to use for certain regulatory purposes. NRSROs include Standard & Poor's, Moody's, and Fitch ratings.

OFFER: The price asked by a seller of securities. (When you are buying securities, you ask for an offer.) See Asked and Bid.

OPEN MARKET OPERATIONS: Purchases and sales of government and certain other securities in the open market by the New York Federal Reserve Bank as directed by the FOMC to influence the volume of money and credit in the economy. Purchases inject reserves into the bank system and stimulate growth of money and credit; sales have the opposite effect. Open market operations are the Federal Reserve's most important and most flexible monetary policy tool.

PORTFOLIO: The collection of securities held by an individual or institution. The combined holding of more than one stock, bond, commodity, real estate investment, cash equivalent, or other asset. The purpose of a portfolio is to reduce risk by diversification.

PRINCIPAL: The face or par value of an instrument.

PRIMARY DEALER: A group of government securities dealers who submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC) registered securities broker dealers, banks, and a few unregulated firms.

QUALIFIED PUBLIC DEPOSITORIES: A financial institution which does not claim exemption from the payment of any sales or compensating use or ad valorem taxes under the laws of this state, which has segregated for the benefit of the commission eligible collateral having a value of not less than its maximum liability and which has been approved by the Public Deposit Protection Commission to hold public deposits.

RATE OF RETURN: 1) The yield which can be attained on a security based on its purchase price or its current market price. 2) Income earned on an investment, expressed as a percentage of the cost of the investment.

RATING: The designation used by investors' services to rate the quality of a security's creditworthiness. Moody's ratings range from the highest Aaa, down through Aa, A, Bbb, Ba, B, etc. while Standard and Poor's rating range from the highest AAA, down through AA, A, BBB, BB, B, etc.

REFINANCING: Rolling over the principal on securities that have reached maturity or replacing them with the sale of new issues. The object may be to save interest costs or to extend the maturity of the loan.

SAFEKEEPING: A service offered to customers for a fee, where securities are held in the vaults for protection.

SECONDARY MARKET: A market made for the purchase and sale of outstanding issues following the initial distribution.

SECURITIES & EXCHANGE COMMISSION: Agency created by Congress to protect investors in securities transactions by administering securities legislation.

SEC RULE 15(C)3T1: See Uniform Net Capital Rule.

SECURITIES: investment instruments such as bonds, stocks and other instruments of indebtedness or equity.

SPREAD: The difference between two figures or percentages. For example, it may be the difference between the bid and asked prices of a quote, or between the amount paid when bought and the amount received when sold.

TREASURY BILLS (TTBILL): U.S. Treasury Bills are short term, direct obligations of the U.S. Government issued with original maturities of 13 weeks, 26 weeks and 52 weeks; sold in minimum amounts of \$10,000 in multiples of \$5,000 above the minimum. Treasury Bills are issued in book entry form only and are sold on a discount basis.

TRUSTEE: A bank designated as the custodian of funds and the official representative for bondholders.

UNDERWRITER: A dealer bank or financial institution which arranges for the sale and distribution of a large batch of securities and assumes the responsibility for paying the net purchase price.

UNIFORM NET CAPITAL RULE: Securities and Exchange Commission requirement that member firms as well as nonmember broker dealers in securities maintain a maximum ratio of indebtedness to liquid capital of 15 to 1; also called net capital rule and net capital ratio. Indebtedness covers all money owed

to a firm, including margin loans and commitments to purchase securities, one reason new public issues are spread among members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.

U.S. GOVERNMENT AGENCIES: Instruments issued by various U.S. government agencies most of which are secured only by the credit worthiness of the particular agency.

YIELD: The rate of annual income return on an investment, expressed as a percentage. (a) **INCOME YIELD** is obtained by dividing the current dollar income by the current market price for the security. (b) **NET YIELD** or **YIELD TO MATURITY** is the current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.

Approved Financial Institution List

- 1. MBS Securities**
- 2. King Capital Advisors**
- 3. California Class**
- 4. LPL Financial LLC**
- 5. Five Star Bank**
- 6. Montecito Bank & Trust**
- 7. Local Area Investment Fund**

City of Solvang Investment Portfolio

<u>Issuer</u>	<u>Type</u>	<u>Price</u>	<u>CPN</u>	<u>SIZE</u>	<u>YTM</u>	<u>MAT.</u>	<u>Settlement</u>	<u>CASH FLOW</u>	<u>Call Feature</u>	<u>FDIC#</u>	<u>PAYS INT</u>
JP Morgan Chase	CD	\$100.00	4.50%	\$ 240,000	4.50%	11/13/2025	11/13/2024	\$ 10,800.00	NC6mo-MTLY	628	ANN
American Commerce Bk.	CD	\$100.00	4.40%	\$ 249,000	4.40%	2/17/2026	8/14/2024	\$ 10,956.00	Non-Callable	57686	MTLY
Valley Bank NA	CD	\$100.00	4.40%	\$ 244,000	4.40%	8/6/2026	8/6/2024	\$ 10,736.00	Non-Callable	9396	S/A
First Fed. Savings Bank	CD	\$100.00	4.25%	\$ 249,000	4.25%	5/6/2027	8/6/2024	\$ 10,582.50	Non-Callable	29690	MTLY
Texas Exchange Bank	CD	\$100.00	5.00%	\$ 248,000	5.00%	8/9/2027	8/9/2024	\$ 12,400.00	NC3mo-MTLY	20099	MTLY
TOTALS				\$ 1,230,000		Avg. Yield	4.51%	\$ 55,474.50			

**Disclosure Page**

Registered Representative Securities offered through Cambridge Investment Research, Inc., a broker-dealer, member FINRA/SIPC. Investment Advisor Representative Cambridge Investment Research Advisors, Inc., a Registered Investment Advisor Cambridge and King Capital Advisors Inc. are not affiliated.

Santa Barbara County Fire Department

4410 Cathedral Oaks Road, Santa Barbara, CA 93110

805-681-5500

Solvang - Response Time Report sorted by Date_Time (Scheduled Quarterly)

Basic Incident Alarm Date Time (FD1.26)	Incident Primary Station (FD1.4)	Incident District/Zone	Fire Incident Type	Response Mode To Scene	Response Time
10/01/2024 14:17:00	30	30	EMS call, excluding vehicle accident with injury	Emergency, Downgraded to Non-Emergency	-0:03:16
10/01/2024 17:01:43	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:02:56
10/01/2024 20:12:42	30	30	Dispatched and cancelled en route	Emergency	-0:04:48
10/02/2024 10:45:49	30	30	Power line down	Non-Emergency	-0:16:40
10/02/2024 13:38:55	30	30	Unintentional transmission of alarm, other	Emergency	-0:04:32
10/02/2024 15:25:13	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:06:13
10/02/2024 16:04:55	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:02:16
10/02/2024 19:02:40	30	30	EMS call, excluding vehicle accident with injury	Emergency, Downgraded to Non-Emergency	-0:04:49
10/03/2024 13:50:11	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:04:55
10/04/2024 00:09:15	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:06:54
10/04/2024 07:31:25	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:05:42
10/04/2024 11:38:40	30	30	Dispatched and cancelled en route	Emergency, Downgraded to Non-Emergency	-0:07:04
10/04/2024 12:44:20	30	30	False alarm or false call, other	Emergency	-0:10:41
10/05/2024 11:55:35	30	30	Public service	Non-Emergency	-0:00:33
10/05/2024 14:19:47	30	30	Dispatched and cancelled en route	Emergency	
10/05/2024 14:43:16	30	30	Smoke detector activation due to malfunction	Emergency	-0:08:33
10/05/2024 17:07:07	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:02:31
10/05/2024 21:53:04	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:04:56
10/06/2024 19:48:14	30	30	Public service assistance, other	Non-Emergency	-0:09:33
10/07/2024 05:44:01	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:06:28
10/07/2024 12:13:57	30	30	Emergency medical service, other	Emergency	-0:03:14
10/07/2024 12:23:52	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:05:18
10/08/2024 11:59:57	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:02:01
10/10/2024 07:03:14	30	30	Smoke detector activation due to malfunction	Emergency	-0:09:20
10/10/2024 20:38:59	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:04:24
10/11/2024 12:07:10	30	30	Medical assist, assist EMS crew	Emergency	-0:03:45
10/11/2024 09:11:14	30	30	Medical assist, assist EMS crew	Emergency	-0:08:19
10/11/2024 12:35:27	30	30	Building fire	Emergency	-0:06:19
10/11/2024 23:44:15	30	30	Public service assistance, other	Non-Emergency	-0:07:59
10/13/2024 02:37:04	30	30	Dispatched and cancelled en route	Emergency, Downgraded to Non-Emergency	
10/15/2024 06:46:43	30	30	Public service assistance, other	Emergency	-0:08:10
10/15/2024 09:43:32	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:05:40
10/15/2024 12:38:19	30	30	EMS call, excluding vehicle	Emergency	-0:06:20

Basic Incident Alarm Date Time (FD1.26)	Incident Primary Station (FD1.4)	Incident District/Zone	Fire Incident Type	Response Mode To Scene	Response Time
			accident with injury		
10/15/2024 13:45:03	30	30	Public service assistance, other	Non-Emergency	-0:07:31
10/15/2024 13:51:03	32	30	EMS call, excluding vehicle accident with injury	Emergency, Downgraded to Non-Emergency	-0:01:07
10/15/2024 20:54:51	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:03:19
10/16/2024 18:21:12	30	30	EMS call, excluding vehicle accident with injury	Emergency, Downgraded to Non-Emergency	-0:04:17
10/17/2024 10:03:42	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:04:17
10/17/2024 10:49:29	30	30	EMS call, excluding vehicle accident with injury	Non-Emergency	-0:04:23
10/17/2024 11:46:38	30	30	EMS call, excluding vehicle accident with injury	Non-Emergency, Upgraded to Emergency	-0:06:58
10/17/2024 18:34:28	30	30	Person in distress, other	Non-Emergency	-0:04:00
10/17/2024 20:39:01	30	30	Hazardous condition, other	Emergency	-0:05:59
10/18/2024 23:19:46	30	30	False alarm or false call, other	Emergency	-0:06:55
10/19/2024 14:54:39	30	30	False alarm or false call, other	Emergency	-0:13:53
10/19/2024 20:31:55	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:05:11
10/19/2024 21:25:20	30	30	Assist invalid	Non-Emergency	-0:06:22
10/20/2024 00:50:06	30	30	Dispatched and cancelled en route	Emergency, Downgraded to Non-Emergency	-0:05:58
10/20/2024 10:03:54	30	30	False alarm or false call, other	Emergency	-0:05:09
10/21/2024 00:47:20	30	30	Dispatched and cancelled en route	Non-Emergency	-0:16:43
10/22/2024 09:33:04	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:03:49
10/22/2024 11:40:29	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:03:33
10/22/2024 18:58:16	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:03:36
10/22/2024 20:11:05	30	30	Alarm system activation, no fire - unintentional	Emergency	-0:10:33
10/23/2024 09:45:49	30	30	False alarm or false call, other	Emergency	-0:08:30
10/23/2024 10:38:59	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:04:38
10/23/2024 14:44:12	30	30	EMS call, excluding vehicle accident with injury	Non-Emergency	-0:22:44
10/23/2024 16:17:20	30	30	Assist invalid	Non-Emergency	-0:04:29
10/23/2024 23:52:49	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:10:40
10/24/2024 10:59:30	30	30	Animal rescue	Non-Emergency	0:00:00
10/24/2024 20:03:44	32	30	Dispatched and cancelled en route	Emergency, Downgraded to Non-Emergency	
10/25/2024 10:58:39	31	30	EMS call, excluding vehicle accident with injury	Emergency	-0:16:58
10/25/2024 16:43:25	32	30	Dispatched and cancelled en route	Emergency	
10/26/2024 08:43:04	30	30	EMS call, excluding vehicle accident with injury	Emergency, Downgraded to Non-Emergency	-0:05:04
10/26/2024 12:34:35	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:04:30
10/26/2024 22:46:08	30	30	Motor vehicle/pedestrian accident (MV Ped)	Emergency	-0:05:03
10/27/2024 03:27:44	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:19:16
10/28/2024 09:13:19	30	30	False alarm or false call, other	Emergency	-0:06:13
10/28/2024 11:54:49	30	30	Power line down	Emergency	-0:05:32
10/29/2024 12:35:26	30	30	Service call, other	Emergency	-0:05:59
10/29/2024 19:21:13	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:06:04

Basic Incident Alarm Date Time (FD1.26)	Incident Primary Station (FD1.4)	Incident District/Zone	Fire Incident Type	Response Mode To Scene	Response Time
10/30/2024 10:33:46	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:05:11
10/31/2024 11:47:56	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:04:34
11/02/2024 18:02:55	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:04:56
11/02/2024 13:59:36	30	30	EMS call, excluding vehicle accident with injury	Non-Emergency	-0:10:05
11/02/2024 11:07:46	30	30	Smoke detector activation due to malfunction	Emergency	-0:07:22
11/02/2024 09:39:38	30	30	Smoke detector activation due to malfunction	Emergency	-0:07:44
11/05/2024 19:46:41	30	30	Dispatched and cancelled en route	Emergency	
11/06/2024 11:15:32	30	30	Removal of victim(s) from stalled elevator	Non-Emergency	-0:07:48
11/06/2024 13:01:09	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:04:24
11/07/2024 06:42:23	30	30	Unauthorized burning	Emergency	-0:06:37
11/08/2024 13:06:51	31	30	EMS call, excluding vehicle accident with injury	Emergency	-0:08:30
11/09/2024 10:45:17	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:06:32
11/10/2024 13:34:15	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:05:02
11/11/2024 13:27:12	30	30	False alarm or false call, other	Non-Emergency	-0:04:55
11/11/2024 18:36:14	30	30	Chimney or flue fire, confined to chimney or flue	Emergency	-0:05:53
11/12/2024 17:58:36	30	30	EMS call, excluding vehicle accident with injury	Emergency, Downgraded to Non-Emergency	-0:08:20
11/13/2024 12:41:31	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:02:53
11/13/2024 20:28:33	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:05:31
11/14/2024 14:07:46	30	30	False alarm or false call, other	Emergency	-0:05:15
11/16/2024 02:16:57	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:07:13
11/16/2024 05:19:15	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:05:08
11/16/2024 05:48:24	30	30	Dispatched and cancelled en route	Emergency	-0:06:58
11/16/2024 09:53:28	30	30	EMS call, excluding vehicle accident with injury	Emergency, Downgraded to Non-Emergency	-0:04:32
11/16/2024 16:31:13	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:04:04
11/16/2024 20:57:45	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:07:12
11/16/2024 22:34:54	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:07:57
11/17/2024 02:58:30	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:06:25
11/17/2024 14:49:57	30	30	Public service assistance, other	Non-Emergency	-0:10:17
11/17/2024 18:42:15	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:03:31
11/18/2024 02:17:09	30	30	Public service assistance, other	Non-Emergency	-0:07:00
11/19/2024 09:00:49	30	30	Dispatched and cancelled en route	Emergency	
11/19/2024 16:40:49	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:02:35
11/20/2024 06:12:29	30	30	Assist invalid	Non-Emergency	-0:16:49
11/20/2024 13:10:49	32	30	EMS call, excluding vehicle accident with injury	Emergency, Downgraded to Non-Emergency	-0:08:10
11/21/2024 04:20:29	30	30	EMS call, excluding vehicle	Emergency, Downgraded to	-0:06:11

Basic Incident Alarm Date Time (FD1.26)	Incident Primary Station (FD1.4)	Incident District/Zone	Fire Incident Type	Response Mode To Scene	Response Time
			accident with injury	Non-Emergency	
11/21/2024 06:23:37	30	30	Public service assistance, other	Non-Emergency	-0:05:51
11/21/2024 14:41:15	30	30	Assist invalid	Non-Emergency	-0:03:40
11/21/2024 20:40:13	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:06:43
11/22/2024 07:38:29	30	30	Public service assistance, other	Non-Emergency	0:00:00
11/22/2024 10:49:44	30	30	Dispatched and cancelled en route	Emergency	
11/23/2024 09:15:18	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:05:14
11/24/2024 07:42:06	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:06:41
11/24/2024 12:15:03	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:05:12
11/25/2024 06:45:42	30	30	Unauthorized burning	Non-Emergency	-0:07:15
11/25/2024 12:44:36	30	30	Dispatched and cancelled en route	Emergency, Downgraded to Non-Emergency	
11/25/2024 15:41:21	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:03:31
11/26/2024 07:43:25	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:10:28
11/26/2024 19:05:57	30	30	Smoke from barbecue, tar kettle	Emergency	-0:07:06
11/27/2024 13:41:28	30	30	False alarm or false call, other	Emergency	-0:12:15
11/27/2024 17:14:59	30	30	Assist invalid	Non-Emergency	-0:09:16
11/27/2024 19:38:12	30	30	False alarm or false call, other	Emergency	-0:09:01
11/28/2024 12:40:35	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:03:03
11/28/2024 18:31:24	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:05:14
11/29/2024 07:13:33	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:03:56
11/29/2024 08:28:03	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:04:55
11/30/2024 16:03:19	30	30	Smoke from barbecue, tar kettle	Non-Emergency	-0:07:03
12/01/2024 14:18:01	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:02:07
12/01/2024 13:50:02	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:12:30
12/01/2024 10:13:16	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:05:09
12/01/2024 23:17:38	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:13:40
12/02/2024 07:48:36	30	30	CO detector activation due to malfunction	Emergency, Downgraded to Non-Emergency	-0:07:40
12/02/2024 10:33:50	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:04:56
12/02/2024 13:29:00	30	30	EMS call, excluding vehicle accident with injury	Emergency, Downgraded to Non-Emergency	-0:05:22
12/02/2024 14:54:22	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:01:43
12/04/2024 07:42:26	30	30	Motor vehicle accident with no injuries.	Emergency	-0:05:22
12/04/2024 17:50:28	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:04:57
12/05/2024 07:54:43	30	30	Dispatched and cancelled en route	Emergency	
12/05/2024 20:03:07	30	30	Building fire	Emergency	-0:08:55
12/06/2024 17:58:28	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:05:20
12/06/2024 16:03:39	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:03:59
12/06/2024 12:57:25	30	30	EMS call, excluding vehicle	Emergency	-0:04:44

Basic Incident Alarm Date Time (FD1.26)	Incident Primary Station (FD1.4)	Incident District/Zone	Fire Incident Type	Response Mode To Scene	Response Time
			accident with injury		
12/06/2024 19:21:02	30	30	EMS call, excluding vehicle accident with injury	Emergency, Downgraded to Non-Emergency	-0:04:12
12/06/2024 20:46:37	30	30	EMS call, excluding vehicle accident with injury	Emergency, Downgraded to Non-Emergency	-0:09:48
12/07/2024 08:58:03	30	30	Hazardous condition, other	Emergency	-0:04:50
12/07/2024 11:50:50	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:03:56
12/07/2024 12:25:22	30	30	Smoke scare, odor of smoke	Non-Emergency	-0:10:38
12/07/2024 15:47:42	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:08:24
12/07/2024 17:47:40	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:00:20
12/07/2024 17:51:48	30	30	EMS call, excluding vehicle accident with injury	Emergency, Downgraded to Non-Emergency	-0:11:29
12/08/2024 01:10:42	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:08:38
12/08/2024 11:44:15	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:05:37
12/08/2024 15:22:17	30	30	Rescue or EMS standby	Emergency	-0:05:48
12/08/2024 16:27:25	30	30	Unauthorized burning	Non-Emergency	-0:15:05
12/08/2024 17:09:41	30	30	Fire, other	Emergency	-0:03:40
12/08/2024 16:42:59	31	30	EMS call, excluding vehicle accident with injury	Emergency	-0:09:21
12/09/2024 15:02:07	30	30	Central station, malicious false alarm	Emergency	-0:05:37
12/09/2024 22:09:23	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:06:55
12/09/2024 05:27:03	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:10:45
12/10/2024 08:28:52	30	30	EMS call, excluding vehicle accident with injury	Emergency, Downgraded to Non-Emergency	-0:05:56
12/10/2024 13:22:21	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:04:39
12/11/2024 12:05:36	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:01:34
12/12/2024 15:58:12	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:03:29
12/12/2024 17:53:03	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:03:19
12/12/2024 21:23:18	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:06:07
12/13/2024 08:01:57	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:03:00
12/13/2024 13:30:09	30	30	Dispatched and cancelled en route	Emergency	
12/14/2024 16:53:19	30	30	Motor vehicle accident with no injuries.	Emergency	-0:04:47
12/15/2024 09:51:49	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:05:29
12/15/2024 15:21:15	30	30	False alarm or false call, other	Emergency	-0:06:18
12/15/2024 15:33:44	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:05:06
12/15/2024 15:58:57	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:02:46
12/16/2024 15:32:36	30	30	Public service	Non-Emergency	-0:15:48
12/16/2024 22:44:29	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:08:17
12/17/2024 05:45:08	30	30	Public service assistance, other	Non-Emergency	-0:10:00
12/17/2024 08:36:08	30	30	Dispatched and cancelled en route	Emergency	
12/18/2024 09:24:02	30	30	Service call, other	Non-Emergency	-0:01:14

Basic Incident Alarm Date Time (FD1.26)	Incident Primary Station (FD1.4)	Incident District/Zone	Fire Incident Type	Response Mode To Scene	Response Time
12/19/2024 09:24:31	30	30	Dispatched and cancelled en route	Emergency	-0:09:36
12/19/2024 08:45:26	30	30	Motor vehicle accident with injuries	Emergency	-0:06:35
12/19/2024 11:57:10	30	30	Assist invalid	Non-Emergency	-0:09:23
12/19/2024 12:48:42	30	30	EMS call, excluding vehicle accident with injury	Emergency, Downgraded to Non-Emergency	-0:10:08
12/19/2024 15:45:56	32	30	System malfunction, other	Emergency	-0:03:27
12/19/2024 16:15:51	30	30	Assist invalid	Non-Emergency	-0:11:09
12/20/2024 22:11:31	30	30	Dispatched and cancelled en route	Non-Emergency	
12/21/2024 21:57:57	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:05:27
12/22/2024 02:19:17	30	30	Assist invalid	Non-Emergency	-0:06:41
12/22/2024 11:15:11	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:02:30
12/22/2024 09:02:26	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:05:42
12/23/2024 05:32:15	30	30	Smoke detector activation due to malfunction	Emergency	-0:06:04
12/23/2024 13:38:17	30	30	Dispatched and cancelled en route	Emergency, Downgraded to Non-Emergency	
12/23/2024 17:39:34	30	30	Dispatched and cancelled en route	Emergency, Downgraded to Non-Emergency	-0:03:32
12/23/2024 22:50:10	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:05:53
12/24/2024 12:48:05	30	30	Dispatched and cancelled en route	Emergency	
12/25/2024 15:51:42	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:05:59
12/25/2024 17:03:49	30	30	Mobile property (vehicle) fire, other	Emergency	-0:04:13
12/26/2024 23:00:05	30	30	Gas leak (natural gas or LPG)	Emergency	-0:07:37
12/27/2024 00:26:33	30	30	EMS call, excluding vehicle accident with injury	Emergency, Downgraded to Non-Emergency	-0:04:53
12/27/2024 07:20:13	30	30	Building fire	Emergency	-0:12:08
12/28/2024 12:59:06	30	30	Public service assistance, other	Non-Emergency	-0:04:56
12/28/2024 15:50:09	30	30	False alarm or false call, other	Emergency	-0:06:23
12/28/2024 16:09:10	30	30	False alarm or false call, other	Emergency	-0:05:19
12/28/2024 22:25:06	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:07:51
12/29/2024 08:31:37	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:07:13
12/29/2024 09:59:33	30	30	Dispatched and cancelled en route	Emergency, Downgraded to Non-Emergency	-0:10:12
12/29/2024 12:26:04	30	30	Assist invalid	Emergency	-0:18:19
12/30/2024 01:35:31	30	30	Dispatched and cancelled en route	Emergency	-0:06:28
12/30/2024 05:18:44	30	30	Carbon monoxide incident	Emergency	-0:13:46
12/30/2024 22:30:44	30	30	EMS call, excluding vehicle accident with injury	Emergency	-0:22:39
12/31/2024 21:27:13	31	30	EMS call, excluding vehicle accident with injury	Emergency	-0:11:18

Report Criteria

Incident District/Zone: Is In 30

Basic Incident Date Original (Fd1.3): Is Equal To Last Quarter

Description

Solvang - Response Time Report

Santa Barbara County Fire Department

4410 Cathedral Oaks Road, Santa Barbara, CA 93110

805-681-5500

Solvang - Incidents by Unit and District (Scheduled Quarterly)

Incident District/Zone	Total Incidents
Apparatus ID: ME30	
	1
14	1
24	2
30	199
31	24
32	32
34	2
38	2
	Total: 263
Apparatus ID: T30	
30	4
31	2
	Total: 6
	Total: 269

Report Criteria

Apparatus: Is In E230, E30, E330, ME30, MT30, T30

Basic Incident Date Original (Fd1.3): Is Equal To Last Quarter

Description

Solvang - Incidents by Unit and District



AGENDA ITEM 7.j

Meeting Date: January 13, 2024

SUBJECT: Approve Amendment 1 to the Agreement with JJ Fisher Construction, Inc. for PW 24-04 Concrete Repairs Change Order 1 for the additional Copenhagen Sidewalk Work, and Tree Removal No. 1, 2, 3 for the additional amount of \$62,772.79 for a total Contract Amount not to exceed \$534,987.79, and authorize the Mayor to execute on behalf of the City

PREPARED BY: Randy Murphy, City Manager

DISCUSSION:

The 2023-24 Concrete Repair Project addressed widespread issues with cracked, uplifted, and damaged sidewalks, curbs, and gutters in the Alisal Glenn neighborhood. This area, characterized by mature trees causing significant sidewalk and curb lifting, was identified as a priority due to tripping hazards, ADA noncompliance, and street drainage problems. The project scope included removing and replacing damaged concrete, improving ADA ramps along Fjord Drive, and repairing catch basins and park drain covers.

The project was publicly bid, with six contractors submitting proposals. City Council awarded a construction contract to JJ Fisher Construction Inc. on May 13, 2024, for the completion of the project for being the lowest responsive bidder, with extensive experience in similar projects. Although the bid of \$472,215 was nearly 30% below the engineer's estimate, additional funding is required to pay for contingencies and unanticipated work that were not included in the original bid package but were authorized by the City Engineer. This additional work has been completed in a satisfactory manner.

Staff is requesting City Council to approve an increase in the contract amount from \$472,215 by \$62,772.79 to a revised total of \$534,987.79. This amendment reflects an expanded scope of work up to the end of Fjord Drive and includes an additional 240 linear feet of curb and gutter, 338 linear feet of sidewalk, 403 square feet of driveway approaches, and the construction of an additional catch basin top slab.

Additional unforeseen work included the removal of 22 trees, and Copenhagen sidewalk improvements. Delays caused by a third-party tree inspector also contributed to the extended timeline.

The total revised project cost remains within the \$560,000 budget outlined in the original staff report, which included a 10% contingency and allowances for special inspections and oversight, although the previously approved contract amount of \$472,215 covered only the Base Bid.

ALTERNATIVES:

To not approve amendment #1. This is not recommended, as the Contractor proceeded in good faith to complete the work assigned by the City Engineer.

FISCAL IMPACT:

ATTACHMENTS:

- A. Change Order No. 1
- B. Detailed Schedule of Project Pay Items

AMENDMENT NO. 1

**to the FY2023/24 CONCRETE REPAIRS, SOLVANG PROJECT NO. PW 24-04 with
JJ FISHER CONSTRUCTION, INC.**

THIS FIRST AMENDMENT is made and entered into this **13TH** day of **January 2025** between the **CITY OF SOLVANG**, a municipal corporation, and Charter City (City), and **JJ FISHER CONSTRUCTION, INC.**, a California Corporation (Contractor). In consideration of the mutual covenants and conditions set forth in the original Agreement dated, **May 29, 2024**, the parties agree to this first amendment for **FY 2023/24 Concrete Repairs, Solvang Project No PW 24-04**, and additional terms to the scope of work for the additional **Copenhagen Sidewalk Work, and Tree Removal No. 1, 2, 3** as outlined in the Change Order No. 1 (Exhibit A), for the additional amount of **\$62,772.79** for a total amount not to exceed **\$534,987.79 as outlined in** Detailed Schedule of Project Pay Items (Exhibit B).

All remaining portions of the original Agreement and applicable portions of prior Amendment(s) shall remain in full force and effect.

CITY OF SOLVANG

JJ FISHER CONSTRUCTION, INC.

David Brown, Mayor

Jason J. Fisher, CEO

APPROVED AS TO FORM:

Dave Fleishman, Acting City Attorney

ATTEST:

Annamarie Porter, City Clerk

EXHIBIT A

No. 1 **CHANGE ORDER NO. 1**

Project Name: **FY 2023/24 Concrete Repairs, Solvang Project No. PW 24-04**

City of Solvang Project No. **24-04**

Contract Start Date: **July 3, 2024**

CONTRACTOR: JJ Fisher Construction Inc.
PO Box 2219
Nipomo, CA 93444

This contract change order rectifies the differences between the bid quantities and the actual quantities installed by the contractor and agreed upon changes to the listed bid items. This change order also adds to the scope of work the additional **Copenhagen Sidewalk Work, and Tree Removal No. 1, 2, 3** as shown in the attached Detailed Schedule of Project Pay Items.

Attachments: CCO1 - Detailed Schedule of Project Pay Items

CHANGE TO CONTRACT PRICE

Original Contract Price:	\$ <u>472,215.00</u>
The Contract Price due to this Change Order will be increased by:	\$ <u>62,772.79</u>
The new Contract Price due to this Change Order will be:	\$ <u>534,987.79</u>

APPROVALS REQUIRED

To be effective, this Change Order must be approved by the City of Solvang.

Recommended by: _____ Date: _____
City Manager/Acting Public Works Director

Approved/Ordered by: _____ Date: _____
Mayor

Accepted by: _____ Date: _____
JJ Fisher, President
JJ Fisher Construction Inc.

CITY OF SOLVANG
REV 110105

CP 2024-04
CHANGE ORDER NO. 1

CITY OF SOLVANG - Solavng Sidewalk Repair Project

CCO1 - Detailed Schedule of Project Pay Items

ITEM NO.	DESCRIPTION	Unit of Measure	Unit Price	Bid Quantity	Bid Price	Installed Quantities	Actual Price	Delta
1	Mobilization	Lump Sum	\$ 27,486.00	1	\$ 27,486.00	1	\$ 27,486.00	\$ -
2	Stormwater Management & WPCP	Lump Sum	\$ 3,000.00	1	\$ 3,000.00	1	\$ 3,000.00	\$ -
3	Project Safety & Traffic Control	Lump Sum	\$ 4,000.00	1	\$ 4,000.00	1	\$ 4,000.00	\$ -
4	Remove/Replace Curb & Gutter (18in)	Linear Foot	\$ 105.00	1090	\$ 114,450.00	1330	\$ 139,650.00	\$ (25,200.00)
5	Remove/replace Sidewalk (5ft wide)	Linear Foot	\$ 72.40	2,610	\$ 188,964.00	2272	\$ 164,492.80	\$ 24,471.20
6	Remove/Replace Driveway	Square Foot	\$ 24.00	286	\$ 6,864.00	689	\$ 16,536.00	\$ (9,672.00)
7	Tree Root Pruning & Removal	Each	\$ 432.00	42	\$ 18,144.00	55	\$ 23,760.00	\$ (5,616.00)
8	Remove/Replace Curb Ramp	Each	\$ 4,608.00	13	\$ 59,904.00	13	\$ 59,904.00	\$ -
9	Remove/Replace Catch Basin Top Slab	Lump Sum	\$ 6,637.00	1	\$ 6,637.00	2	\$ 13,274.00	\$ (6,637.00)
10	Remove/Replace Parkway Drain	Each	\$ 3,922.00	2	\$ 7,844.00	0	\$ -	\$ 7,844.00
11	Miscellaneous Asphalt Concrete	Square Foot	\$ 77.43	400	\$ 30,972.00	473	\$ 36,624.39	\$ (5,652.39)
12	Miscellaneous Aggregate Base	Square Foot	\$ 19.75	200	\$ 3,950.00	473	\$ 9,341.75	\$ (5,391.75)
TOTAL BASE BID					\$ 472,215.00		\$ 498,068.94	\$ (25,853.94)

ADDITIONAL WORK ITEM	Unit	Quantity	Amount
13 Tree Removal	LS	6	\$ 4,825.28
14 Copenhagen Sidewalk Work	LS	1	\$ 13,088.57
15 Tree Removal #2	LS	6	\$ 3,780.00
16 Tree Removal #3	LS	10	\$ 15,225.00
		Total	\$ 36,918.85

Total Contract Items	\$ 498,068.94
Total Billed	\$ 534,987.79
Total Retention (5%)	\$ 26,749.39
Total Per Progress Pay	\$ 508,238.40
Final Contract Amount	\$ 534,987.79



AGENDA ITEM 9.a

Meeting Date: January 13, 2025

SUBJECT: Discussion and possible action to Adopt Resolution No. 25-1278 Granting Consent to the County of Santa Barbara to Establish the Santa Barbara County Wine Improvement District (SBCWID) and include the City of Solvang in the Established SBCWID

PREPARED BY: Randy Murphy, City Manager

DISCUSSION:

The SBCWID is a benefit assessment district proposed to create a revenue source to help fund destination sales and marketing promotions for Santa Barbara County wine tasting facilities. This approach has been used successfully in other destination areas throughout the state to increase assessed wine tasting facility sales and revenue. The proposed SBCWID includes all wine tasting facilities, existing and in the future, located within the boundaries of the County, which includes the unincorporated areas of the County, and the cities of Carpinteria, Santa Barbara, Goleta, Solvang, Buellton, Lompoc, Santa Maria, and Guadalupe. Because the proposed SBCWID will include the City of Solvang, consent must be granted by the City Council of Solvang in order for the City of Solvang to be included in the creation, operation and future renewals of the SBCWID.

Wine tasting facility business owners decided to pursue formation of the SBCWID in order to establish a revenue source devoted to promoting Santa Barbara County wine testing facilities. If established, the SBCWID would generate approximately \$1,650,000 on an annual basis for promotion of wine tasting facilities specific to Santa Barbara County.

WINE IMPROVEMENT DISTRICTS

Wine Improvement Districts (WIDs) utilize the efficiencies of private sector operation in the market-based promotion of assessed businesses. These special assessment districts allow assessed business owners to organize their efforts to increase promotions & engagement. Business owners within the WID fund the WID, and those funds are used to provide services that are desired by and benefit the assessed businesses within the WID.

WID benefits:

- Funds cannot be diverted for other government programs;
- They are customized to fit the needs of each destination;
- They allow for a wide range of services; including: promotion, engagement, and sales lead generation;
- They are designed, created and governed by those who will pay the assessment; and
- They provide a stable funding source for promotion of assessed businesses.

In California, WIDs are primarily formed pursuant to the Property and Business Improvement District Law of 1994 (94 Law). This law allows for the creation of special benefit assessment districts to raise funds within a specific geographic area. The key difference between WIDs and other special benefit assessment districts is that funds raised are returned to the private non-profit corporation governing the WID.

MANAGEMENT DISTRICT PLAN

The Management District Plan (**Attachment C**) includes the proposed boundary of the SBCWID, a service plan and budget and a proposed means of governance. The SBCWID will include all wine tasting facilities, existing and in the future, located within the boundaries of the County, which includes the unincorporated areas of the County, and the cities of Carpinteria, Santa Barbara, Goleta, Solvang, Buellton, Lompoc, Santa Maria, and Guadalupe.

The annual assessment rate is one percent (1%) of gross sales revenue of assessed wine tasting facilities. Based on the benefit received, assessments will not be collected on purchases made outside of the state of California or purchases made pursuant to contracts executed prior to March 1, 2025. Revenue generated from the SBCWID is intended only to provide programs and services for assessed businesses, all of which are located in California. Sales made outside of the state of California are not subject to assessment due to a lack of benefit. Assessment dollars will not be spent on any programs or activities to benefit individual wine tasting facilities outside of the state of California. Assessment dollars may be spent outside of California to elevate the notoriety of the County as a premier winery destination with the desired outcome of increased in-person visitation to businesses paying the assessment.

The proposed SBCWID will have a five (5) year term, beginning April 1, 2025, or as soon as possible thereafter, and ending five (5) years from its start date. The assessment will be implemented beginning April 1, 2025. Once per year beginning on the anniversary of SBCWID formation there is a thirty (30) day period in which business owners paying fifty percent (50%) or more of the assessment may protest and begin proceedings to terminate the SBCWID.

A third-party collection agency will be responsible for collecting the assessment on a quarterly basis from each assessed wine tasting facility. The third-party collection agency shall forward the assessments to the Santa Barbara County Vintners Association, which will have the responsibility of managing SBCWID programs as provided in the Management District Plan. The third-party collection agency shall be paid a fee of up to two percent (2%) of the amount of assessment collected to cover its costs of collection and administration.

ALTERNATIVES:

Council could choose not to adopt the Resolution Granting Consent. This would mean that all Solvang-based wine businesses would be left out of any marketing materials produced by SBCWID.

FISCAL IMPACT:

None immediately. Because the SBCWID programs are intended to increase visitation to wine tasting facilities in the County, including the City of Solvang, there may be an increase in sales tax collections.

ATTACHMENTS:

- A. Resolution Granting Consent to the County of Santa Barbara to Form the Santa Barbara County Wine Improvement District (SBCWID) and Include the City of Solvang in the Established SBCWID.
- B. Adopted Resolution of the County of Santa Barbara Requesting Consent from the City of Solvang
- C. SBCWID Management District Plan

RESOLUTION NO.25-1278

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLVANG CALIFORNIA GRANTING CONSENT TO THE COUNTY OF SANTA BARBARA TO ESTABLISH THE SANTA BARBARA COUNTY WINE IMPROVEMENT DISTRICT (SBCWID) AND INCLUDE THE CITY OF SOLVANG IN THE ESTABLISHED SBCWID

WHEREAS, the Property and Business Improvement Law of 1994, Streets and Highways Code § 36600 et seq., authorizes the County of Santa Barbara (County) to establish business improvement districts for the purposes of promoting assessed businesses; and

WHEREAS, the Santa Barbara County Vintners Association, wine tasting facility owners, and representatives from the County have met to consider the formation of the SBCWID; and

WHEREAS, the Santa Barbara County Vintners Association has drafted a Management District Plan (Plan) which sets forth the proposed boundary of the SBCWID, a service plan and budget, and a proposed means of governance; and

WHEREAS, the proposed SBCWID includes all wine tasting facilities, existing and in the future, located within the boundaries of the County, which includes the unincorporated areas of the County and the cities of Carpinteria, Santa Barbara, Goleta, Solvang, Buellton, Lompoc, Santa Maria, and Guadalupe; and

WHEREAS, the County has requested consent to form the SBCWID in the City of Solvang with adoption of Santa Barbara County Board of Supervisors Resolution No. 24-282, dated December 17, 2024.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOLVANG DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1: The City Council of the City of Solvang adopts as findings the recitals set forth above

SECTION 2: Santa Barbara County is hereby granted consent to include the City of Solvang in the SBCWID, for the formation of the SBCWID and future renewals.

SECTION 2. That this resolution shall be effective upon adoption.

SECTION 3. That the City Clerk shall certify to the passage and adoption of this resolution and shall cause a certified copy to be filed in the book of original resolutions.

SECTION 4. The Clerk of the City of Solvang is hereby directed to transmit a certified copy of this Resolution to the Clerk of the County of Santa Barbara.

PASSED, APPROVED, AND ADOPTED on this 13th day of January, 2025.

David Brown, Mayor

APPROVED AS TO FORM:

ATTEST:

Craig Steele, Acting City Attorney

Annamarie Porter, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA)ss
CITY OF SOLVANG)

I, Annamarie Porter, City Clerk of the City of Solvang, California do hereby certify that Resolution No. 25-1278 was passed and adopted by the City Council of the City of Solvang at a regular meeting of said City Council held on the 13th day of January 2025, and thereafter signed and approved by the Mayor and attested by the City Clerk, and that said resolution was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Annamarie Porter, City Clerk

Attachment B

**RESOLUTION OF THE BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

IN THE MATTER OF DECLARING ITS INTENTION TO ESTABLISH THE SANTA BARBARA COUNTY WINE IMPROVEMENT DISTRICT (SBCWID) AND FIXING THE TIME AND PLACE OF A PUBLIC MEETING AND A PUBLIC HEARING THEREON AND GIVING NOTICE THEREOF

RESOLUTION NO. 24-281

WHEREAS, the Property and Business Improvement Law of 1994, Streets and Highways Code § 36600 et seq., authorizes the County of Santa Barbara (County) to establish business improvement districts for the purposes of promoting assessed businesses; and

WHEREAS, the Santa Barbara County Vintners' Association, wine tasting facility owners, and representatives from the County have met to consider the formation of the SBCWID; and

WHEREAS, the Santa Barbara County Vintners' Association has drafted a Management District Plan (Plan) which sets forth the proposed boundary of the SBCWID, a service plan and budget, and a proposed means of governance; and

WHEREAS, the proposed SBCWID includes all wine tasting facilities, existing and in the future, located within the boundaries of the County, which includes the unincorporated areas of the County and in the cities of Carpinteria, Santa Barbara, Goleta, Solvang, Buellton, Lompoc, Santa Maria, and Guadalupe; and

WHEREAS, consent to include wine tasting facilities in their respective jurisdictions will be requested from the cities of Carpinteria, Santa Barbara, Goleta, Solvang, Buellton, Lompoc, Santa Maria, and Guadalupe; and

WHEREAS, wine tasting facilities who will pay more than fifty percent (50%) of the assessment under the SBCWID have petitioned the Board of Supervisors (Board) of the County to establish the SBCWID.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS THAT:

1. The recitals set forth herein are true and correct.
2. The Board finds that assessed businesses that will pay more than fifty percent (50%) of the assessment proposed in the Plan have signed and submitted petitions in support of the formation of the SBCWID. The Board accepts the petitions and adopts this Resolution of Intention to establish the SBCWID and to levy an assessment on all wine

tasting facilities, existing and in the future, within the SBCWID boundaries in accordance with the Property and Business Improvement District Law of 1994.

3. The Board finds that the Plan satisfies all requirements of Streets and Highways Code §36622.
4. The Board declares its intention to establish the SBCWID and to levy and collect, directly or through a third-party agent, assessments on wine tasting facilities within the SBCWID boundaries pursuant to the Property and Business Improvement District Law of 1994.
5. The SBCWID shall include all wine tasting facilities, existing and in the future, located within the boundaries of the County, which includes the unincorporated areas of the County, and the cities of Carpinteria, Santa Barbara, Goleta, Solvang, Buellton, Lompoc, Santa Maria, and Guadalupe, as shown in the map attached as Exhibit A.
6. The name of the district shall be the Santa Barbara County Wine Improvement District (SBCWID).
7. The annual assessment rate is one percent (1%) of gross sales revenue of assessed wine tasting facilities. Based on the benefit received, assessments will not be collected on purchases made outside of the state of California or purchases made pursuant to contracts executed prior to April 1, 2025. Revenue generated from the SBCWID is intended only to provide programs and services for assessed businesses, all of which are located in California. Sales made outside of the state of California are not subject to assessment due to a lack of benefit. Assessment dollars will not be spent on any programs or activities to benefit individual wine tasting facilities outside of the state of California. Assessment dollars may be spent outside of California to elevate the notoriety of the County as a premier winery destination with the desired outcome of increased in-person visitation to businesses paying the assessment.
8. The assessments levied for the SBCWID shall be applied toward promotions & engagement programs to promote assessed wine tasting facilities in the County to increase wine tasting facility sales revenue, as described in the Plan. Funds remaining at the end of any year may be used in subsequent years in which SBCWID assessments are levied as long as they are used consistent with the requirements of this resolution and the Plan.
9. The Santa Barbara County Vintners' Association will serve as the Owners' Association for SBCWID as defined in Streets and Highways Code § 36612.
10. The proposed SBCWID will have a five (5) year term, beginning April 1, 2025 or as soon as possible thereafter, and ending five (5) years from its start date, unless renewed pursuant to Streets and Highways Code § 36660.
11. Bonds shall not be issued.

12. The time and place for the public meeting to hear testimony on establishing the SBCWID and levying assessments are set for January 14, 2025, at 9 AM, or as soon thereafter as the matter may be heard, at:

Joe Centeno Betteravia Government Administration Building
Board Hearing Room
511 East Lakeside Parkway
Santa Maria, CA 93455

13. The time and place for the public hearing to establish the SBCWID and the levy of assessments are set for February 11, 2025, at 9 AM, or as soon thereafter as the matter may be heard, at:

Joe Centeno Betteravia Government Administration Building
Board Hearing Room
511 East Lakeside Parkway
Santa Maria, CA 93455

The Clerk of the Board is directed to provide written notice to the assessed businesses subject to assessment of the date and time of the meeting and hearing, and to provide that notice as required by Streets and Highways Code § 36623, no later than December 27, 2024.

14. At the public meeting and hearing the testimony of all interested persons for or against the establishment of the SBCWID may be received. If at the conclusion of the public hearing, there are of record written protests by the owners of the assessed businesses within the proposed SBCWID that will pay fifty percent (50%) or more of the estimated total assessment of the entire SBCWID, no further proceedings to establish the SBCWID shall occur for a period of one (1) year.
15. The complete Plan is on file with the Clerk of the Board and may be reviewed upon request.
16. This resolution shall take effect immediately upon its adoption by the Board.

I HEREBY CERTIFY that the foregoing Resolution of Intention was introduced and adopted at a regular meeting of the Board on the 17th day of December 2024 by the following vote:

AYES: Supervisors Williams, Capps, Hartmann, Nelson and Lavagnino

NOS: None

ABSTAIN: None

ABSENT: None

ATTEST:
MONA MIYASATO
COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

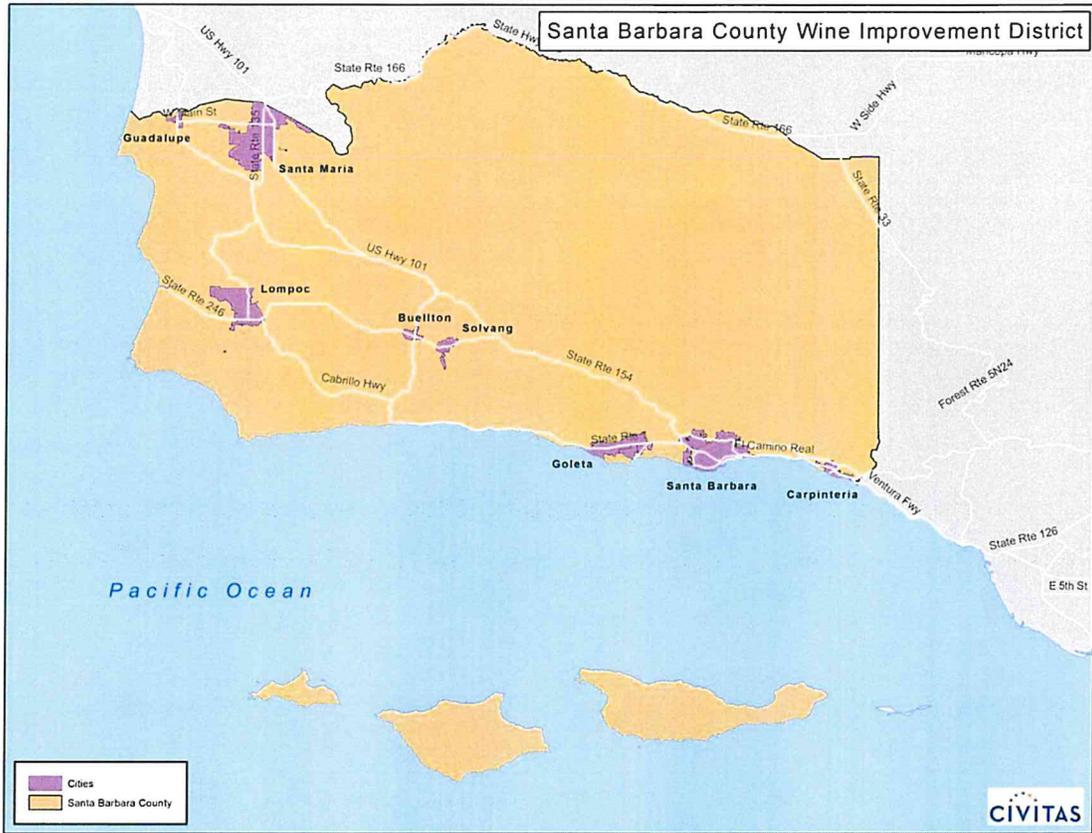
By: *Shirley MacGuire*
Deputy Clerk of the Board

Steve Lavagnino
STEVE LAVAGNINO, CHAIR
BOARD OF SUPERVISORS

APPROVED AS TO FORM:
RACHEL VAN MULLEM
COUNTY COUNSEL

DocuSigned by:
By: *Anne Kierson*
A87566BC50EE4D0
Deputy County Counsel

EXHIBIT A District Boundaries



Attachment C

**RESOLUTION OF THE BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

IN THE MATTER OF
REQUESTING CONSENT OF
THE CITIES OF CARPINTERIA,
SANTA BARBARA, GOLETA,
SOLVANG, BUELLTON,
LOMPOC, SANTA MARIA, AND
GUADALUPE TO FORM THE
SANTA BARBARA COUNTY
WINE IMPROVEMENT DISTRICT

RESOLUTION NO. 24-282

WHEREAS, the Board of Supervisors (Board) of the County of Santa Barbara (the "County") desires to begin proceedings to form the Santa Barbara County Wine Improvement District ("SBCWID"); and

WHEREAS, the Santa Barbara County Vintners' Association, wine tasting facility owners, and representatives from the County have met to consider the formation of the SBCWID; and

WHEREAS, a portion of the territory proposed to be included in the SBCWID lies within the boundaries of the cities of Carpinteria, Santa Barbara, Goleta, Solvang, Buellton, Lompoc, Santa Maria, and Guadalupe (cities), as shown on the map attached hereto as Exhibit A and incorporated herein by such attachment; and

WHEREAS, the area of the cities and town which lies within the boundaries of the proposed SBCWID will, in the opinion of the Board, benefit from the improvements and activities, and the purpose sought to be accomplished by the work can best be accomplished be a single comprehensive scheme of work.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS THAT:

1. The recitals set forth herein are true and correct.
2. Consent of the cities, through their respective City Councils, is hereby requested to form the SBCWID, and to grant to the Board jurisdiction for all the purposes in connection with creation, operation, and future renewals of the proposed SBCWID.
3. The Clerk of the Board is hereby directed to transmit a certified copy of this Resolution to the City Clerk of the cities of Carpinteria, Santa Barbara, Goleta, Solvang, Buellton, Lompoc, Santa Maria, and Guadalupe.

I **HEREBY CERTIFY** that the foregoing Resolution Requesting Consent was introduced and adopted at a regular meeting of the Board on the 17th day of December 2024 by the following vote:

AYES: Supervisors Williams, Capps, Hartmann, Nelson and Lavagnino
NOS: None
ABSTAIN: None
ABSENT: None

ATTEST:
MONA MIYASATO
COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By: 
Deputy Clerk of the Board


STEVE LAVAGNINO, CHAIR
BOARD OF SUPERVISORS

APPROVED AS TO FORM:
RACHEL VAN MULLEM
COUNTY COUNSEL

DocuSigned by:
By: 
A87566B0659FF4D0...
Deputy County Counsel

Exhibit A: SBCWID Boundary Map



2025-2030



**SANTA BARBARA COUNTY WINE IMPROVEMENT DISTRICT
MANAGEMENT DISTRICT PLAN**

*Prepared pursuant to the Property and Business Improvement District Law of
1994, Streets and Highways Code Section 36600 et seq.*

November 26, 2024
136

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Prepared by
Civitas



I. OVERVIEW

Developed by Santa Barbara County wine tasting facilities and the Santa Barbara County Vintners Association (SBCVA), a non-profit organization, and the County of Santa Barbara, the Santa Barbara County Wine Improvement District (SBCWID) is an assessment district proposed to provide specific benefits to payors, by funding promotions & engagement efforts with the goal to advance assessed businesses in Santa Barbara County. This approach has been used successfully in other wine regions throughout the country to provide the benefit of driving increased business sales directly to payors.

Location: The SBCWID includes all wine tasting facilities, existing and in the future, located within the boundaries of the County of Santa Barbara (County), which includes the unincorporated areas of the County, and the cities of Carpinteria, Santa Barbara, Goleta, Solvang, Buellton, Lompoc, Santa Maria, and Guadalupe, as shown on the map in Section III.

Services: The SBCWID is designed to provide specific benefits directly to payors by increasing wine tasting facility sales and revenue therefrom. Promotions & engagement will promote assessed wine tasting facilities in the SBCWID to increase wine tasting facility sales revenue.

Budget: The total SBCWID annual assessment budget for the initial year of its five (5) year operation is anticipated to be approximately \$1,650,000. A similar budget is expected to apply to subsequent years, but this budget is expected to fluctuate as sales do and as businesses open and close.

Cost: The annual assessment rate is one percent (1%) of gross sales revenue of assessed wine tasting facilities. Based on the benefit received, assessments will not be collected on purchases made outside of the state of California or purchases made pursuant to contracts executed prior to April 1, 2025. Revenue generated from the SBCWID is intended only to provide programs and services for assessed businesses, all of which are located in California. Sales made outside of the state of California are not subject to assessment due to a lack of benefit. Assessment dollars will not be spent on any programs or activities to benefit individual wine tasting facilities outside of the state of California. Assessment dollars may be spent outside of California to elevate the notoriety of the Santa Barbara County as a premier winery destination with the desired outcome of increased in-person visitation to businesses paying the assessment.

Collection: A third-party collection agency shall be responsible for collecting the assessment on a quarterly basis (including any delinquencies, overdue charges and interest) from each assessed wine tasting facility located in the boundaries of the SBCWID. The third-party collection agency shall take all reasonable efforts to collect the assessments from each assessed wine tasting facility.

Duration: The SBCWID will have a five (5) year life, beginning on April 1, 2025 or as soon as possible thereafter, and ending five (5) years from the start date. After five (5) years, the SBCWID may be renewed pursuant to the Property and Business Improvement District Law of 1994, Streets and Highways Code section 36600 et seq. (94 Law) if assessed business owners support continuing the SBCWID programs.

Management: The SBCVA will serve as the Owners' Association to provide improvements and activities for the SBCWID. The Owners' Association must provide an annual report on activities and expenditures to the County, which is also available to assessed business owners.

II. BACKGROUND

Wine Improvement Districts are an evolution of the traditional Business Improvement District (BID). BIDs utilize the efficiencies of private sector operation in the market-based promotion of business districts. BIDs allow business owners to organize their efforts to increase sales and promotional efforts. Business owners within the district fund a BID, and those funds are used to provide services that the businesses desire and benefit the businesses within the district.

Business Improvement District services may include, but are not limited to:

- Marketing of the District
- Business Promotion Activities
- Infrastructure Improvements

In California, BIDs are formed pursuant to the 94 Law. This law allows for the creation of special benefit assessment districts to raise funds within a specific geographic area. *The key difference between BIDs and other special benefit assessment districts is that funds raised are managed by the private non-profit corporation governing the district.*

There are many benefits to Business Improvement Districts:

- Funds cannot be diverted for other government programs;
- Services are customized to fit the needs of each district;
- They allow for a wide range of services, including those listed above;
- Business Improvement Districts are ***designed, created and governed by those who will pay*** the assessment; and
- They provide a stable funding source for business promotion.

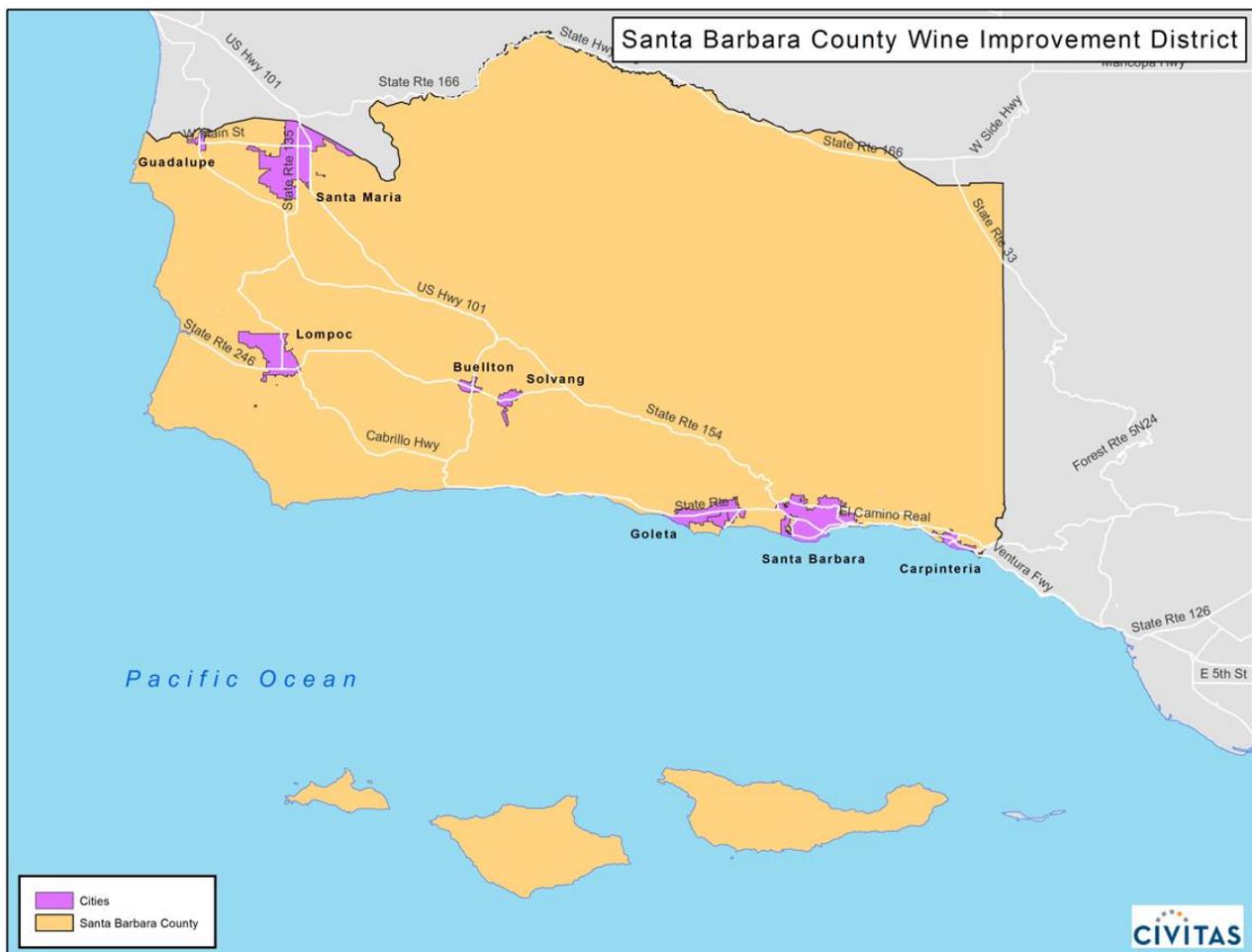
The 94 Law is provided in Appendix 1 of this document.

III. BOUNDARY

The SBCWID will include all wine tasting facilities, existing and in the future, located within the boundaries of the County, which includes the unincorporated areas of the County, and the cities of Carpinteria, Santa Barbara, Goleta, Solvang, Buellton, Lompoc, Santa Maria, and Guadalupe, as shown on the map below.

Wine tasting facility means: A business, primarily used for the retail marketing and sales of wine and related goods, open to all settings at which wine and related goods can be sold, including but not limited to: publicly available settings, by appointment only reservations, private and exclusive tastings, or other public or private events where wine and related goods may be sold. Wine tasting facility includes, but is not limited to, vineyard locations with onsite tastings, hospitality and retail rooms on site at producing wineries, and stand-alone tasting rooms in commercial areas. All wine tasting facilities must possess a 02 Department of Alcohol Beverage Control license.

A complete listing of assessed wine tasting facilities within the SBCWID can be found in Appendix 2.



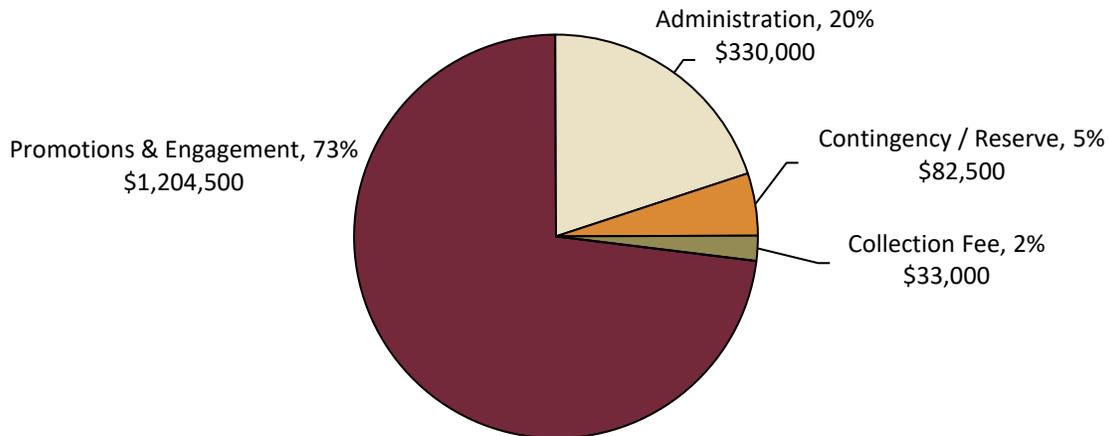
IV. ASSESSMENT BUDGET AND SERVICES

A. Annual Service Plan

Assessment funds will be spent to provide specific benefits conferred or privileges granted directly to the payors that are not provided to those not charged, and which do not exceed the reasonable cost to the County of conferring the benefits or granting the privileges. The privileges and services provided with the SBCWID funds are promotions & engagement available only to assessed businesses.

A service plan assessment budget has been developed to deliver services that benefit the assessed businesses. A detailed annual assessment budget will be developed and approved by SBCVA. The chart below illustrates the initial annual assessment budget allocations. These activities and allocations will also apply in subsequent years. The total initial assessment budget is estimated to be \$1,650,000.

Initial Annual Assessment Budget - \$1,650,000



Although actual revenues will fluctuate due to market conditions, the proportional allocations of the assessment budget shall remain the same. However, the County and the SBCVA board shall have the authority to adjust budget allocations between the categories by no more than twenty percent (20%) of the total budget per year. A description of the proposed improvements and activities for the initial year of operation is below. The same activities are proposed for subsequent years. In the event of a legal challenge against the SBCWID and/or the County, any and all assessment funds may be used for the costs of defending the SBCWID and/or the County. The costs of creating the SBCWID may be repaid to SBCVA reserves by deducting repayment funds proportionally from budget categories.

Each budget category includes all costs related to providing that service. For example, the promotions & engagement budget includes the cost of staff time dedicated to overseeing and implementing the promotions & engagement program. Staff time dedicated purely to administrative tasks is allocated to the administration portion of the budget. The costs of an individual staff member may be allocated to multiple budget categories. The staffing levels necessary to provide the services below will be determined by the Owners' Association on an as-needed basis.

Promotions & Engagement

The promotions & engagement program will promote Santa Barbara County as a premium winegrowing region and a premier global wine destination and leader in the global wine community. The promotions & engagement program will have a central theme of promoting Santa Barbara County as a desirable place to visit and a desirable area to purchase wines. The program has the goal of increasing visitation, retail sales at and recognition for assessed wine tasting facilities, and may include the following activities:

- Brand development initiatives to increase awareness and demand for assessed wine tasting facilities;
- Create innovative ways to deliver Santa Barbara County content to potential visitors to increase awareness and demand for assessed wine tasting facilities;
- Customer segmentation, market analysis, and other research to increase awareness and demand for wine tasting facilities;
- Digital marketing initiatives and campaigns to increase awareness and demand for wine tasting facilities;
- Maintain and optimize SBCountyWines.com, and Santa Barbara Vintners social media channels to showcase the breadth of reasons to visit the destination to increase awareness and demand for assessed wine tasting facilities;
- Festivals and events to increase demand for Santa Barbara County wine from assessed wine tasting facilities;
- Support education regarding cultivation practices, water management, vineyard management, and other viticulture practices for assessed wineries;
- Support education amongst assessed wineries to cultivate wine expertise and community among assessed wineries’
- Educational workshops for assessed wine tasting facilities to increase visitation and sales at assessed wine tasting facilities; and
- Developing and implementing crisis communication plans during disaster events within the SBCWID.

The Owners’ Association will also build and maintain relationships with County and City governments to educate local leaders on issues that impact assessed wine tasting facilities, while refraining from activities that seek to influence legislation. Education and engagement will include collaboration with the County Planning Commission, Board of Supervisors, Farm Bureau, and Department of Agriculture, as well as City Councils.

Administration and Operations

The administration and operations portion of the budget shall be utilized for administrative staffing costs, office costs and other general administrative costs such as insurance, legal, and accounting fees.

A portion of the budget may be used to cover the cost of a third-party to audit the SBCWID assessment funds as well as businesses paying the SCBWID assessment. The results of the audit shall be made available to the County, SBCVA, and businesses paying the SBCWID assessment.

Collection Fee

A third-party collection agency shall be paid a fee up to two percent (2%) of the amount of assessment collected to cover its costs of collection and administration.

Contingency / Reserve

The budget includes a contingency line item to account for lower than anticipated assessments or higher than expected program costs. If there are contingency funds collected, they may be held in a reserve fund or utilized for other programs, administration, or renewal costs at the discretion of the Owners' Association. Policies relating to contributions to the reserve fund, the target amount of the reserve fund, and expenditure of monies from the reserve fund shall be set by the Owners' Association. Contingency/reserve funds may be spent on SBCWID programs or administrative and renewal costs in such proportions as determined by the Owners' Association. The reserve fund may be used for the costs of renewing the SBCWID.

B. Annual Budget

The total five (5) year assessment budget is projected at approximately \$1,650,000 annually, or approximately \$8,250,000 through 2030. This amount may fluctuate as sales do and as wine tasting facilities open and close.

C. California Constitutional Compliance

The SBCWID assessment is not a property-based assessment subject to the requirements of Proposition 218. Courts have found Proposition 218 limited the term 'assessments' to levies on real property.¹ Rather, the SBCWID assessment is a business-based assessment, and is subject to Proposition 26. Pursuant to Proposition 26 all levies are a tax unless they fit one of seven exceptions. Two of these exceptions apply to the SBCWID, a "specific benefit" and a "specific government service." Both require that the costs of benefits or services do not exceed the reasonable costs to the County of conferring the benefits or providing the services.

1. Specific Benefit

Proposition 26 requires that assessment funds be expended on, "a specific benefit conferred or privilege granted directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of conferring the benefit or granting the privilege."² The services in this Plan are designed to provide targeted benefits directly to assessed businesses, and are intended only to provide benefits and services directly to those businesses paying the assessment. These services are tailored not to serve the general public, businesses in general, or parcels of land, but rather to serve the specific businesses within SBCWID. The activities described in this Plan are specifically targeted to increase sales for assessed wine tasting facilities within the boundaries of the SBCWID, and are narrowly tailored. SBCWID funds will be used exclusively to provide the specific benefit of increased sales revenue directly to the assessees. Assessment funds shall not be used to feature non-assessed wine tasting facilities in SBCWID programs, or to directly generate sales for non-assessed wine tasting facilities. The activities paid for from assessment revenues are business services constituting and providing specific benefits to the assessed wine tasting facilities.

The assessment imposed by this SBCWID is for a specific benefit conferred directly to the payors that is not provided to those not charged. The specific benefit conferred directly to the payors is an increase in wine tasting facility sales revenue. The specific benefit of an increase in sales revenue for assessed wine tasting facilities will be provided only to wine tasting facilities paying the district assessment, with promotions & engagement promoting wine tasting facilities paying the SBCWID assessment. The promotions & engagement programs will be designed to increase sales revenue at each assessed wine tasting facility. Because they are necessary to provide the promotions & engagement that specifically benefit the assessed wine tasting facilities, the administration and

¹ *Howard Jarvis Taxpayers Association v. City of San Diego* (1999) 72 Cal App. 4th 230

² Cal. Const. art XIII C § 1(e)(1)

contingency services also provide the specific benefit of increased sales revenue to the wine tasting facilities.

Although the SBCWID, in providing specific benefits to payors, may produce incidental benefits to non-paying businesses, the incidental benefit does not preclude the services from being considered a specific benefit. The legislature has found that, “A specific benefit is not excluded from classification as a ‘specific benefit’ merely because an indirect benefit to a nonpayor occurs incidentally and without cost to the payor as a consequence of providing the specific benefit to the payor.”³

2. Specific Government Service

The assessment may also be utilized to provide, “a specific government service or product provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of providing the service or product.”⁴ The legislature has recognized that promotions & engagement services like those to be provided by the SBCWID are government services within the meaning of Proposition 26⁵. Further, the legislature has determined that “a specific government service is not excluded from classification as a ‘specific government service’ merely because an indirect benefit to a nonpayor occurs incidentally and without cost to the payor as a consequence of providing the specific government service to the payor.”⁶

3. Reasonable Cost

SBCWID services will be implemented carefully to ensure they do not exceed the reasonable cost of such services. The full amount assessed will be used to provide the services described herein. Funds will be managed by the SBCVA, and reports submitted on an annual basis to the County. Only assessed wine tasting facilities will be featured in marketing materials, receive sales leads generated from SBCWID-funded activities, be featured in advertising campaigns, and benefit from other SBCWID-funded services. Non-assessed wine tasting facilities will not receive these, nor any other, SBCWID-funded services and benefits.

D. Assessment

The annual assessment rate is one percent (1%) of gross sales revenue of assessed wine tasting facilities. Based on the benefit received, assessments will not be collected on purchases made outside of the state of California or purchases made pursuant to contracts executed prior to April 1, 2025. Revenue generated from the SBCWID is intended only to provide programs and services for assessed wine tasting facilities, all of which are located in California. Sales made outside of the state of California are not subject to assessment due to a lack of benefit. Assessment dollars will not be spent on any programs or activities to benefit individual wine tasting facilities outside of the state of California. Assessment dollars may be spent outside of California to elevate the notoriety of the San Barbara County as a premier winery destination with the desired outcome of increased in-person visitation to business paying the assessment.

The assessment was calculated based on the total cost of the activities to be provided for the benefit of the businesses within the SBCWID with costs allocated based on the proportional benefit conferred to each business. Activities funded by the SBCWID are specifically targeted to increase wine tasting facility sales revenue at assessed businesses. All wine tasting facility sales do not represent the same benefit to the payors. For example, a higher priced wine tasting facility is of greater benefit than a

³ Government Code § 53758(a)

⁴ Cal. Const. art XIII C § 1(e)(2)

⁵ Government Code § 53758(b)

⁶ Government Code § 53758(b)

lower priced wine tasting facility because the assessee derives greater revenue. To account for this benefit differential and to make sure the benefits are proportional, an assessment formula based on a percentage of revenue has been selected. The proposed formula accurately reflects greater benefit to assessed businesses with higher priced wine tasting facility sales.

The term “gross sales revenue” as used herein means: all direct-to-consumer (DTC) sales of wine, wine club shipments (whether shipped or picked up), ticket sales, tasting fees, tours and private and public special events, merchandise, prepared foods for on-premise or off-premise consumption (whether sold in a tasting room or a stand-alone restaurant on-premise), orders placed via telemarketing, telephone, online, email, whether carried out at the time of purchase, shipped or picked up at a later date (pre-sales). Gross sales revenue shall not include any federal, state or local taxes collected, including but not limited to sales and use taxes.

The assessment is levied upon and a direct obligation of the assessed wine tasting facility. However, the assessed wine tasting facility may, at its discretion, pass the assessment on to customers. The amount of assessment, if passed on to each customer, shall be disclosed in advance and separately stated from the amount charged and any other applicable taxes, and each customer shall receive a receipt for payment from the business. If the SBCWID assessment is identified separately it shall be disclosed as the “Wine Preserve Assessment.” The assessment is imposed solely upon, and is the sole obligation of the assessed wine tasting facility even if it is passed on to customers. The California Department of Tax and Fee Administration (CDTFA) issued a written opinion that state sales tax applies to the revenue generated from business improvement district assessments on items where state sales tax is levied. In light of CDTFA’s opinion, businesses that pay both state sales tax and SBCWID assessments on sales are advised to collect sales tax on the assessment revenue.

Bonds shall not be issued.

E. Overdue Charges and Interest

The SBCWID shall reimburse the third party collection agency for any costs associated with collecting unpaid assessments.

1. *Original Delinquency*

Any wine tasting facility that fails to remit any assessment imposed by this section within the time required shall pay an overdue charge of ten percent (10%) of the amount of the assessment in addition to the assessment.

2. *Continued Delinquency*

Any wine tasting facility that fails to remit any delinquent remittance on or before a period of thirty (30) days following the date on which the remittance first became delinquent shall pay a second delinquency overdue charge of ten percent (10%) of the assessment in addition to the assessment and the ten percent (10%) overdue charge first imposed.

3. *Fraud*

If the third-party collection agency determines that the nonpayment of any remittance due under this article is due to fraud, an overdue charge of twenty-five percent (25%) of the amount of the assessment shall be added thereto in addition to the overdue charges stated in paragraph one (1) and two (2) above of this section.

4. *Interest*

In addition to the overdue charges imposed, any wine tasting facility who fails to remit any assessment imposed by this section shall pay interest at the rate of one-quarter of one percent (0.25%) per month or fraction thereof on the amount of the assessment, exclusive of overdue charges, from the date on which the remittance first became delinquent until paid.

F. Time and Manner for Collecting Assessments

The SBCWID assessment will be implemented beginning April 1, 2025, or as soon as possible thereafter, and continuing for five (5) years from the start date. A third-party collection agency will be responsible for collecting the assessment on a quarterly basis (including any delinquencies, overdue charges and interest) from each wine tasting facility located in each jurisdiction within the SBCWID. A third-party collection agency shall take all reasonable efforts to collect the assessments from each wine tasting facility. A third-party collection agency shall forward the assessments collected to the Owners' Association.

V. GOVERNANCE

A. Owners' Association

Pursuant to Streets and Highways Code §36651, the MDP may identify the body that shall implement the proposed program, which shall be the Owners' Association as defined in Streets and Highways Code §36612. The SBCVA will serve as the Owners' Association for the SBCWID.

B. Brown Act and California Public Records Act Compliance

An Owners' Association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose. The Owners' Association is, however, subject to government regulations relating to transparency, namely the Ralph M. Brown Act and the California Public Records Act. These regulations are designed to promote public accountability. The Owners' Association acts as a legislative body under the Ralph M. Brown Act (Government Code §54950 et seq.). Thus, meetings of the Board and certain committees must be held in compliance with the public notice and other requirements of the Brown Act. Accordingly, the Owners' Association shall publicly report any action taken and the vote or abstention on that action of each member present for the action. The Owners' Association is also subject to the record keeping and disclosure requirements of the California Public Records Act.

C. Annual Report

The SBCVA shall present an annual report at the end of each year of operation to the Board of Supervisors pursuant to Streets and Highways Code §36650 (see Appendix 1). The annual report shall include:

- Any proposed changes in the boundaries of the improvement district or in any benefit zones or classification of businesses within the district.
- The improvements and activities to be provided for that fiscal year.
- An estimate of the cost of providing the improvements and the activities for that fiscal year.
- The method and basis of levying the assessment in sufficient detail to allow each business owner to estimate the amount of the assessment to be levied against his or her business for that fiscal year.
- The estimated amount of any surplus or deficit revenues to be carried over from a previous fiscal year.
- The estimated amount of any contributions to be made from sources other than assessments levied pursuant to this part.

APPENDIX 1 – LAW

*** THIS DOCUMENT IS CURRENT THROUGH THE 2023 EXTRA SESSION CH 1, 2023 REGULAR SESSION CH. 890***
(ALL 2023 LEGISLATION)

STREETS AND HIGHWAYS CODE DIVISION 18. PARKING PART 7. PROPERTY AND BUSINESS IMPROVEMENT DISTRICT LAW OF 1994

CHAPTER 1. General Provisions

ARTICLE 1. Declarations

36600. Citation of part

This part shall be known and may be cited as the “Property and Business Improvement District Law of 1994.”

36601. Legislative findings and declarations; Legislative guidance

The Legislature finds and declares all of the following:

- (a) Businesses located and operating within business districts in some of this state’s communities are economically disadvantaged, are underutilized, and are unable to attract customers due to inadequate facilities, services, and activities in the business districts.
- (b) It is in the public interest to promote the economic revitalization and physical maintenance of business districts in order to create jobs, attract new businesses, and prevent the erosion of the business districts.
- (c) It is of particular local benefit to allow business districts to fund business related improvements, maintenance, and activities through the levy of assessments upon the businesses or real property that receive benefits from those improvements.
- (d) Assessments levied for the purpose of conferring special benefit upon the real property or a specific benefit upon the businesses in a business district are not taxes for the general benefit of a city, even if property, businesses, or persons not assessed receive incidental or collateral effects that benefit them.
- (e) Property and business improvement districts formed throughout this state have conferred special benefits upon properties and businesses within their districts and have made those properties and businesses more useful by providing the following benefits:
 - (1) Crime reduction. A study by the Rand Corporation has confirmed a 12-percent reduction in the incidence of robbery and an 8-percent reduction in the total incidence of violent crimes within the 30 districts studied.
 - (2) Job creation.
 - (3) Business attraction.
 - (4) Business retention.
 - (5) Economic growth.
 - (6) New investments.
- (f) With the dissolution of redevelopment agencies throughout the state, property and business improvement districts have become even more important tools with which communities can combat blight, promote economic opportunities, and create a clean and safe environment.
- (g) Since the enactment of this act, the people of California have adopted Proposition 218, which added Article XIII D to the Constitution in order to place certain requirements and restrictions on the formation of, and activities, expenditures, and assessments by property-based districts. Article XIII D of the Constitution provides that property-based districts may only levy assessments for special benefits.
- (h) The act amending this section is intended to provide the Legislature’s guidance with regard to this act, its interaction with the provisions of Article XIII D of the Constitution, and the determination of special benefits in property-based districts.
 - (1) The lack of legislative guidance has resulted in uncertainty and inconsistent application of this act, which discourages the use of assessments to fund needed improvements, maintenance, and activities in property-based districts, contributing to blight and other underutilization of property.
 - (2) Activities undertaken for the purpose of conferring special benefits upon property to be assessed inherently produce incidental or collateral effects that benefit property or persons not

assessed. Therefore, for special benefits to exist as a separate and distinct category from general benefits, the incidental or collateral effects of those special benefits are inherently part of those special benefits. The mere fact that special benefits produce incidental or collateral effects that benefit property or persons not assessed does not convert any portion of those special benefits or their incidental or collateral effects into general benefits.

(3) It is of the utmost importance that property-based districts created under this act have clarity regarding restrictions on assessments they may levy and the proper determination of special benefits. Legislative clarity with regard to this act will provide districts with clear instructions and courts with legislative intent regarding restrictions on property-based assessments, and the manner in which special benefits should be determined.

36602. Purpose of part

The purpose of this part is to supplement previously enacted provisions of law that authorize cities to levy assessments within property and business improvement districts, to ensure that those assessments conform to all constitutional requirements and are determined and assessed in accordance with the guidance set forth in this act. This part does not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes.

36603. Preemption of authority or charter city to adopt ordinances levying assessments

Nothing in this part is intended to preempt the authority of a charter city to adopt ordinances providing for a different method of levying assessments for similar or additional purposes from those set forth in this part. A property and business improvement district created pursuant to this part is expressly exempt from the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 (Division 4 (commencing with Section 2800)).

36603.5 Part prevails over conflicting provisions

Any provision of this part that conflicts with any other provision of law shall prevail over the other provision of law, as to districts created under this part.

36604. Severability

This part is intended to be construed liberally and, if any provision is held invalid, the remaining provisions shall remain in full force and effect. Assessments levied under this part are not special taxes.

ARTICLE 2. Definitions

36606. “Activities”

“Activities” means, but is not limited to, all of the following that benefit businesses or real property in the district:

- (a) Promotion of public events.
- (b) Furnishing of music in any public place.
- (c) Promotion of tourism within the district.
- (d) Marketing and economic development, including retail retention and recruitment.
- (e) Providing security, sanitation, graffiti removal, street and sidewalk cleaning, and other municipal services supplemental to those normally provided by the municipality.
- (f) Other services provided for the purpose of conferring special benefit upon assessed real property or specific benefits upon assessed businesses located in the district.

36606.5. “Assessment”

“Assessment” means a levy for the purpose of acquiring, constructing, installing, or maintaining improvements and providing activities that will provide certain benefits to properties or businesses located within a property and business improvement district.

36607. “Business”

“Business” means all types of businesses and includes financial institutions and professions.

36608. “City”

“City” means a city, county, city and county, or an agency or entity created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code, the public member agencies of which includes only cities, counties, or a city and county, or the State of California.

36609. “City council”

“City council” means the city council of a city or the board of supervisors of a county, or the agency, commission, or board created pursuant to a joint powers agreement and which is a city within the meaning of this part.

36609.4. “Clerk”

“Clerk” means the clerk of the legislative body.

36609.5. “General benefit”

“General benefit” means, for purposes of a property-based district, any benefit that is not a “special benefit” as defined in Section 36615.5.

36610. “Improvement”

“Improvement” means the acquisition, construction, installation, or maintenance of any tangible property with an estimated useful life of five years or more including, but not limited to, the following:

- (a) Parking facilities.
- (b) Benches, booths, kiosks, display cases, pedestrian shelters and signs.
- (c) Trash receptacles and public restrooms.
- (d) Lighting and heating facilities.
- (e) Decorations.
- (f) Parks.
- (g) Fountains.
- (h) Planting areas.
- (i) Closing, opening, widening, or narrowing of existing streets.
- (j) Facilities or equipment, or both, to enhance security of persons and property within the district.
- (k) Ramps, sidewalks, plazas, and pedestrian malls.
- (l) Rehabilitation or removal of existing structures.

36611. “Management district plan”; “Plan”

“Management district plan” or “plan” means a proposal as defined in Section 36622.

36612. “Owners’ association”

“Owners’ association” means a private nonprofit entity that is under contract with a city to administer or implement improvements, maintenance, and activities specified in the management district plan. An owners’ association may be an existing nonprofit entity or a newly formed nonprofit entity. An owners’ association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose. Notwithstanding this section, an owners’ association shall comply with the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code), at all times when matters within the subject matter of the district are heard, discussed, or deliberated, and with the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code), for all records relating to activities of the district.

36614. “Property”

“Property” means real property situated within a district.

36614.5. “Property and business improvement district”; “District”

“Property and business improvement district,” or “district,” means a property and business improvement district established pursuant to this part.

36614.6. “Property-based assessment”

“Property-based assessment” means any assessment made pursuant to this part upon real property.

36614.7. “Property-based district”

“Property-based district” means any district in which a city levies a property-based assessment.

36615. “Property owner”; “Business owner”; “Owner”

“Property owner” means any person shown as the owner of land on the last equalized assessment roll or otherwise known to be the owner of land by the city council. “Business owner” means any person recognized by the city as the owner of the business. “Owner” means either a business owner or a property owner. The city council has no obligation to obtain other information as to the ownership of land or businesses, and its determination of ownership shall be final and conclusive for the purposes of this part. Wherever this part requires the signature of the property owner, the signature of the authorized agent of the property owner shall be sufficient. Wherever this part requires the signature of the business owner, the signature of the authorized agent of the business owner shall be sufficient.

36615.5. “Special benefit” [Effective January 1, 2023]

(a) “Special benefit” means, for purposes of a property-based district, a particular and distinct benefit over and above general benefits conferred on real property located in a district or to the public at large. Special benefit includes incidental or collateral effects that arise from the improvements, maintenance, or activities of property-based districts even if those incidental or collateral effects benefit property or persons not assessed. Special benefit excludes general enhancement of property value.

(b) “Special benefit” also includes, for purposes of a property-based district, a particular and distinct benefit provided directly to each assessed parcel within the district. Merely because parcels throughout an assessment district share the same special benefits does not make the benefits general.

36616. “Tenant”

“Tenant” means an occupant pursuant to a lease of commercial space or a dwelling unit, other than an owner.

ARTICLE 3 Prior Law

36617. Alternate method of financing certain improvements and activities; Effect on other provisions

This part provides an alternative method of financing certain improvements and activities. The provisions of this part shall not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes. Every improvement area established pursuant to the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500) of this division) is valid and effective and is unaffected by this part.

CHAPTER 2. Establishment

36620. Establishment of property and business improvement district

A property and business improvement district may be established as provided in this chapter.

36620.5. Requirement of consent of city council

A county may not form a district within the territorial jurisdiction of a city without the consent of the city council of that city. A city may not form a district within the unincorporated territory of a county without the consent of the board of supervisors of that county. A city may not form a district within the territorial jurisdiction of another city without the consent of the city council of the other city.

36621. Initiation of proceedings; Petition of property or business owners in proposed district

- (a) Upon the submission of a written petition, signed by the property or business owners in the proposed district who will pay more than 50 percent of the assessments proposed to be levied, the city council may initiate proceedings to form a district by the adoption of a resolution expressing its intention to form a district. The amount of assessment attributable to property or a business owned by the same property or business owner that is in excess of 40 percent of the amount of all assessments proposed to be levied, shall not be included in determining whether the petition is signed by property or business owners who will pay more than 50 percent of the total amount of assessments proposed to be levied.
- (b) The petition of property or business owners required under subdivision (a) shall include a summary of the management district plan. That summary shall include all of the following:
 - (1) A map showing the boundaries of the district.
 - (2) Information specifying where the complete management district plan can be obtained.
 - (3) Information specifying that the complete management district plan shall be furnished upon request.
- (c) The resolution of intention described in subdivision (a) shall contain all of the following:
 - (1) A brief description of the proposed improvements, maintenance, and activities, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property or businesses within the district, a statement as to whether bonds will be issued, and a description of the exterior boundaries of the proposed district, which may be made by reference to any plan or map that is on file with the clerk. The descriptions and statements do not need to be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements, maintenance, and activities, and the location and extent of the proposed district.
 - (2) A time and place for a public hearing on the establishment of the property and business improvement district and the levy of assessments, which shall be consistent with the requirements of Section 36623.

36622. Contents of management district plan

The management district plan shall include, but is not limited to, all of the following:

- (a) If the assessment will be levied on property, a map of the district in sufficient detail to locate each parcel of property and, if businesses are to be assessed, each business within the district. If the assessment will be levied on businesses, a map that identifies the district boundaries in sufficient detail to allow a business owner to reasonably determine whether a business is located within the district boundaries. If the assessment will be levied on property and businesses, a map of the district in sufficient detail to locate each parcel of property and to allow a business owner to reasonably determine whether a business is located within the district boundaries.
- (b) The name of the proposed district.
- (c) A description of the boundaries of the district, including the boundaries of benefit zones, proposed for establishment or extension in a manner sufficient to identify the affected property and businesses included, which may be made by reference to any plan or map that is on file with the clerk. The boundaries of a proposed property assessment district shall not overlap with the boundaries of another existing property assessment district created pursuant to this part. This part does not prohibit the boundaries of a district created pursuant to this part to overlap with other assessment districts established pursuant to other provisions of law, including, but not limited to, the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500)). This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with another business assessment district created pursuant to this part. This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with a property assessment district created pursuant to this part.
- (d) The improvements, maintenance, and activities proposed for each year of operation of the district and the estimated cost thereof. If the improvements, maintenance, and activities proposed for each year of operation are the same, a description of the first year's proposed improvements, maintenance, and activities

and a statement that the same improvements, maintenance, and activities are proposed for subsequent years shall satisfy the requirements of this subdivision.

(e) The total annual amount proposed to be expended for improvements, maintenance, or activities, and debt service in each year of operation of the district. If the assessment is levied on businesses, this amount may be estimated based upon the assessment rate. If the total annual amount proposed to be expended in each year of operation of the district is not significantly different, the amount proposed to be expended in the initial year and a statement that a similar amount applies to subsequent years shall satisfy the requirements of this subdivision.

(f) The proposed source or sources of financing, including the proposed method and basis of levying the assessment in sufficient detail to allow each property or business owner to calculate the amount of the assessment to be levied against their property or business. The plan also shall state whether bonds will be issued to finance improvements.

(g) The time and manner of collecting the assessments.

(h) The specific number of years in which assessments will be levied. In a new district, the maximum number of years shall be five. Upon renewal, a district shall have a term not to exceed 10 years.

Notwithstanding these limitations, a district created pursuant to this part to finance capital improvements with bonds may levy assessments until the maximum maturity of the bonds. The management district plan may set forth specific increases in assessments for each year of operation of the district.

(i) The proposed time for implementation and completion of the management district plan.

(j) Any proposed rules and regulations to be applicable to the district.

(k)

(1) A list of the properties or businesses to be assessed, including the assessor's parcel numbers for properties to be assessed, and a statement of the method or methods by which the expenses of a district will be imposed upon benefited real property or businesses, in proportion to the benefit received by the property or business, to defray the cost thereof.

(2) In a property-based district, the proportionate special benefit derived by each identified parcel shall be determined exclusively in relationship to the entirety of the capital cost of a public improvement, the maintenance and operation expenses of a public improvement, or the cost of the activities. An assessment shall not be imposed on any parcel that exceeds the reasonable cost of the proportional special benefit conferred on that parcel. Only special benefits are assessable, and a property-based district shall separate the general benefits, if any, from the special benefits conferred on a parcel. Parcels within a property-based district that are owned or used by any city, public agency, the State of California, or the United States shall not be exempt from assessment unless the governmental entity can demonstrate by clear and convincing evidence that those publicly owned parcels in fact receive no special benefit. The value of any incidental, secondary, or collateral effects that arise from the improvements, maintenance, or activities of a property-based district and that benefit property or persons not assessed shall not be deducted from the entirety of the cost of any special benefit or affect the proportionate special benefit derived by each identified parcel.

(3) In a property-based district, properties throughout the district may share the same special benefits. In a district with boundaries that define which parcels are to receive improvements, maintenance, or activities over and above those services provided by the city, the improvements, maintenance, or activities themselves may constitute a special benefit. The city may impose assessments that are less than the proportional special benefit conferred, but shall not impose assessments that exceed the reasonable costs of the proportional special benefit conferred. Because one or more parcels pay less than the special benefit conferred does not necessarily mean that other parcels are assessed more than the reasonable cost of their special benefit.

(l) In a property-based district, a detailed engineer's report prepared by a registered professional engineer certified by the State of California supporting all assessments contemplated by the management district plan.

(m) Any other item or matter required to be incorporated therein by the city council.

36623. Procedure to levy assessment

(a) If a city council proposes to levy a new or increased property assessment, the notice and protest and hearing procedure shall comply with Section 53753 of the Government Code.

(b) If a city council proposes to levy a new or increased business assessment, the notice and protest and hearing procedure shall comply with Section 54954.6 of the Government Code, except that notice shall be

mailed to the owners of the businesses proposed to be assessed. A protest may be made orally or in writing by any interested person. Every written protest shall be filed with the clerk at or before the time fixed for the public hearing. The city council may waive any irregularity in the form or content of any written protest. A written protest may be withdrawn in writing at any time before the conclusion of the public hearing. Each written protest shall contain a description of the business in which the person subscribing the protest is interested sufficient to identify the business and, if a person subscribing is not shown on the official records of the city as the owner of the business, the protest shall contain or be accompanied by written evidence that the person subscribing is the owner of the business or the authorized representative. A written protest that does not comply with this section shall not be counted in determining a majority protest. If written protests are received from the owners or authorized representatives of businesses in the proposed district that will pay 50 percent or more of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than 50 percent, no further proceedings to levy the proposed assessment against such businesses, as contained in the resolution of intention, shall be taken for a period of one year from the date of the finding of a majority protest by the city council.

(c) If a city council proposes to conduct a single proceeding to levy both a new or increased property assessment and a new or increased business assessment, the notice and protest and hearing procedure for the property assessment shall comply with subdivision (a), and the notice and protest and hearing procedure for the business assessment shall comply with subdivision (b). If a majority protest is received from either the property or business owners, that respective portion of the assessment shall not be levied. The remaining portion of the assessment may be levied unless the improvement or other special benefit was proposed to be funded by assessing both property and business owners.

36624. Changes to proposed assessments

At the conclusion of the public hearing to establish the district, the city council may adopt, revise, change, reduce, or modify the proposed assessment or the type or types of improvements, maintenance, and activities to be funded with the revenues from the assessments. Proposed assessments may only be revised by reducing any or all of them. At the public hearing, the city council may only make changes in, to, or from the boundaries of the proposed property and business improvement district that will exclude territory that will not benefit from the proposed improvements, maintenance, and activities. Any modifications, revisions, reductions, or changes to the proposed assessment district shall be reflected in the notice and map recorded pursuant to Section 36627.

36625. Resolution of formation

(a) If the city council, following the public hearing, decides to establish a proposed property and business improvement district, the city council shall adopt a resolution of formation that shall include, but is not limited to, all of the following:

- (1) A brief description of the proposed improvements, maintenance, and activities, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property, businesses, or both within the district, a statement on whether bonds will be issued, and a description of the exterior boundaries of the proposed district, which may be made by reference to any plan or map that is on file with the clerk. The descriptions and statements need not be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements, maintenance, and activities and the location and extent of the proposed district.
- (2) The number, date of adoption, and title of the resolution of intention.
- (3) The time and place where the public hearing was held concerning the establishment of the district.
- (4) A determination regarding any protests received. The city shall not establish the district or levy assessments if a majority protest was received.
- (5) A statement that the properties, businesses, or properties and businesses in the district established by the resolution shall be subject to any amendments to this part.
- (6) A statement that the improvements, maintenance, and activities to be conferred on businesses and properties in the district will be funded by the levy of the assessments. The revenue from the levy of assessments within a district shall not be used to provide improvements, maintenance, or activities outside the district or for any purpose other than the purposes specified in the resolution of intention, as modified by the city council at the hearing concerning establishment of the district. Notwithstanding the foregoing, improvements and activities that must be provided outside the

district boundaries to create a special or specific benefit to the assessed parcels or businesses may be provided, but shall be limited to marketing or signage pointing to the district.

(7) A finding that the property or businesses within the area of the property and business improvement district will be benefited by the improvements, maintenance, and activities funded by the proposed assessments, and, for a property-based district, that property within the district will receive a special benefit.

(8) In a property-based district, the total amount of all special benefits to be conferred on the properties within the property-based district.

(b) The adoption of the resolution of formation and, if required, recordation of the notice and map pursuant to Section 36627 shall constitute the levy of an assessment in each of the fiscal years referred to in the management district plan.

36627. Notice and assessment diagram

Following adoption of the resolution establishing district assessments on properties pursuant to Section 36625, the clerk shall record a notice and an assessment diagram pursuant to Section 3114. No other provision of Division 4.5 (commencing with Section 3100) applies to an assessment district created pursuant to this part.

36628. Establishment of separate benefit zones within district; Categories of businesses

The city council may establish one or more separate benefit zones within the district based upon the degree of benefit derived from the improvements or activities to be provided within the benefit zone and may impose a different assessment within each benefit zone. If the assessment is to be levied on businesses, the city council may also define categories of businesses based upon the degree of benefit that each will derive from the improvements or activities to be provided within the district and may impose a different assessment or rate of assessment on each category of business, or on each category of business within each zone.

36628.5. Assessments on businesses or property owners

The city council may levy assessments on businesses or on property owners, or a combination of the two, pursuant to this part. The city council shall structure the assessments in whatever manner it determines corresponds with the distribution of benefits from the proposed improvements, maintenance, and activities, provided that any property-based assessment conforms with the requirements set forth in paragraph (2) of subdivision (k) of Section 36622.

36629. Provisions and procedures applicable to benefit zones and business categories

All provisions of this part applicable to the establishment, modification, or disestablishment of a property and business improvement district apply to the establishment, modification, or disestablishment of benefit zones or categories of business. The city council shall, to establish, modify, or disestablish a benefit zone or category of business, follow the procedure to establish, modify, or disestablish a property and business improvement district.

36630. Expiration of district; Creation of new district

If a property and business improvement district expires due to the time limit set pursuant to subdivision (h) of Section 36622, a new management district plan may be created and the district may be renewed pursuant to this part.

CHAPTER 3: Assessments

36631. Time and manner of collection of assessments; Delinquent payments

The collection of the assessments levied pursuant to this part shall be made at the time and in the manner set forth by the city council in the resolution levying the assessment. Assessments levied on real property may be collected at the same time and in the same manner as for the ad valorem property tax, and may provide for the same lien priority and penalties for delinquent payment. All delinquent payments for assessments levied pursuant to this part may be charged interest and penalties.

36632. Assessments to be based on estimated benefit; Classification of real property and businesses; Exclusion of residential and agricultural property

- (a) The assessments levied on real property pursuant to this part shall be levied on the basis of the estimated benefit to the real property within the property and business improvement district. The city council may classify properties for purposes of determining the benefit to property of the improvements and activities provided pursuant to this part.
- (b) Assessments levied on businesses pursuant to this part shall be levied on the basis of the estimated benefit to the businesses within the property and business improvement district. The city council may classify businesses for purposes of determining the benefit to the businesses of the improvements and activities provided pursuant to this part.
- (c) Properties zoned solely for residential use, or that are zoned for agricultural use, are conclusively presumed not to benefit from the improvements and service funded through these assessments, and shall not be subject to any assessment pursuant to this part.

36633. Time for contesting validity of assessment

The validity of an assessment levied under this part shall not be contested in an action or proceeding unless the action or proceeding is commenced within 30 days after the resolution levying the assessment is adopted pursuant to Section 36625. An appeal from a final judgment in an action or proceeding shall be perfected within 30 days after the entry of judgment.

36634. Service contracts authorized to establish levels of city services

The city council may execute baseline service contracts that would establish levels of city services that would continue after a property and business improvement district has been formed.

36635. Request to modify management district plan

The owners' association may, at any time, request that the city council modify the management district plan. Any modification of the management district plan shall be made pursuant to this chapter.

36636. Modification of plan by resolution after public hearing; Adoption of the resolution of intention

- (a) Upon the written request of the owners' association, the city council may modify the management district plan after conducting one public hearing on the proposed modifications. The city council may modify the improvements and activities to be funded with the revenue derived from the levy of the assessments by adopting a resolution determining to make the modifications after holding a public hearing on the proposed modifications. If the modification includes the levy of a new or increased assessment, the city council shall comply with Section 36623. Notice of all other public hearings pursuant to this section shall comply with both of the following:
 - (1) The resolution of intention shall be published in a newspaper of general circulation in the city once at least seven days before the public hearing.
 - (2) A complete copy of the resolution of intention shall be mailed by first class mail, at least 10 days before the public hearing, to each business owner or property owner affected by the proposed modification.
- (b) The city council shall adopt a resolution of intention which states the proposed modification prior to the public hearing required by this section. The public hearing shall be held not more than 90 days after the adoption of the resolution of intention.

36637. Reflection of modification in notices recorded and maps

Any subsequent modification of the resolution shall be reflected in subsequent notices and maps recorded pursuant to Division 4.5 (commencing with Section 3100), in a manner consistent with the provisions of Section 36627.

36638. Assessment as government improvised fee on Civ C § 1770 transaction [Operative July 1, 2024]

- (a) A business assessment pursuant to this part is a fee imposed by a government on the transaction for purposes of paragraph (29) of subdivision (a) of Section 1770 of the Civil Code.
- (b) This section shall become operative on July 1, 2024.

CHAPTER 3.5 Financing

36640. Bonds authorized; Procedure; Restriction on reduction or termination of assessments

- (a) The city council may, by resolution, determine and declare that bonds shall be issued to finance the estimated cost of some or all of the proposed improvements described in the resolution of formation adopted pursuant to Section 36625, if the resolution of formation adopted pursuant to that section provides for the issuance of bonds, under the Improvement Bond Act of 1915 (Division 10 (commencing with Section 8500)) or in conjunction with Marks–Roos Local Bond Pooling Act of 1985 (Article 4 (commencing with Section 6584) of Chapter 5 of Division 7 of Title 1 of the Government Code). Either act, as the case may be, shall govern the proceedings relating to the issuance of bonds, although proceedings under the Bond Act of 1915 may be modified by the city council as necessary to accommodate assessments levied upon business pursuant to this part.
- (b) The resolution adopted pursuant to subdivision (a) shall generally describe the proposed improvements specified in the resolution of formation adopted pursuant to Section 36625, set forth the estimated cost of those improvements, specify the number of annual installments and the fiscal years during which they are to be collected. The amount of debt service to retire the bonds shall not exceed the amount of revenue estimated to be raised from assessments over 30 years.
- (c) Notwithstanding any other provision of this part, assessments levied to pay the principal and interest on any bond issued pursuant to this section shall not be reduced or terminated if doing so would interfere with the timely retirement of the debt.

CHAPTER 4. Governance

36650. Report by owners' association; Approval or modification by city council

- (a) The owners' association shall cause to be prepared a report for each fiscal year, except the first year, for which assessments are to be levied and collected to pay the costs of the improvements, maintenance, and activities described in the report. The owners' association's first report shall be due after the first year of operation of the district. The report may propose changes, including, but not limited to, the boundaries of the property and business improvement district or any benefit zones within the district, the basis and method of levying the assessments, and any changes in the classification of property, including any categories of business, if a classification is used.
- (b) The report shall be filed with the clerk and shall refer to the property and business improvement district by name, specify the fiscal year to which the report applies, and, with respect to that fiscal year, shall contain all of the following information:
- (1) Any proposed changes in the boundaries of the property and business improvement district or in any benefit zones or classification of property or businesses within the district.
 - (2) The improvements, maintenance, and activities to be provided for that fiscal year.
 - (3) An estimate of the cost of providing the improvements, maintenance, and activities for that fiscal year.
 - (4) The method and basis of levying the assessment in sufficient detail to allow each real property or business owner, as appropriate, to estimate the amount of the assessment to be levied against his or her property or business for that fiscal year.
 - (5) The estimated amount of any surplus or deficit revenues to be carried over from a previous fiscal year.
 - (6) The estimated amount of any contributions to be made from sources other than assessments levied pursuant to this part.
- (c) The city council may approve the report as filed by the owners' association or may modify any particular contained in the report and approve it as modified. Any modification shall be made pursuant to Sections 36635 and 36636.

The city council shall not approve a change in the basis and method of levying assessments that would impair an authorized or executed contract to be paid from the revenues derived from the levy of assessments, including any commitment to pay principal and interest on any bonds issued on behalf of the district.

36651. Designation of owners' association to provide improvements, maintenance, and activities

The management district plan may, but is not required to, state that an owners' association will provide the improvements, maintenance, and activities described in the management district plan. If the management district plan designates an owners' association, the city shall contract with the designated nonprofit corporation to provide services.

CHAPTER 5. Renewal

36660. Renewal of district; Transfer or refund of remaining revenues; District term limit

- (a) Any district previously established whose term has expired, or will expire, may be renewed by following the procedures for establishment as provided in this chapter.
- (b) Upon renewal, any remaining revenues derived from the levy of assessments, or any revenues derived from the sale of assets acquired with the revenues, shall be transferred to the renewed district. If the renewed district includes additional parcels or businesses not included in the prior district, the remaining revenues shall be spent to benefit only the parcels or businesses in the prior district. If the renewed district does not include parcels or businesses included in the prior district, the remaining revenues attributable to these parcels shall be refunded to the owners of these parcels or businesses.
- (c) Upon renewal, a district shall have a term not to exceed 10 years, or, if the district is authorized to issue bonds, until the maximum maturity of those bonds. There is no requirement that the boundaries, assessments, improvements, or activities of a renewed district be the same as the original or prior district.

CHAPTER 6. Disestablishment

36670. Circumstances permitting disestablishment of district; Procedure

- (a) Any district established or extended pursuant to the provisions of this part, where there is no indebtedness, outstanding and unpaid, incurred to accomplish any of the purposes of the district, may be disestablished by resolution by the city council in either of the following circumstances:
 - (1) If the city council finds there has been misappropriation of funds, malfeasance, or a violation of law in connection with the management of the district, it shall notice a hearing on disestablishment.
 - (2) During the operation of the district, there shall be a 30-day period each year in which assesses may request disestablishment of the district. The first such period shall begin one year after the date of establishment of the district and shall continue for 30 days. The next such 30-day period shall begin two years after the date of the establishment of the district. Each successive year of operation of the district shall have such a 30-day period. Upon the written petition of the owners or authorized representatives of real property or the owners or authorized representatives of businesses in the district who pay 50 percent or more of the assessments levied, the city council shall pass a resolution of intention to disestablish the district. The city council shall notice a hearing on disestablishment.
- (b) The city council shall adopt a resolution of intention to disestablish the district prior to the public hearing required by this section. The resolution shall state the reason for the disestablishment, shall state the time and place of the public hearing, and shall contain a proposal to dispose of any assets acquired with the revenues of the assessments levied within the property and business improvement district. The notice of the hearing on disestablishment required by this section shall be given by mail to the property owner of each parcel or to the owner of each business subject to assessment in the district, as appropriate. The city shall conduct the public hearing not less than 30 days after mailing the notice to the property or business owners. The public hearing shall be held not more than 60 days after the adoption of the resolution of intention.

36671. Refund of remaining revenues upon disestablishment or expiration without renewal of district; Calculation of refund; Use of outstanding revenue collected after disestablishment of district

- (a) Upon the disestablishment or expiration without renewal of a district, any remaining revenues, after all outstanding debts are paid, derived from the levy of assessments, or derived from the sale of assets acquired with the revenues, or from bond reserve or construction funds, shall be refunded to the owners of the property or businesses then located and operating within the district in which assessments were levied by

applying the same method and basis that was used to calculate the assessments levied in the fiscal year in which the district is disestablished or expires. All outstanding assessment revenue collected after disestablishment shall be spent on improvements and activities specified in the management district plan.

(b) If the disestablishment occurs before an assessment is levied for the fiscal year, the method and basis that was used to calculate the assessments levied in the immediate prior fiscal year shall be used to calculate the amount of any refund.

APPENDIX 2 – ASSESSED BUSINESSES*

Business Name	Site Address	City	State Zip
A Tribute To Grace	762 Main St	Los Alamos	Ca 93440
A Tribute To Grace Wine Company	9050 San Antonio Rd	Orcutt	Ca 93455
A Tribute To Grace Wine Company	490 Bell St #5	Los Alamos	Ca 93440
Aether Wine Company	9050 San Antonio Rd	Orcutt	Ca 93455
Alapay Cellars	2115 S Blosser Rd; Ste 125-126	Santa Maria	Ca 93458-7303
Alexander & Wayne	2922 Grand Ave Steh	Los Olivos	Ca 93441
Allan Hancock College Viticulture & Enology Foundation	800 S College Dr; Rm 211 Bldg O	Santa Maria	Ca 93454-6399
Alma Rosa Winery Vineyards	7250 Santa Rosa Rd	Buellton	Ca 93427
Amada Cellars	490 Bell St Ste4	Los Alamos	Ca 93440
Amber Rose	140 Industrial Way	Buellton	Ca 93427-9507
Amevive	2075 Vineyard View Ln	Lompoc	Ca 93436
Ampelos Cellars	4305 W Central Ave	Lompoc	Ca 93436
Amplify Wines	5428 Presquile Dr	Santa Maria	Ca 93455-5807
Andrew Murray Vineyards	2901 Grand Ave	Los Olivos	Ca 93441
Andrew Murray Vineyards	5095 Zaca Station Rd	Los Olivos	Ca 93441
Arcadian Winery	4457 Santa Rosa Rd Ste2	Lompoc	Ca 93436
Area 5.1 Orgullo Wines	137 Anacapa St Ste B	Santa Barbara	Ca 93101-1849
Arthur Earl	2922 Grand Ave	Los Olivos	Ca 93441
Artiste Winery	2948 Grand Ave Steb	Los Olivos	Ca 93441
Ashkahn Wines	100 Los Padres Way Ste 7	Buellton	Ca 93427-9580
Attic Salt Wine Company	2446 Alamo Pintado Rd Steb	Los Olivos	Ca 93441
Au Bon Climat Lie	4665 Santa Maria Mesa Rd	Santa Maria	Ca 93454
Au Bon Climat Lie	4665a Santa Maria Mesa Rd	Santa Maria	Ca 93454
Axel Wines	3676 Tivola St Unit2	Santa Ynez	Ca 93460
Babcock Winery & Vineyards	5175 E Highway 246	Lompoc	Ca 93436
Ballard Canyon Peak	5069 Presquile Dr	Santa Maria	Ca 93455-5807
Baltazar Family Wines	1251 W Laurel Ave Units 9 - 13	Lompoc	Ca 93436-5157
Barbaire Wine Company	2369 Alamo Pintado Ave	Los Olivos	Ca 93441
Beckmen Vineyards	2670 Ontiveros Rd	Los Olivos	Ca 93441
Bedford Thompson Winery & Vin	448 Bell St	Los Alamos	Ca 93440
Bella Cavalli Farms & Winery	201 Industrial Way Ste D	Buellton	Ca 93427-9570
Bella Cavalli Farms & Winery	90 Easy St	Buellton	Ca 93427-9566
Bella Cavalli Farms & Winery	959 E Highway 246	Solvang	Ca 93464
Bernat Vineyards And Winery	2650 Santa Ynez St	Santa Ynez	Ca 93460
Bien Nacido And Solomon Hills E	2963 Grand Ave	Los Olivos	Ca 93441
Blackjack Ranch	2205 Alamo Pintado Rd	Solvang	Ca 93463
Black Sheep Finds	1500 E Chestnut Ct; Ste f&G	Lompoc	Ca 93436
Blair Fox Cellars	2477 Alamo Pintado Rd	Los Olivos	Ca 93441
Bocce Ball Wine	90 Easy St	Buellton	Ca 93427-9566
Bonaccorsi Wine Company	4665 Santa Maria Mesa Rd # A	Santa Maria	Ca 93454-9638

Bradley Family Winery	92 2nd St Ste C & D	Buellton	Ca 93427-9470
Brander Vineyard	2401 N Refugio Rd	Santa Ynez	Ca 93460
Brave & Maiden Estate	9050 San Antonio Rd	Orcutt	Ca 93455
Brave & Maiden Estate	645 N Refugio Rd	Santa Ynez	Ca 93460
Brewer Clifton	329 N F St	Lompoc	Ca 93436-6015
Brewer-Clifton	2367 Alamo Pintado Ave	Los Olivos	Ca 93441
Brick Barn Winery	795 W Highway 246	Buellton	Ca 93427
Bridlewood	3555 Roblar Ave	Santa Ynez	Ca 93460
Brouillard Vineyards & Winery, William Hines & Family, The Set	1501 E Chestnut Ave	Lompoc	Ca 93436-4901
Buscador Winery Llc	140 Industrial Way	Buellton	Ca 93427-9507
Buscador Winery Llc	84 Industrial Way Unit A	Buellton	Ca 93427-9567
Buttonwood Winery	1500 Alamo Pintado Rd	Solvang	Ca 93463
Buttonwood Winery And Vineyard	1500 Alamo Pintado Rd	Solvang	Ca 93463
Byron Vineyard & Winery	5250 Tepusquet Rd	Santa Maria	Ca 93454
C2 Cellars	9050 San Antonio Rd	Orcutt	Ca 93455
Ca Del Grevino	2933 Grand Ave Stea	Los Olivos	Ca 93441
Ca Del Grevino	2617 E Clark Ave	Santa Maria	Ca 93455
Cali Love Wine	92 2nd St Ste C & D	Buellton	Ca 93427-9470
Cali Love Wine	1651 Copenhagen Dr	Solvang	Ca 93463-3742
Calivence	2575 Park St	Los Olivos	Ca 93441
Cambria Winery / Nielson	5475 Chardonnay Ln	Santa Maria	Ca 93454
Camins 2 Dreams	1520 E Chestnut Ct Unit C-D	Lompoc	Ca 93436-4949
Carhartt Family Wines	2939 Grand Ave	Los Olivos	Ca 93441
Carhartt Vineyard & Winery	1541 Rancho Santa Ynez Rd	Los Olivos	Ca 93411
Carlson Wines	2330 Westgate Rd Ste 10 & 20	Santa Maria	Ca 93455-1018
Carr Winery	414 N Salsipuedes	Santa Barbara	Ca 93103-3127
Carr Winery Inc	3563 Numancia St	Santa Ynez	Ca 93460
Carucci Wines	2923 Grand Ave Stea	Los Olivos	Ca 93441
Casa Cassara Winery & Vineyard	65 Los Padres Way	Buellton	Ca 93427-9577
Casa Cassara Winery & Vineyard	1607 Mission Dr Ste 111 & 112	Solvang	Ca 93463-3651
Casa Dumetz	388 Bell St	Los Alamos	Ca 93440
Casita De Bravo	2401 N Refugio Rd	Santa Ynez	Ca 93460
Cebada Vineyard	4003 Forbidden Fruit Ln	Lompoc	Ca 93436
Central Coast Group Project The	53 Industrial Way	Buellton	Ca 93427-9565
Challen Winery	2330 Westgate Rd Ste 6	Santa Maria	Ca 93455-1018
Chanin Wine Company	300 N 12th St Unit 1c & 2c	Lompoc	Ca 93436-9426
Chesterfield Cellars	5330 Debbie Rd Ste 200	Santa Barbara	Ca 93111-4049
Chris Caruso Wines	2705 & 2717 Aviation Way	Santa Maria	Ca 93455-1505
Cinque Stelle Winery	9050 San Antonio Rd	Orcutt	Ca 93455
Civilization Wine Company	321 N D St	Lompoc	Ca 93436-6118
Clendenen Lindquist Vintners	4665a Santa Maria Mesa Rd	Santa Maria	Ca 93454
Clusterfreak Wine Vintners Lie	9050 San Antonio Rd	Orcutt	Ca 93455
Coastal Cru Wines Inc	65 Los Padres Way Unit 8	Buellton	Ca 93427-9577
Colluvial Wines	2330 Westgate Rd Ste 9	Santa Maria	Ca 93455-1018

Colors Wine Cellars	2320 Thompson Way Ste F	Santa Maria	Ca 93455-1067
Conway Family Wines	35 & 70 Industrial Way	Buellton	Ca 93427-9565
Conway Family Wines	217 Stearns Wharf Ste G	Santa Barbara	Ca 93101-3582
Cool Hand Vineyards	2240 Santa Rosa Rd	Lompoc	Ca 93436
Coomber Family Ranch Wines	35 & 70 Industrial Way	Buellton	Ca 93427-9565
Coquelicot Estate Winery	330 Alisal Mesa Rd	Solvang	Ca 93463-2798
Cordon	1623 Mission Dr Ste I & J	Solvang	Ca 93463-2636
Costa De Oro Winery	1331 Nicholson Ave	Santa Maria	Ca 93454
Costa De Oro Winery	4665 Santa Maria Mesa Rd # A	Santa Maria	Ca 93454-9638
Cote Of Paint	55 Los Padres Way # 1	Buellton	Ca 93427-9581
Cotiere Winery	2330 Westgate Rd Ste 9	Santa Maria	Ca 93455-1018
Cottonwood Canyon	3940 Dominion Rd	Santa Maria	Ca 93454
Crawford Family Wines	92 2nd St Units G & H	Buellton	Ca 93427-9470
Crawford Family Wines	1661 Mission Dr	Solvang	Ca 93463-2632
Crosby Wine Co	84 Industrial Way Unit C	Buellton	Ca 93427-9567
Crosshatch Winery	1090 Edison St Ste103	Santa Ynez	Ca 93460
Crosshatch Winery	1090 Edison St Ste104	Santa Ynez	Ca 93460
Crown Point Vineyards	1733 Fletcher Way	Santa Ynez	Ca 93460
Crush It Wine Education	958 Cheltenham Rd	Santa Barbara	Ca 93105
D Alfonso Curran Wine Group	4457 Santa Rosa Rd Ste5	Lompoc	Ca 93436
Dana V Wines	57 Industrial Way	Buellton	Ca 93427-9565
Dana V Wines	59 Industrial Way	Buellton	Ca 93427-9565
Dark Water Winery	1591 & 1595 E Chestnut Ave Ste B	Lompoc	Ca 93436
Dascomb Cellars	1637 E Laurel Ave	Lompoc	Ca 93436-4915
Dascomb Cellars	1623 Mission Dr Ste E & F	Solvang	Ca 93463
Dave Phinney Lie / Bloodlines	2121 Alisos Rd	Santa Ynez	Ca 93460
Demetria Vineyards & Winery	6701 Foxen Canyon Rd	Santa Maria	Ca 93454
Dierberg Star Lane Vineyards	1280 Drum Canyon Rd	Lompoc	Ca 93436
Dierberg Star Lane Vineyards	2121 Alisos Rd	Santa Ynez	Ca 93460
Disko Wines	5230 Tepusquet Rd	Santa Maria	Ca 93454
Domaine Dafoe	2901 Grand Ave Unite	Los Olivos	Ca 93441
Domaine De La Cote	1503 E Chestnut Ave	Lompoc	Ca 93436-4901
Domaine De La Cote	1712 Industrial Way	Lompoc	Ca 93436-4970
Donnachadh	2938 San Marcos Ave Ste 101	Los Olivos	Ca 93441
Donnachadh Family Wines, Llc	5069 Presquile Dr	Santa Maria	Ca 93455-5807
Dovecote	9229 Alisos Canyon Rd	Los Alamos	Ca 93440
Dragonette Cellars	2445 Alamo Pintado Rd	Los Olivos	Ca 93441
Draughtsmen Aleworks	53 Santa Felicia Dr	Goleta	Ca 93117-2804
Draughtsmen Aleworks	1631 Mission Dr	Solvang	Ca 93463-2632
Dreamcote Wine Co	2933 San Marcos Ave Ste107	Los Olivos	Ca 93441
Dreamcote Wine Co	2121 Alisos Rd	Santa Ynez	Ca 93460
Dreamcote, Spoke Cider	417 Commerce Ct	Lompoc	Ca 93436-2811
Eislynn Wines	6701 Foxen Canyon Rd	Santa Maria	Ca 93454
El Oso De Oro	321 N D St	Lompoc	Ca 93436-6118
El Vinero	130 N Broadway St Stea	Orcutt	Ca 93455

Eleven Confessions	7007 Santa Rosa Rd	Buellton	Ca 93427
Entourage Wines	1251 W Laurel Ave Units 9-13	Lompoc	Ca 93436-5157
Fallen Grape	140 Industrial Way	Buellton	Ca 93427-9507
Fates' Lieutenant Llc	100 Los Padres Way Ste 7	Buellton	Ca 93427-9580
Feeley Wines	1603 Copenhagen Dr Ste 1	Solvang	Ca 93463-2700
Feliz Noche	5249 Foxen Canyon Rd	Santa Maria	Ca 93454
Fennell Family Wine Company	5249 Foxen Canyon Rd	Santa Maria	Ca 93454
Fess Parker Winery	2974 Grand Ave	Los Olivos	Ca 93441
Fiddlehead Cellars	1597 E Chestnut Ave	Lompoc	Ca 93436
Final Girl	100 Los Padres Way Ste 7	Buellton	Ca 93427-9580
Firestone Vineyard	5017 Zaca Station Rd	Los Olivos	Ca 93441
Flores Family Vineyards	140 Industrial Way	Buellton	Ca 93427-9507
Flying Goat Cellars	1251 W Laurel Ave Units 9-21	Lompoc	Ca 93436
Flying Goat Cellars	1520 E Chestnut Ct Ste A	Lompoc	Ca 93436-4949
Folded Hills	9050 San Antonio Rd	Orcutt	Ca 93455
Folded Hills	2121 Alisos Rd	Santa Ynez	Ca 93460
Folded Hills Farmstead	2323 Old Coast Hwy	Gaviota	Ca 93117
Foley Estate Vineyard & Winery	6121 E Highway 246	Lompoc	Ca 93436
Foley Estate Vineyard & Winery	1711 Alamo Pintado Rd	Solvang	Ca 93463-9712
Four Brothers Wine Co.	2935 Grand Ave Stea	Los Olivos	Ca 93441
Fox Wine Co	120 Santa Barbara St	Santa Barbara	Ca 93101-1819
Foxen Vineyard	7200 Foxen Canyon Rd	Santa Maria	Ca 93454
Frequency Wine Company	9110 Alisos Canyon Rd	Los Alamos	Ca 93440
Funk Zone Tasting Room	116 E Yanonali St Ste A	Santa Barbara	Ca 93101-1823
Future Perfect Wine	2933 San Marcos Ave Ste101	Los Olivos	Ca 93441
Future Perfect Wine	5775 Genuine Risk Rd	Santa Ynez	Ca 93460
Future Perfect Wine	2847 Santa Barbara Ave	Solvang	Ca 93463
Gainey Vineyard	2901 Grand Ave	Los Olivos	Ca 93441
Gaviota Coast Wines Llc	236 N F St & 304 E Chestnut Ave	Lompoc	Ca 93436-6014
Gleason Family Vineyards	3010 Roblar Ave	Santa Ynez	Ca 93460
Gleason Family Vineyards Robla	2990 Grand Ave Steb	Los Olivos	Ca 93441
Gogi Wines	4305 W Central Ave	Lompoc	Ca 93436
Gra Wine	2330 Westgate Rd Ste 9	Santa Maria	Ca 93455-1018
Grapevine Land Management	5250 Tepusquet Canyon Rd	Santa Maria	Ca 93454
Grassini Family Vineyards	5775 Genuine Risk Rd	Santa Ynez	Ca 93460
Grimms Bluff	2445 Alamo Pintado Ave Ste 102	Los Olivos	Ca 93441
Grimms Bluff	5069 Presquile Dr	Santa Maria	Ca 93455-5807
Habit Wine Company	5069 Presquile Dr	Santa Maria	Ca 93455-5807
Happy Canyon Vineyards	5050 Happy Canyon Rd	Santa Ynez	Ca 93460
Hideaway	2933 Grand Ave Stef	Los Olivos	Ca 93441
Hilt Estate The	2240 Santa Rosa Rd	Lompoc	Ca 93436
Hitching Post Wines	420 E Highway 246	Buellton	Ca 93427
Holus Bolus	2902 San Marcos Ave; Ste B	Los Olivos	Ca 93441
Imagine Wine	140 Industrial Way	Buellton	Ca 93427
Inception Wine	2643 Industrial Parkway	Santa Maria	Ca 93455

J. Dirt LLC	55 Los Padres Way # 1	BUELLTON	Ca 93427
Jaffurs Wine Cellars	819 E Montecito St	Santa Barbara	Ca 93103
Jalama Wines	321 N D ST	LOMPOC	Ca 93436
Jamie Slone Wines	4003 Forbidden Fruit Ln	Lompoc	Ca 93436
Jamie Slone Wines	4457 Santa Rosa Rd Ste 2	Lompoc	Ca 93436-9516
Jamie Slone Wines	23 E De La Guerra St	Santa Barbara	Ca 93101-2217
Jonata	73 Thomas Rd	Buellton	Ca 93427
Juliet Wines Incorporated	2121 Alisos Rd	Santa Ynez	Ca 93460
Kaena Wine Company	800 E Highway 246 Hwy	Buellton	Ca 93427
Kaena Wine Company	2670 Ontiveros Rd	Los Olivos	Ca 93441
Kaena Wine Company	2890 Grand Ave	Los Olivos	Ca 93441
Kalawashaq Wine Cellars	313 N F St	Lompoc	Ca 93436-6015
Kalyra Winery	343 N Refugio Rd	Santa Ynez	Ca 93460
Ken Brown Wines	140 Industrial Way	Buellton	Ca 93427-9507
Ken Brown Wines	157 W Highway 246	Buellton	Ca 93427
Kessler Haak Wines Kh Wines	1700 Gypsy Canyon Rd	Lompoc	Ca 93436
Kiani Preserve Cellars Llc	340 N G St	Lompoc	Ca 93436
Kimsey Vineyard Llc	90 Easy St	Buellton	Ca 93427-9566
Kings Carey	1210 Mission Dr Ste 103	Solvang	Ca 93463-2978
Kings Carey Llc	1225-1239 W Laurel Ave Unit 1-8	Lompoc	Ca 93436-5157
Koehler Winery	5360 Foxen Canyon Rd	Santa Maria	Ca 93454
Krh Specialty Wines Llc	35 & 70 Industrial Way	Buellton	Ca 93427-9565
Kunin Wines	74 Aero Camino Ste B	Goleta	Ca 93117-3152
Kunin Wines	831 Santa Barbara St	Santa Barbara	Ca 93101
La Lief Wines	210 Gray Ave	Santa Barbara	Ca 93101
La Vallee	140 Industrial Way	Buellton	Ca 93427-9507
Labarge Vineyards & Winery	2380 Sweeney Rd	Lompoc	Ca 93436
Labyrinth Winery	2310 Westgate Rd Ste 7 & 8	Santa Maria	Ca 93455-1004
Lafond Winery & Vineyard	6855 Santa Rosa Rd	Buellton	Ca 93427
Land Of Saints Wine Company L	9050 San Antonio Rd	Orcutt	Ca 93455
Larner Winery & Vineyards	2900 Grand Ave D	Los Olivos	Ca 93441
Latigo Ridge	5069 Presquile Dr	Santa Maria	Ca 93455-5807
Lavender Oak Vineyard And Or I	9450 Santa Rosa Rd	Buellton	Ca 93427
Le Crush Winery	7910 Cat Canyon Rd	Los Alamos	Ca 93440
Lepiane	1480 Count Fleet St	Santa Ynez	Ca 93460
Lieff Wines	65 Los Padres Way	Buellton	Ca 93427-9577
Lieu Dit	300 N 12th St Unit 4a	Lompoc	Ca 93436-9444
Lieu Dit	23 & 25 E Canon Perdido St	Santa Barbara	Ca 93101-2213
Lincourt Winery	1711 Alamo Pintado Rd	Solvang	Ca 93463-9712
Lions Peak	1659 Copenhagen Dr Ste A	Solvang	Ca 93463-3702
Liquid Farm	2445 Alamo Pintado Rd	Los Olivos	Ca 93441
Lo Fi Wines	101 Donald D Doyle Hwy		
Lo Fi Wines	448 Bell St Ste B	Los Alamos	Ca 93440
Lo Fi Wines	5230 Tepusquet Rd	Santa Maria	Ca 93454
Lompoc Wine Factory	321 N D St	Lompoc	Ca 93436-6118

Long Creek Vineyards	2982 Grand Ave	Los Olivos	Ca 93441
Longoria Winery	415 E Chestnut Ave	Lompoc	Ca 93436-6007
Longoria Winery	732 State St	Santa Barbara	Ca 93101-3330
Loring Wine Company	1034 W Aviation Dr	Lompoc	Ca 93436-9777
Loubud Wines Lie	4003 Forbidden Fruit Ln	Lompoc	Ca 93436
Lucas & Lewellen Vineyards	1645 Copenhagen Dr	Solvang	Ca 93463
Lucas And Lewellen Vineyards	132 Easy St Unit A B C-2 & C-3	Buellton	Ca 93427
Lucia's Wine Co., Inc.	2115 S Blosser Rd 103	Santa Maria	Ca 93458-7306
Lumen	2310 Westgate Rd Ste 7 & 8	Santa Maria	Ca 93455-1004
Luna Hart Wines Lie	3865 Sterrett Ave	Santa Barbara	Ca 93110
Luna Hart Wines Lie	2825 Tapadero Rd	Solvang	Ca 93463
Mad Lab Wines	65 Los Padres Way Unit 8	Buellton	Ca 93427-9577
Madre Wine Co	65 Los Padres Way Unit 8	Buellton	Ca 93427-9577
Mail Road Wines	90 Easy St	Buellton	Ca 93427-9566
Maison Thomas Llc	2121 Alisos Rd	Santa Ynez	Ca 93460
Mallea Food & Wine Llc	84 Industrial Way Unit C	Buellton	Ca 93427-9567
Mandolina Vineyards	132 Easy St Ut A2	Buellton	Ca 93427
Mandolina Vineyards	1650 Copenhagen Dr	Solvang	Ca 93463
Margerum Wine Company	2446 Alamo Pintado Rd B	Los Olivos	Ca 93441
Martian Ranch & Vineyard	9110 Alisos Canyon Rd	Los Alamos	Ca 93440
Mayfield Moore Inc	4457 Santa Rosa Rd Ste2	Lompoc	Ca 93436
Mcclain Cellars	140 Industrial Way	Buellton	Ca 93427-9507
Mcclain Cellars	281 Pamela Way Ste 104-107	Buellton	Ca 93427-9594
Mcclain Cellars	2360 Thompson Way Ste F & G	Santa Maria	Ca 93455-1095
Mcclain Cellars	1623 Mission Dr Ste B C & D	Solvang	Ca 93463-2636
Mckinney Family Vineyards	86 Industrial Way Unit A B & C	Buellton	Ca 93427-9567
Melville Winery	5185 E Highway 246 #246	Lompoc	Ca 93436
Michael Caitlin Wines	3940 Dominion Rd	Santa Maria	Ca 93454
Miller Family Wine Company	35 State St Ste B	Santa Barbara	Ca 93101-3537
Miller Family Wine Company	2705 & 2717 Aviation Way	Santa Maria	Ca 93455-1505
Miller Family Wine Company	2717 Aviation Way	Santa Maria	Ca 93455-1506
Miralaguna Lie	5249 Foxen Canyon Rd	Santa Maria	Ca 93454
Montemar Wines	1501 E Chestnut Ct Stes B & E	Lompoc	Ca 93436-4953
Municipal Winemakers	22 Anacapa St	Santa Barbara	Ca 93101-1879
Municipal Winemakers	2643 Industrial Pkwy	Santa Maria	Ca 93455-1536
Native 9	6525 Dominion Rd	Santa Maria	Ca 93454
Natural Merchants	2121 Alisos Rd	Santa Ynez	Ca 93460
New Vineland Llc	1501 E Chestnut Ave	Lompoc	Ca 93436-4901
Nid Tisse Wines	2075 Vineyard View Ln	Lompoc	Ca 93436
Night Lizard Brewing Company	607 State St	Santa Barbara	Ca 93101-3301
No Limit Wines Lie	9660 Foxen Canyon Rd	Santa Maria	Ca 93454
Notary Public Wines	5069 Presquile Dr	Santa Maria	Ca 93455-5807
Oaktree Imports	35 & 70 Industrial Way	Buellton	Ca 93427-9565
One Barrel Wines	2330 Westgate Rd Ste 9	Santa Maria	Ca 93455-1018
Orlaigh Wines Llc	406 E Haley St Ut 1	Santa Barbara	Ca 93101-1714

Ox Wine Co	1501 E Chestnut Ct Ste B	Lompoc	Ca 93436-4953
Paisean	1575 Edison St	Santa Ynez	Ca 93460
Pali Wine Co	205 Anacapa St	Santa Barbara	Ca 93101-1805
Pali Wine Co	2625 Skyway Dr Ste A	Santa Maria	Ca 93455-1405
Pali Wine Company	1036 W Aviation Dr	Lompoc	Ca 93436-9777
Pali Wine Company	1501 E Chestnut Ct Ste C	Lompoc	Ca 93436-4953
Paradis Springs Winery	210 State St	Santa Barbara	Ca 93101
Paradise Springs Winery	57 Industrial Way	Buellton	Ca 93427-9565
Paradise Springs Winery	59 Industrial Way	Buellton	Ca 93427-9565
Parker Parker	5070 Presquile Dr	Santa Maria	Ca 93455-5807
Paul Lato Wines	5250 Tepusquet Canyon Rd	Santa Maria	Ca 93454
Pch Street	90 Easy St	Buellton	Ca 93427-9566
Peake Ranch	7290 Santa Rosa Rd	Buellton	Ca 93427
Peake Ranch	2445 Alamo Pintado Ave Stet	Los Olivos	Ca 93441
Pence Ranch	1909 W Highway 246	Buellton	Ca 93427-9492
Pence Ranch	1704 Industrial Wy	Lompoc	Ca 93436-4968
Pence Ranch	1708 Industrial Way Units D & E	Lompoc	Ca 93436-4969
Penville Projects Lie	5230 Tepusquet Rd	Santa Maria	Ca 93454
Perluca Wines	100 Los Padres Way Ste 4	Buellton	Ca 93427-9580
Petros Winery	3360 Foxen Canyon Rd	Los Olivos	Ca 93441
Piazza Family Wines Lie	2825 Tapadero Rd	Solvang	Ca 93463
Pigeon	1034 W Aviation Dr	Lompoc	Ca 93436-9777
Point & Line Wines	2705 & 2717 Aviation Way	Santa Maria	Ca 93455-1505
Popes New Castle The	140 Industrial Way	Buellton	Ca 93427-9507
Potek	406 E Haley St Ut 1	Santa Barbara	Ca 93101-1714
Presqu Lie Winery	5391 Presquile Dr	Santa Maria	Ca 93455-5807
Prodigal Wines	1251 W Laurel Ave Units 9 - 13	Lompoc	Ca 93436-5157
R Winery Operation Lie	2075 Vineyard View Ln	Lompoc	Ca 93436
Racines	300 N 12th St Unit 1a & 2a	Lompoc	Ca 93436-9426
Rancho Boa Vista	57 Industrial Way	Buellton	Ca 93427-9565
Rancho Boa Vista	6485 Calle Real Ste E & F	Goleta	Ca 93117-1539
Rancho Los Olivos Lie	3360 Foxen Canyon Rd	Los Olivos	Ca 93441
Rancho Sisquoc Winery	6600 Foxen Canyon Rd	Santa Maria	Ca 93454
Reunion Wine	6701 Foxen Canyon Rd	Santa Maria	Ca 93454
Riccavalle	338 Toro Canyon Rd	Carpinteria	Ca 93013
Rideau Cellars	1562 Alamo Pintado Rd	Solvang	Ca 93463
Rincon Mountain Winery Inc	4187 Carpinteria Ave Ste 1 - 2	Carpinteria	Ca 93013-3300
Rivahil	2901 Grand Ave Stec	Los Olivos	Ca 93441
Rivahil Winery	90 Easy St	Buellton	Ca 93427-9566
Riverbench	137 Anacapa St Ste C	Santa Barbara	Ca 93101-1848
Riverbench Vineyards & Winery	6020 Foxen Canyon Rd	Santa Maria	Ca 93454
Riviera Wines	57 Industrial Way	Buellton	Ca 93427-9565
Riviera Wines	59 Industrial Way	Buellton	Ca 93427-9565
Roark Wine Company	84 Industrial Way Unit C	Buellton	Ca 93427-9567
Robert Lieff Wines	57 Industrial Way	Buellton	Ca 93427-9565

Robert Lief Wines	59 Industrial Way	Buellton	Ca 93427-9565
Rooted Vine Cellars	55 Los Padres Way # 1	Buellton	Ca 93427-9581
Rosenson Vantonder Wine Creal	2884 Grand Ave	Los Olivos	Ca 93455
Rosenson Wine Creations	330 Alisal Mesa Rd	Solvang	Ca 93463-2798
Rosenson Wine Creations Inc	5230 Tepusquet Rd	Santa Maria	Ca 93454
Rosenthal Malibu Estate	5249 Foxen Canyon Rd	Santa Maria	Ca 93454
Runway Vineyards, Llc	2705 & 2717 Aviation Way	Santa Maria	Ca 93455-1505
Rusack Vineyards	1819 Ballard Canyon Rd	Solvang	Ca 93463
Rustik Elements Lie	125 N Refugio Rd	Santa Ynez	Ca 93460
Ryan Santos Wines Llc	2320 Thompson Way Ste F	Santa Maria	Ca 93455-1067
Rzn Wines	1225-1239 W Laurel Ave Unit 1-8	Lompoc	Ca 93436-5157
Saarloos Estate Vineyards	2971 Grand Ave	Los Olivos	Ca 93441
Saarloos Estate Vineyards	5249 Foxen Canyon Rd	Santa Maria	Ca 93454
Samsara	6485 Calle Real Ste E & F	Goleta	Ca 93117-1539
Samsara Wine Co	2446 Alamo Pintado Ave Ste A	Los Olivos	Ca 93441
San Se Wines	5071 Presquile Dr	Santa Maria	Ca 93455-5807
Sandhi Wines	1503 E Chestnut Ave	Lompoc	Ca 93436-4901
Sandhi Wines	1700 Industrial Way Unit A	Lompoc	Ca 93436-4947
Sandoval Mergenov Wines Lie	125 N Refugio Rd	Santa Ynez	Ca 93460
Sandoval Ranch & Vineyard	1719 Calzada Ave	Santa Ynez	Ca 93460
Sanford Winery	5010 Santa Rosa Rd	Lompoc	Ca 93436
Sanger Family Of Wines The	281 Pamela Way Ste 104-107	Buellton	Ca 93427-9594
Sanger Family Of Wines The	1582 & 1584 Mission Dr	Solvang	Ca 93463
Sanguis	8 Ashley Ave	Santa Barbara	Ca 93103-3308
Santa Barbara Winery	28 Anacapa St Ste A	Santa Barbara	Ca 93101-1882
Sapien Wines	90 Easy St	Buellton	Ca 93427-9566
Schetter Malibu Vineyard	35 & 70 Industrial Way	Buellton	Ca 93427-9565
Sea Creatures Wine	5249 Foxen Canyon Rd	Santa Maria	Ca 93454
Sea Smoke	1604 N O St	Lompoc	Ca 93436-3420
Section Wines	65 Los Padres Way	Buellton	Ca 93427-9577
Sevtap Winery	308 N 9th St Ste A & B	Lompoc	Ca 93436-4945
Sevtap Winery	38 El Paseo	Santa Barbara	Ca 93101
Sevtap Winery	473 Atterdag Rd Unit 102	Solvang	Ca 93463-3744
Shokrian Winery, Llc	7910 Cat Canyon Rd	Los Alamos	Ca 93440
Silver Wines Llc	724 Reddick St Unit A & B	Santa Barbara	Ca 93103
Silver Wines Llc	813 Anacapa St Ste 31	Santa Barbara	Ca 93101-2289
Skeynna Wines	12 Helena Ave	Santa Barbara	Ca 93101
Skyenna Wines	90 Easy St	Buellton	Ca 93427-9566
Slay Estate & Vineyard	6635 E Highway 246	Lompoc	Ca 93436
Slouch Hat Wines	2121 Alisos Rd	Santa Ynez	Ca 93460
So Far Out Wine Company	9110 Alisos Canyon Rd	Los Alamos	Ca 93440
Solminer	2890 Grand Ave Ste B & C	Los Olivos	Ca 93441
Solminer Wine Company	2650 Easton	Los Olivos	Ca 93441
Somerset Vineyards Sta Rita Hill	4650 Sweeney Rd	Lompoc	Ca 93436
Sonja Magdevski	380 Bell St	Los Alamos	Ca 93440

Sort This Out Cellars	35 & 70 Industrial Way	Buellton	Ca 93427-9565
Spear Vineyards & Winery	6700 E Highway 246	Lompoc	Ca 93436
St Avalo Inc	2963 Grand Ave Ste B	Los Olivos	Ca 93441
St. Avalo, Inc.	5230 Tepusquet Rd	Santa Maria	Ca 93454
Standing Sun Wines	2990 Grand Ave Stea	Los Olivos	Ca 93441
Stars & Dust	100 Los Padres Way Ste 3	Buellton	Ca 93427-9580
Stephen C Swinchatt	3865 Sterrett Ave	Santa Barbara	Ca 93110
Stolpman Vineyards	2434 Alamo Pintado Ave	Los Olivos	Ca 93441
Stone Pine Estate	2705 & 2717 Aviation Way	Santa Maria	Ca 93455-1505
Storm Wines	2948 San Marcos Ave Steloi	Los Olivos	Ca 93441
Storm Wines	5072 Presquile Dr	Santa Maria	Ca 93455-5807
Story Of Soil	2362 Alamo Pintado Rd	Los Olivos	Ca 93441
Story Of Soil	2928 San Marcos Ave Ste102	Los Olivos	Ca 93441
Strange Family Vineyards	2329 Jonata St	Los Olivos	Ca 93441
Summerland Winery	2330 Lillie Ave	Summerland	Ca 93067
Sunstone Vineyards & Winery	125 N Refugio Rd	Santa Ynez	Ca 93460
Sweetzer Cellars	1637 E Laurel Ave	Lompoc	Ca 93436-4915
Sweetzer Cellars	308 N 9th St Ste C	Lompoc	Ca 93436-4945
Swissco	4665 Santa Maria Mesa Rd # A	Santa Maria	Ca 93454-9638
Tatomer, Inc.	2705 & 2717 Aviation Way	Santa Maria	Ca 93455-1505
Temperance Cellars	1637 E Laurel Ave	Lompoc	Ca 93436-4915
Tensley Wine	9110 Alisos Canyon Rd	Los Alamos	Ca 93440
Tercero Wines	2445 Alamo Pintado Ave #10	Los Olivos	Ca 93441
Terre Et Sang Lie	4457 Santa Rosa Rd Ste2	Lompoc	Ca 93436
Terre Et Sang Lie	2982 Grand Ave	Los Olivos	Ca 93441
Terre Et Sang Lie	2944 Gaviota St	Solvang	Ca 93463
Tessa Marie Wines & Triune	2643 Industrial Pkwy	Santa Maria	Ca 93455-1536
Thorne Wine Thorne Cellars	35 & 70 Industrial Way	Buellton	Ca 93427-9565
Tierra Y Vino	140 Industrial Way	Buellton	Ca 93427-9507
Tin City Cider	2360 Alamo Pintado Rd	Los Olivos	Ca 93441
Tomi Cellars	140 Industrial Way	Buellton	Ca 93427-9507
Tommy Town Thoroughbreds	5699 Happy Canyon Rd	Santa Ynez	Ca 93460
Torettis Family Vineyard	2920 Grand Ave Unite	Los Olivos	Ca 93441
Torettis Family Vineyard	9050 San Antonio Rd	Orcutt	Ca 93455
Toussaint Cellars	92 2nd St Ste C & D	Buellton	Ca 93427-9470
Transcendence	300 N 12th St Ste 1g	Lompoc	Ca 93436-9442
Transcendence Winery	300 N G St Ste C	Lompoc	Ca 93436-6020
Tres Hermanas Vineyard & Wine	346 Bell St	Los Alamos	Ca 93440
Tres Hermanas Vineyard & Wine	9660 Foxen Canyon Rd	Santa Maria	Ca 93454
Trical	1251 W Laurel Ave Units 9 - 13	Lompoc	Ca 93436-5157
Tripp Wines	321 N D St	Lompoc	Ca 93436-6118
Trippers & Askers	406 E Haley St Ut 1	Santa Barbara	Ca 93101-1714
True Believer Lie	Santa Maria Mesa Rd	Santa Maria	Ca 93454
Turiya Wines	321 N D St	Lompoc	Ca 93436-6118
Two Wolves Wine	1480 Count Fleet St	Santa Ynez	Ca 93460

Tyler	23 & 25 E Canon Perdido St	Santa Barbara	Ca 93101-2213
Tyler Winery	300n 12th St Unit 4a & 4b	Lompoc	Ca 93436
Valley Project The	74 Aero Camino Ste B	Goleta	Ca 93117-3152
Valley To The Sea	38 W Victoria St Ste 105	Santa Barbara	Ca 93101-3166
Valley To The Sea Winery	6485 Calle Real Ste E & F	Goleta	Ca 93117-1539
Valmur	5428 Presquile Dr	Santa Maria	Ca 93455-5812
Vega Vineyard And Farm	9496 Santa Rosa Rd	Buellton	Ca 93427
Vega Vineyard And Farm	3555 Roblar Ave	Santa Ynez	Ca 93460
Vega Vineyard Farm	3555 Roblar Ave	Santa Ynez	Ca 93460
Velvet Bee Wine	4457 Santa Rosa Rd Bldg2	Lompoc	Ca 93436
Vignerons	4665 Santa Maria Mesa Rd	Santa Maria	Ca 93454
Village Pop Wine	321 N D St	Lompoc	Ca 93436-6118
Vincent Vineyards	2370 N Refugio Rd	Santa Ynez	Ca 93460
Voyz'n Wines	2330 Westgate Rd Ste 10 & 20	Santa Maria	Ca 93455-1018
Wathen Wines, Baricau Wines	7600 Foxen Canyon Rd	Santa Maria	Ca 93454-9170
Waylan Wine Co	2963 Grand Ave	Los Olivos	Ca 93441
Waylan Wine Co	5249 Foxen Canyon Rd	Santa Maria	Ca 93454
Wedell Cellars	2705 & 2717 Aviation Way	Santa Maria	Ca 93455-1505
Wenzlau Vineyard	300 N 12th St Unit 4a	Lompoc	Ca 93436-9444
Wenzlau Vineyard	724 Union St	Santa Barbara	Ca 93103-3328
Whitcraft Winery	36 S Calle Cesar Chavez A	Santa Barbara	Ca 93103
Williamson Family Wines	1980 Paquita Dr	Carpinteria	Ca 93103
Windrun Wine Co.	140 Industrial Way	Buellton	Ca 93427-9507
Windrun Wine Co.	1595 E Chestnut Ave Ste C	Lompoc	Ca 93436-4942
Wines By Alisa Jacobson	3555 Roblar Ave Unit B	Santa Ynez	Ca 93460
World Source Supply	2045 N Refugio Rd	Santa Ynez	Ca 93460
Wylde Works	609 State St	Santa Barbara	Ca 93101-3301
Yata Eagle Wines	2121 Alisos Rd	Santa Ynez	Ca 93460
Zaca Mesa Winery	6905 Foxen Canyon Rd	Santa Maria	Ca 93454
Zarif Companies	300 N G St Ste C	Lompoc	Ca 93436-6020
Zotovich Vineyards And Winery	300 N 12th St Unit 1d	Lompoc	Ca 93436-9442
Zotovich Vineyards And Winery	300 N G St Ste C	Lompoc	Ca 93436-6020

*The list was developed with the most reliable information provided; however, the list may contain discrepancies. This list shall include any future to-be opened businesses. Any business that may have been missed in this list, but is still within the boundaries of the SBCWID, shall also be subject to assessment.



SANTA BARBARA
V I N T N E R S

SANTA BARBARA COUNTY
WINERY IMPROVEMENT DISTRICT
JANUARY 13, 2025

WHAT IS A WID?



Wine Improvement Districts (WIDs) provide a stable funding source that allows owners to work together through a winery association to:

- Improve business activity through marketing and promotional efforts
- Community, industry, and government education
- Build the region's high-quality wine reputation
- Attract new visitors to the wineries

There are currently (3) WIDs in CA, with other wine regions in the formation process.

WHY THE WINE BID FOR SBC?



It is predictable, stable funding.

We have seen how funding helps us:

- The Vintners Association received almost \$800,000 in marketing funding from 2020-2023
- Saw 48.8% growth in retail sales from 2018-2022
- Temecula: 18% increase in visitation from Sept 2022 – Sept 2023

THE ASSESSMENT



1% assessment on all Direct-to-Consumer RETAIL sales in the state of California (anything that incurs sales tax)

Including:

- Tasting Room Sales, Wine Club, Events, Food, Merch, etc.

Not Including:

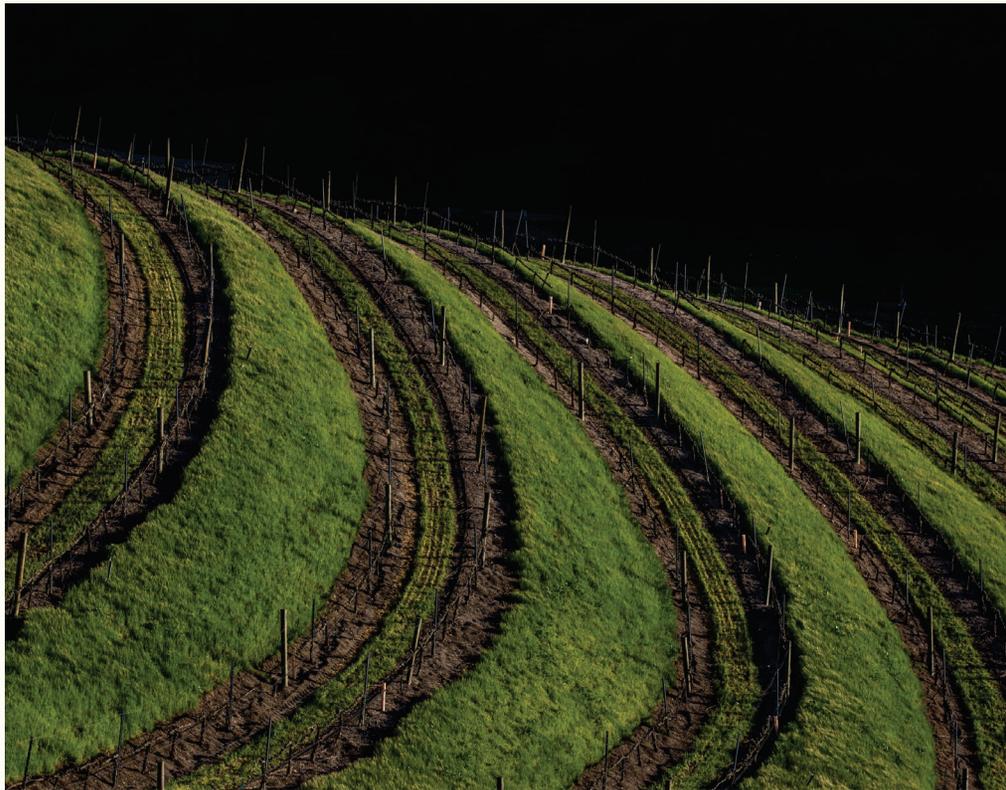
- Wholesale, Out-of-State Sales

WHAT OUR MONEY WILL BE SPENT ON



- . Marketing / Brand Awareness / PR
- . Events
- . Community Engagement
- . Government Education
- . Industry Education
- . Other areas of improvement TBD (AVA support, infrastructure, philanthropy, etc.)
-funding must be spent on programs and activities that provide a specific benefit to the payor!

HOW THE MONEY GETS REMITTED



A third-party firm, HdL, will collect the assessment from the winery businesses and remit funds to the Santa Barbara Vintners Association, who will implement the programs in accordance with the Management District Plan.

FORMATION TIMELINE



QUESTIONS?



THANK YOU!



Alison Laslett
CEO, Santa Barbara Vintners
Cell: 310.463.0262
E-mail: alison@sbcountywines.com

Gina Reed
Senior Project Manager, Civitas
E-Mail: greed@civitasadvisors.com



AGENDA ITEM 9.b

Meeting Date: January 13, 2025

Discussion and possible action for City Council appointments of members to the Design Review Committee, Planning Commission, Measure U Citizens Oversight Committee for two-year terms ending December 31, 2026.

PREPARED BY: Annamarie Porter, CMC, City Clerk

DISCUSSION:

City of Solvang Municipal Code, Title 2 Boards and Commissions, details the establishment of the individual boards and commissions, their membership, organization and meetings, and duties and responsibilities.

Planning Commission consists of five (5) members, residing within the incorporated City of Solvang, each appointed by a member of the City Council. Duties include, but are not limited to developing, preparing, periodically reviewing, revising and maintaining the general plan; implementing the general plan through actions including, but not limited to, the administration of specific plans and subdivision ordinances; annually reviewing the capital improvement program of the city and the local public works projects of other local agencies for their consistency with the general plan; preparing, adopting and recommending to the city council plans and drafts of such regulations, programs and legislation as may, in its judgment, be required for the systematic execution of the general plan; acting as an advisory agency for the city council in connection with the Subdivision Map Act; investigating and recommending plans to the city council for the improvement and beautification of the city, including matters such as the opening, straightening, widening, closing of or parking on streets, improvement and development of public streets, improvement and development of public buildings and works, the subdivision of lands and the supplementation or the change of zoning regulations and districts; promoting the public interest in, comment on and understanding of the general plan and regulations relating to it; consulting with and advising public officials and agencies, public utility companies, civic, educational, professional and other organizations and citizens concerning implementation of the general plan; promoting the coordination of local plans and programs with the plans and programs of other public agencies; reviewing and approving, disapproving or conditionally approving, or providing recommendations to city council, all applications submitted for development plans, conditional use permits, tentative map, specific plans, and any other application as specifically provided under this code; and such other functions and duties as imposed by law or as the city council may provide.

Applications for Planning Commission were received from the following:

Kief Adler
Robert Clarke
Alix Marks
Aaron Petersen
Brandon Sparks-Gillis
Jack Williams
Nick Zigler
William Zigler

Design Review Committee consists of five (5) members, residing within the incorporated City of Solvang or operating a business with the Santa Ynez Valley, each appointed by a member of the City Council whose purpose and intent is to preserve and enhance the historical Danish and northern European architectural styles, historic assets and character of the town's commercial centers; to promote safe, functional and attractive development of business and commercial areas; to unify commercial (and industrial) properties; to protect and preserve the unique and cultural features within

Solvang; and to protect commercial and residential property values by enhancing the city's appearance. Qualifications are that they be a legal resident or a business operator with a business within the Santa Ynez Valley with a demonstrated interest in, and knowledge of, architectural history, architecture, local history or be knowledgeable in fields related to historic preservation, construction, planning, geography, landscape architecture, urban design, Danish culture, arts, or real estate. As used herein, "Santa Ynez Valley" is coterminous with the following ZIP codes. 93463, 93464, 93441, 93460.

Applications for Design Review Committee were received from the following:

Esther Bates
Melissa Bates
Richard Boyd
Angelo Caciola
Shari Eynon
Charlene Goetz
Jennifer Johnson
Steve Letchworth
Maryvonne Laparriere Martin
Raelynn Pedersen
Juan Roca
William Wittausch

Measure U Citizens Oversight Committee consists of five (5) members. Committee member terms shall be two years. The purpose of the committee is to review the revenue and expenditure of funds from the tax established by Ordinance No. 22-0363 and to help ensure accountability to voters regarding such expenditures. Committee members shall serve in an advisory capacity to the City Council and shall have no independent authority to expend or direct the expenditure of funds received by the city under Measure U. The committee may conduct hearings, review reports, request funding from the City Council for independent audits of Measure U funds, receive presentations, provide comments, make findings and recommendations and issue reports to the City Council related to implementation of Measure U and the expenditure of funds received under Measure U. committee.

Applications to fill the two open positions on the Measure U Citizens Oversight Committee were from:

Hank Homburg
Henry Haugse
Adelia Kehoe

ALTERNATIVES:

Council could postpone the appointment, however in doing so, there would be no meetings of advisory bodies until appointments were made.

FISCAL IMPACT:

Any savings that might occur by not having advisory body meetings, and not requiring the services of a Videographer or minute clerk would be offset by costs to project delays.

ATTACHMENTS:

- A. Planning Commission Applications
- B. Design Review Applications
- C. Measure U Applications



CITY OF SOLVANG
ADVISORY BODY APPLICATION

Design Review Committee
Measure U Citizens Advisory Committee
Planning Commission

Office of the City Clerk
1644 Oak Street, Solvang, CA 93463
PH (805) 688-5575 x206
Email: cityclerk@cityofsolvang.com

Interested parties must submit application to the City Clerk's office by 5:00 p.m. Thursday, January 2, 2025

Applying for: (check all that apply)

- Design Review Committee
- Measure U Citizens Advisory Committee
- Planning Commission

Name Kief Adler Date: 12/12/24

Home and address where registered to Vote: (if different, list both)
[Redacted] Solvang, CA 93463

District # _____ Number of Years living in Solvang? 4 yrs 9 mos

Cell Phone: [Redacted] Email: [Redacted]

Occupation: retired Employer: _____

Previous service on any Advisory Body? If yes, which one(s) and when? P.C. 2023+24

Available to attend evening meetings? Daytime meetings? Weekend/Community meetings?

Do you presently contract any services or are you otherwise employed by the City? NO

If so, what is the nature of the contract or employment? _____

List qualifications for Advisory Body sought (if any)
Have served for the previous 2 years on the P.C.
Before retiring in 2020 I was a licensed general contractor in
CA for 40+ years dealing with building departments, architects,
engineers, etc.

List Civic Activities, Clubs, Associations, etc.
I volunteer every Tuesday for our local food distribution through Bethesda
Church. I am also a member of the church maintenance committee & volunteer
with many of their fundraisers activities

Additional information, qualifications and/or references (attach additional pages or resume if you wish.

I also work with the SY Rotary Club and shoot their Fourth of July Show.

Please Note: Members are required to file a FPPC Form 700, Code of Ethics form and complete AB 1661 and AB 1234 training within 30 days of appointment and agree to these requirements or forfeit their appointment.

I hereby confirm that I have read the Solvang Municipal Code requirements if any, for the position, and confirm that I am qualified to serve in such a capacity. (see qualifications attached)



Signature

12/17/24

Date

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2. Applicants are encouraged to attend at least one full meeting of the Advisory Body for which they are applying.
3. Interview Process and Appointment Recommendation: Applicants shall be offered the opportunity to address the City Council regarding their qualifications during the City Council meeting of January 20, 2025.
4. The Mayor and each member of the City Council has authority to appoint one member to each Advisory Body. The exception is for the Measure U Citizens Advisory Committee. The Mayor and Mayor pro tem will each appoint only one new member for a two-year term.
5. Applicants not appointed will be so advised and their applications held for no less than one year for consideration in the event of a future vacancy.
6. Limitations: No applicant shall not be appointed to serve on more than one advisory body. If an applicant is appointed to another advisory body, they must immediately resign from one body upon being appointed to another.
7. Oath of Office: Following appointment and usually at the next meeting of the advisory body, the City Clerk, or designee, will administer the Oath of Office pursuant to the City Charter. The Oath may also be administered in the Office of the City Clerk. The Oath of office need not be done for consecutive appointments to the same advisory body.
8. Training - The City Attorney conducts Brown Act and Public Records Act training every two years to review Conflict of Interest laws, Brown Act regulations, and best practices for meeting management and records retention. Newly appointed members are encouraged to view archived recordings of the training available on the City's website and to communicate any questions they may have to the City Manager.
9. Term of Office – Advisory Body Members. The full term of office will be two years unless filling a vacancy of a board. Each advisory body, at its first regular meeting of the new term, shall elect a chairperson and a vice chairperson to serve a term of one year.
10. Removal from Office - Members of advisory bodies serve at the pleasure of the Council and may be removed without cause by Council action in an open public City Council meeting.



CITY OF SOLVANG
ADVISORY BODY APPLICATION

Design Review Committee
Measure U Citizens Advisory Committee
Planning Commission

Office of the City Clerk
1644 Oak Street, Solvang, CA 93463
PH (805) 688-5575 x206
Email: cityclerk@cityofsolvang.com

Interested parties must submit application to the City Clerk's office by 5:00 p.m. Thursday, January 2, 2025

Applying for: (check all that apply)

- Design Review Committee
Measure U Citizens Advisory Committee
Planning Commission

Name ROBERT CLARKE Date: 12-31-24

Home and address where registered to Vote: (if different, list both)

[Redacted] SOLVANG 93463

District # 4 Number of Years living in Solvang? 19

Cell Phone: [Redacted] Email: [Redacted]

Occupation: LUMBER SALES Employer: NIELSEN BUILDING

Previous service on any Advisory Body? [checked] If yes, which one(s) and when? PLANNING

Available to attend evening meetings? [checked] Daytime meetings? [checked] Weekend/Community meetings? [checked]

Do you presently contract any services or are you otherwise employed by the City? NO

If so, what is the nature of the contract or employment?

List qualifications for Advisory Body sought (if any)

KNOWLEDGE OF THE PLANNING DEPARTMENT, PREVIOUSLY SERVED AS CHAIRMAN OF PLANNING COMMISSION 2012-2018 I UNDERSTAND THE GENERAL PLAN AS WELL HAVING A VISION OF SOLVANG'S NEEDS.

List Civic Activities, Clubs, Associations, etc.

LECTOR - OLD MISSION SANTA YNEZ. BOARDMEMBER SB COUNTY TAXPAYER ASSOCIATION, PAST VP SYLVANIA BASEBALL, PAST BOARDMEMBER SB CONTRACTOR ASSOC. PAST PRES SYV AQUATIC BOOSTERS,

Additional information, qualifications and/or references (attach additional pages or resume if you wish.

6 YEARS ON SOLVANG CITY COUNCIL, KNOWLEDGE OF BUILDING INDUSTRY

Please Note: Members are required to file a FPPC Form 700, Code of Ethics form and complete AB 1661 and AB 1234 training within 30 days of appointment and agree to these requirements or forfeit their appointment.

I hereby confirm that I have read the Solvang Municipal Code requirements if any, for the position, and confirm that I am qualified to serve in such a capacity. (see qualifications attached)


Signature

12.31.2024
Date

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9. **Term of Office – Advisory Body Members.** The full term of office will be two years unless filling a vacancy of a board. Each advisory body, at its first regular meeting of the new term, shall elect a chairperson and a vice chairperson to serve a term of one year.
10. **Removal from Office -** Members of advisory bodies serve at the pleasure of the Council and may be removed without cause by Council action in an open public City Council meeting.

Additional information, qualifications and/or references (attach additional pages or resume if you wish.

Lived in the SVV for 35 years. Own and
operate my own business in Solvang. Born
and raised here.

Please Note: Members are required to file a FPPC Form 700, Code of Ethics form and complete AB 1661 and AB 1234 training within 30 days of appointment and agree to these requirements or forfeit their appointment.

I hereby confirm that I have read the Solvang Municipal Code requirements if any, for the position, and confirm that I am qualified to serve in such a capacity. (see qualifications attached)

Alix Marks
Signature

1/1/25
Date

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APPLICATION FOR CITY OF SOLVANG
COMMISSION, BOARD OR COMMITTEE

Please return to:
City Clerk
1644 Oak Street
Solvang, Ca. 93463

1. Applying for (Use specific title)

Planning Commission

2. Today's date:

12/29/24

3. Name:

Petersen, Aaron Roy

Last First Middle

Dist 2

4. Telephone:

[Redacted]

Business: _____

Cell: _____

Email: [Redacted]

5. Address:

18156 [Redacted] Rd

Number Street

Solvang 93463

City Zip Code

6. Occupation:

business owner

7. Availability for meetings: (Please check)

Any time Days Only _____

Evenings Only _____

Any combination – Explain _____

8. Additional information: (Give any information explaining your qualifications, experience, training, education, volunteer activities, community organization memberships, or personal interests which bear on your application (Attach additional sheets as necessary.)

Current member, member for 10 years, business owner, property owner in the City of Solvang.

X high school board of trustees, X YMCA board chairman, X Alan Hancock Board of trustees, X DRC board member,

X County Prosecuting Attorney, Graduate SY high, Solvang Elementary


Signature of Applicant



CITY OF SOLVANG
ADVISORY BODY APPLICATION

Design Review Committee
Measure U Citizens Advisory Committee
Planning Commission

Office of the City Clerk
1644 Oak Street, Solvang, CA 93463
PH (805) 688-5575 x206
Email: cityclerk@cityofsolvang.com

Interested parties must submit application to the City Clerk's office by 5:00 p.m. Thursday, January 2, 2025

Applying for: (check all that apply)

- Design Review Committee
- Measure U Citizens Advisory Committee
- Planning Commission

Name Brandon Sparks-Gillis

Date: 12/28/24

Home and address where registered to Vote: (if different, list both)

[Redacted] Drive, Solvang

District # X 4

Number of Years living in Solvang? 17

Cell Phone: [Redacted]

Email: [Redacted]

Occupation: Winery/Vineyard/Owner ^{small biz} Employer: Dragonette Cellars

Previous service on any Advisory Body? NO If yes, which one(s) and when? _____

Available to attend evening meetings? Daytime meetings? Weekend/Community meetings?

Do you presently contract any services or are you otherwise employed by the City? No

If so, what is the nature of the contract or employment? _____

List qualifications for Advisory Body sought (if any)

i care deeply about the character and future of solvang. 17 years of residence in solvang has provided significant perspective on the opportunities and issues facing our town. Participation in SBC politics as an observer has made me familiar with CEQA and RHNA.

List Civic Activities, Clubs, Associations, etc.

Leadership Tier member of Santa Barbara County Vintners Association
Member of Sta. Rita Hills Winegrowers Alliance, former Board member
Eagle Scout

Additional information, qualifications and/or references (attach additional pages or resume if you wish.)

Please see attached page

Please Note: Members are required to file a FPPC Form 700, Code of Ethics form and complete AB 1661 and AB 1234 training withing 30 days of appointment and agree to these requirements or forfeit their appointment.

I hereby confirm that I have read the Solvang Municipal Code requirements if any, for the position, and confirm that I am qualified to serve in such a capacity. (see qualifications attached)


Signature

12/28/24
Date

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10. Removal from Office - Members of advisory bodies serve at the pleasure of the Council and may be removed without cause by Council action in an open public City Council meeting.

**RE: 2025 Planning Commission Application, Brandon Sparks-Gillis,
Additional information, qualifications and/or references**

ADDITIONAL INFORMATION:

BRIEF BIOGRAPHY/RESUME: Brandon Sparks-Gillis

Brandon is a founder and co-owner/vigneron of Dragonette Cellars, a leading Santa Ynez Valley winery based in Buellton with a tasting room in Los Olivos. Dragonette works with 17 different vineyard partners in the Sta. Rita Hills, Ballard Canyon, and Happy Canyon AVAs. He was born and raised near Seattle, WA and studied Geology at Whitman College in Walla Walla, WA, where he graduated with honors. He began his wine career working at wineries across the American West and Australia, then spent 3 years working in fine wine retail in Los Angeles, where he fortuitously met John Dragonette. He founded Dragonette Cellars in 2005 alongside brothers John and Steve Dragonette. Dragonette's wines have received wide acclaim from the world's top wine critics and publications, including multiple 100 point scores (along with dozens of 97+ reviews). In recent years, he studied for eight years in the prestigious Master of Wine program.

Brandon has been a full-time resident of Solvang since 2008.

QUALIFICATIONS:

As a member of the Santa Barbara County Vintners Association, I received a rapid education in local government throughout the multi-year Winery Ordinance review process with Santa Barbara County. The Winery Ordinance years, along with two decades operating a local small business, have educated me in the areas of local government process, permitting, and various development requirements including familiarity with CEQA.

During a multi-year tenure as a Board Member of the Sta. Rita Hills Winegrower's Alliance, I gained experience in managing the needs and ideas of multiple stakeholders while maintaining a balanced budget.

I was an active participant throughout the Santa Barbara County Housing Element process and have closely followed the state's RHNA mandates and impacts of such laws as SB-9. I am familiar with both the Solvang 2045 General Plan and the General Plan of Santa Barbara County.

Early in my career, I worked as a geotechnical engineer, and became very familiar with reading plans and creating technical reports for development projects.

REFERENCES:

Elizabeth Orona
Solvang City Council
[REDACTED]@com

Philip Carpenter
Director of Operations, Santa Barbara County Vintners Association
[REDACTED]



APPLICATION FOR CITY OF SOLVANG
COMMISSION, BOARD OR COMMITTEE

Please return to:
City Clerk
1644 Oak Street
Solvang, Ca. 93463

1. Applying for (Use specific title)

Planning Commissioner

2. Today's date:

12/2/2024

3. Name:

Williams Jack T
Last First Middle

4. Telephone:

Home: [REDACTED]
Business: NA
Cell: 805 459 8115
Email: [REDACTED]

5. Address:

[REDACTED] [REDACTED] [REDACTED]
Number Street

Solvang 93463
City Zip Code

6. Occupation:

Retired

7. Availability for meetings: (Please check)

Any time Days Only _____ Evenings Only _____

Any combination – Explain _____

8. Additional information: (Give any information explaining your qualifications, experience, training, education, volunteer activities, community organization memberships, or personal interests which bear on your application (Attach additional sheets as necessary.)

13 yrs. as Solvang Business owner, 13 yrs. on Planning commission (6 as chair),

30 yrs. Mgt. experience with Federal & SB County government, member Viking Cl

Owner of Wandering Dog Wine Bar (2007 - 2020), 24 year resident of Solvang an

Jack T Williams Digitally signed by Jack T Williams
Signature of Applicant Date: 2024.12.02 17:11:10 -08'00'



CITY OF SOLVANG
ADVISORY BODY APPLICATION

Design Review Committee
Measure U Citizens Advisory Committee
Planning Commission

Office of the City Clerk
1644 Oak Street, Solvang, CA 93463
PH (805) 688-5575 x206
Email: cityclerk@cityofsolvang.com

Interested parties must submit application to the City Clerk's office by 5:00 p.m. Thursday, January 2, 2025

Applying for: (check all that apply)

- Design Review Committee
- Measure U Citizens Advisory Committee
- Planning Commission

Name Nick Zigler

Date: 12/2/24

Home and address where registered to Vote: (if different, list both)

[REDACTED] Solvang, CA 93463

District # 1

Number of Years living in Solvang? 6

Cell Phone: [REDACTED]

Email: [REDACTED]

Occupation: Screenwriter

Employer: Self

Previous service on any Advisory Body? N If yes, which one(s) and when? _____

Available to attend evening meetings? Y Daytime meetings? Y Weekend/Community meetings? Y

Do you presently contract any services or are you otherwise employed by the City? N

If so, what is the nature of the contract or employment? _____

List qualifications for Advisory Body sought (if any)

Please see attached (1 page).

List Civic Activities, Clubs, Associations, etc.

Please see attached (1 page).

Additional information, qualifications and/or references (attach additional pages or resume if you wish.
Please see attached (1 page).

Please Note: Members are required to file a FPPC Form 700, Code of Ethics form and complete AB 1661 and AB 1234 training within 30 days of appointment and agree to these requirements or forfeit their appointment.

I hereby confirm that I have read the Solvang Municipal Code requirements if any, for the position, and confirm that I am qualified to serve in such a capacity. (see qualifications attached)



Signature

12/2/24

Date

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November 22nd, 2024

To Whom It May Concern:

My name is Nick Zigler and I was born and raised on the Central Coast. My family has lived in the Santa Ynez Valley for more than fifteen years. My wife, two children, and I currently reside in Skytt Mesa, but previously lived in Janin Acres. Solvang isn't just *where we live*, it is our *home*.

I began my professional career at age seventeen working at Warner Bros. & Reprise Records in Digital Marketing and New Business. After several years in the music industry, I returned to school – earning my BA in History from UCLA in 2009. After graduation, I worked on a variety of state and national political campaigns and then as a CA State Senate Deputy in the San Fernando Valley. Today, I am proud to say my only interest in politics is *local*. And my only 'campaigns' are of the non-partisan, volunteer variety on behalf of the community.

When I left Politics in 2011, I returned to Entertainment – first as a Development Executive for the Syfy and USA Networks and later as a Vice President of Development for Universal Content Productions at NBCUniversal. In 2018, I began screenwriting and have been a full-time writer of television and film ever since.

While I feel my professional experience would help me be a useful addition to the Solvang Planning Commission, I am even more proud of my experience as a local resident. This is where I have built my writing business. These parks are where my kids (*Ronin 7, Luma 5*) play. And these bakeries are what keeps me from ever moving down a pants size.

When we aren't working, chasing our children or dog, Charli, around – my wife and I are active at St. Mark's where we help organize the Summer Classic annually. During Covid, we drove for St. Mark's meal delivery program. And we support St. Mark's work with the local sober community here in the Valley.

Every year my family is *very* involved in the Solvang Parks & Rec Haunted House – creating props, working on the build, then serving as guides and 'monsters' when it finally opens. We're also active patrons of the PCPA, supporters of Pirates Football, members at Alisal Ranch, and close friends with many local business leaders. We never miss the Tree Burn, we do not litter, and I can spell *aebleskiver* correctly (*I think*).

I would be honored to give a little bit of my time back to a city that has given our family *everything*. Thank you for your consideration.

Respectfully yours,



Nick Zigler



CITY OF SOLVANG
ADVISORY BODY APPLICATION

Design Review Committee
Measure U Citizens Advisory Committee
Planning Commission

Office of the City Clerk
1644 Oak Street, Solvang, CA 93463
PH (805) 688-5575 x206
Email: cityclerk@cityofsolvang.com

Interested parties must submit application to the City Clerk's office by 5:00 p.m. Thursday, January 2, 2025

Applying for: (check all that apply)

- Design Review Committee
- Measure U Citizens Advisory Committee
- Planning Commission

Name WILLIAM ZIGLER Date: 12/5/2024

Home and address where registered to Vote: (if different, list both)

[REDACTED], SOLVANG, CA 93463

District # 4 Number of Years living in Solvang? 4

Cell Phone: [REDACTED] Email: [REDACTED]

Occupation: RETIRED Employer: CITY OF LINDSAY (PREVIOUS)

Previous service on any Advisory Body? NO If yes, which one(s) and when? N/A

Available to attend evening meetings? YES Daytime meetings? YES Weekend/Community meetings? YES

Do you presently contract any services or are you otherwise employed by the City? NO

If so, what is the nature of the contract or employment? N/A

List qualifications for Advisory Body sought (if any)

SERVED AS CITY OF LINDSAY CITY MANAGER FROM 2015 - 2019. SERVED AS CITY OF LINDSAY PLANNING & ECONOMIC DEVELOPMENT DIRECTOR FROM 2012-2015. SERVED AS CITY OF LINDSAY CITY PLANNER FROM 2004-2012

List Civic Activities, Clubs, Associations, etc.

MEMBER OF BETHANIA CHURCH. SERVE AS CHAIR OF PROPERTY COMMITTEE, COORDINATE USHER ASSIGNMENTS & LEAD SMALL GROUPS. ASSIST PROVIDING FOOD TO THE AREA NEEDY & FILL THE BLESSING BOX EACH EVENING. MEMBER OF THE DANISH BROTHERHOOD WHERE I SERVED AT THE VIKING BURGER BOOTH DURING THE MOST RECENT DANISH DAYS.

Additional information, qualifications and/or references (attach additional pages or resume if you wish).

SEE ATTACHED PAGE.

Please Note: Members are required to file a FPPC Form 700, Code of Ethics form and complete AB 1661 and AB 1234 training within 30 days of appointment and agree to these requirements or forfeit their appointment.

I hereby confirm that I have read the Solvang Municipal Code requirements if any, for the position, and confirm that I am qualified to serve in such a capacity. (see qualifications attached)


Signature

12/5/2024
Date

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Application for City of Solvang Planning Commission

Additional Information:

List of qualifications continued: received the Darrel Hildebrand San Joaquin Valley Blueprint Planning Process Leadership Award in 2019 for transit-oriented development.

Education: received a BA in Geography with an emphasis in urban planning from CSU Fresno, graduating Magna cum Laude. I was the departmental honor graduate and was a School of Social Sciences Dean's Medal finalist.

History: following my career in local government my wife and I retired to Solvang in 2020 where we moved into the family home at 280 1st Street. Previously I had visited my in-laws here for over 20 years, having participated in many community events as well as family gatherings at Hans Christian Andersen Park and at the Memorial Building. I am intimately familiar with Solvang's culture and its history.

I have previously served on several boards, including the Board of Directors for the Economic Development Corporation of Tulare County (Sequoia Valley EDC); the Board of Directors for Healthy Kids, Healthy Lindsay; and the Board of Directors for the Lindsay Kiwanis. I was also a founding member of the Southern Sierra Cyclists bicycle club where I served several terms as its president.



CITY OF SOLVANG
ADVISORY BODY APPLICATION
Design Review Committee
Measure U Citizens Advisory Committee
Planning Commission

RECEIVED
JAN 02 2025
CITY OF SOLVANG

Office of the City Clerk
1644 Oak Street, Solvang, CA 93463
PH (805) 688-5575 x206
Email: cityclerk@cityofsolvang.com

Interested parties must submit application to the City Clerk's office by 5:00 p.m. Thursday, January 2, 2025

Applying for: (check all that apply)

- Design Review Committee
- Measure U Citizens Advisory Committee
- Planning Commission

Name Esther Jacobsen Bates Date: 1/1/2025

Home and address where registered to Vote: (if different, list both)

[Redacted], Solvang, CA 93463

District # 4 Number of Years living in Solvang? 66

Cell Phone: [Redacted] Email: [Redacted]

Occupation: Executive Director Employer: Santa Ynez Valley Foundation

Previous service on any Advisory Body? y If yes, which one(s) and when? DRC, GPAC, see attached

Available to attend evening meetings? y Daytime meetings? Weekend/Community meetings?

Do you presently contract any services or are you otherwise employed by the City? No

If so, what is the nature of the contract or employment?

List qualifications for Advisory Body sought (if any)

See attached

List Civic Activities, Clubs, Associations, etc.

See attached

Additional information, qualifications and/or references (attach additional pages or resume if you wish.)

see attached

Please Note: Members are required to file a FPPC Form 700, Code of Ethics form and complete AB 1661 and AB 1234 training within 30 days of appointment and agree to these requirements or forfeit their appointment.

I hereby confirm that I have read the Solvang Municipal Code requirements if any, for the position, and confirm that I am qualified to serve in such a capacity. (see qualifications attached)

E. Jacobson Bates
Signature

1/1/2025
Date

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January 1, 2025

To: Mayor Brown and Solvang City Councilmembers

From: Esther Jacobsen Bates

RE: Advisory Body Application – Design Review Committee

Qualifications, Activities, Additional Information:

I am a lifelong resident of Solvang with a career in the nonprofit sector. Over the past four years, I have served on the Design Review Committee, initially as Vice Chair and most recently as Chair. My involvement also includes serving on the City's short-lived Branding & Design Committee and the General Plan Advisory Committee, where I dedicated more than four years to the project, with a particular focus on the Community Design Element. I bring experience, historical and cultural knowledge, and a passion for Solvang's unique character, along with qualifications and interests to effectively serve this committee and our community.

- **Preserving Solvang's Identity:** I understand the importance of maintaining Solvang as a unique and desirable visitor destination while ensuring it remains a beautiful and functional place to live, work, and conduct business.
- **Historical Expertise:** With 20 years as Executive Director of Elverhøj Museum of History and Art and as co-author of *The Spirit of Solvang* (2020), I bring deep knowledge of Solvang's history and evolution.
- **Design and Preservation:** I have a strong interest in historic preservation, landscape architecture, and urban design, and I understand how these elements impact Solvang's aesthetic and functionality as it grows and evolves. My contributions to the General Plan Advisory Committee further demonstrate my commitment to thoughtful, community-centered design.
- **Cultural Integration:** I value Solvang's rich cultural traditions and work to balance them with contemporary offerings. My approach emphasizes consistency, quality, and equity, fostering collaboration among business owners, property owners, and residents.
- **Danish Cultural Connection:** As a first-generation American born and raised in Solvang, I have experienced the city's growth and its challenges firsthand. My deep connection to Danish culture, architecture, and design—gained through family ties, travel, collaborations with Danish cultural organizations, and work with Denmark's royal family, ambassadors and officials in the United States—allows me to appreciate both Solvang's Old World charm and modern Danish design sensibilities.
- **Teamwork and Results:** I have a demonstrated ability to work collaboratively, listen and learn, and deliver timely outcomes.
- **City Engagement:** I possess a general understanding of the City of Solvang's operations and maintain a productive working relationship with city staff.



CITY OF SOLVANG
 ADVISORY BODY APPLICATION
 Design Review Committee
 Measure U Citizens Advisory Committee
 Planning Commission

RECEIVED
 JAN 02 2025
 CITY OF SOLVANG

Office of the City Clerk
 1644 Oak Street, Solvang, CA 93463
 PH (805) 688-5575 x206
 Email: cityclerk@cityofsolvang.com

Interested parties must submit application to the City Clerk's office by 5:00 p.m. Thursday, January 2, 2025

Applying for: (check all that apply)

- Design Review Committee
- Measure U Citizens Advisory Committee
- Planning Commission

Name MELISSA L. BATES

Date: 1/2/25

Home and address where registered to Vote: (if different, list both)

[REDACTED], SOLVANG CA

District # 1

Number of Years living in Solvang? 1962-75 2020-PRESENT

Cell Phone: [REDACTED]

Email: [REDACTED]

Occupation: WINEMAKER

Employer: LX BRANDS

Previous service on any Advisory Body? No If yes, which one(s) and when? _____

Available to attend evening meetings? Daytime meetings? Weekend/Community meetings?

Do you presently contract any services or are you otherwise employed by the City? No

If so, what is the nature of the contract or employment? _____

List qualifications for Advisory Body sought (if any)

CULTURAL ADVOCATE - I LOVED GROWING UP HERE & HAD ALWAYS PLANNED TO RETURN TO MY FAMILY HOME & HELP THE COMMUNITY ANY WAY I CAN. My EXPERIENCE IN THE WINE INDUSTRY FOR ALMOST 40 YEARS HELPS ME WORK IN TEAMS & WITH THE PUBLIC.

List Civic Activities, Clubs, Associations, etc.

DANISH SISTERHOOD, SYV WIND ENSEMBLE
 BETHANIA LUTHERAN CHURCH, ELVERHOT MUSEUM

Additional information, qualifications and/or references (attach additional pages or resume if you wish.)

My family has lived Solvang since 1962 & have lived
in our home on Fredensborg since 1964. I wish to retain
& enhance the Danish culture in Solvang & make it a
place that is enjoyed by locals & visitors.

Please Note: Members are required to file a FPPC Form 700, Code of Ethics form and complete AB 1661 and AB 1234 training within 30 days of appointment and agree to these requirements or forfeit their appointment.

I hereby confirm that I have read the Solvang Municipal Code requirements if any, for the position, and confirm that I am qualified to serve in such a capacity. (see qualifications attached)

MA Roberts
Signature

1/2/25
Date

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CITY OF SOLVANG
ADVISORY BODY APPLICATION

Design Review Committee
Measure U Citizens Advisory Committee
Planning Commission

Office of the City Clerk
1644 Oak Street, Solvang, CA 93463
PH (805) 688-5575 x206
Email: cityclerk@cityofsolvang.com

Interested parties must submit application to the City Clerk's office by 5:00 p.m. Thursday, January 2, 2025

Applying for: (check all that apply)

- Design Review Committee
- Measure U Citizens Advisory Committee
- Planning Commission

Name Richard D. Boyd Date: 12/12/2024

Home and address where registered to Vote: (if different, list both)

[REDACTED] Solvang, Ca., 93463

District # _____ Number of Years living in Solvang? 9

Cell Phone: [REDACTED] Email: [REDACTED]

Occupation: Commercial Construction Management Employer: Retired

Previous service on any Advisory Body? No If yes, which one(s) and when? _____

Available to attend evening meetings? Yes Daytime meetings? Y Weekend/Community meetings? Yes

Do you presently contract any services or are you otherwise employed by the City? No

If so, what is the nature of the contract or employment? _____

List qualifications for Advisory Body sought (if any)

B.A. Economics, U.C. Davis, 1975; M.B.A., USC 1977; Adjunct Professor U.C. Berkeley, Cal Poly Pomona in negotiation. Over 42 years in commercial construction management working with architects, developers, owners, public and private. Major projects include Levi Stadium; Face Book West Campus, 1500 bed dorm, parking garage and classroom development at Cal Poly SLO. Hundreds of retail and multifamily residential projects.

List Civic Activities, Clubs, Associations, etc.

Vice Chairman Cottage Rehabilitation Hospital Foundation Board of Directors
Member Santa Ynez Valley Historical Museum Board of Directors

Additional information, qualifications and/or references (attach additional pages or resume if you wish).

I moved to the valley nine years ago, however, my only west coast relatives moved here in 1963. I have been a regular visitor since. It was all horse and cattle ranches, no vineyards and shopping centers. I would love to help retain the character of those days and the beauty that brings people here.

Please Note: Members are required to file a FPPC Form 700, Code of Ethics form and complete AB 1661 and AB 1234 training withing 30 days of appointment and agree to these requirements or forfeit their appointment.

I hereby confirm that I have read the Solvang Municipal Code requirements if any, for the position, and confirm that I am qualified to serve in such a capacity. (see qualifications attached)

Richard D. Reed
Signature

12/19/24
Date

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CITY OF SOLVANG
ADVISORY BODY APPLICATION

Design Review Committee
Measure U Citizens Advisory Committee
Planning Commission

Office of the City Clerk
1644 Oak Street, Solvang, CA 93463
PH (805) 688-5575 x206
Email: cityclerk@cityofsolvang.com

Interested parties must submit application to the City Clerk's office by 5:00 p.m. Thursday, January 2, 2025

Applying for: (check all that apply)

- Design Review Committee
- Measure U Citizens Advisory Committee
- Planning Commission *outside of city*

Name Angelo Caciola

Date: Dec. 30, 2024

Home and address where registered to Vote: (if different, list both)

[REDACTED] Solvang, CA 93463

District # N/A Number of Years living in Solvang? 24

Cell Phone: [REDACTED] Email: [REDACTED]

Occupation: Architect Employer: Self

Previous service on any Advisory Body? no If yes, which one(s) and when? _____

Available to attend evening meetings? yes Daytime meetings? yes Weekend/Community meetings? yes

Do you presently contract any services or are you otherwise employed by the City? no

If so, what is the nature of the contract or employment? _____

List qualifications for Advisory Body sought (if any)

I am an active licensed Architect in California and Colorado, licensed since 1993 and 1995, respectively. I am also an active licensed General Contractor, licensed since 1974

List Civic Activities, Clubs, Associations, etc.

I am a member of the American Institute of Architects.

Additional information, qualifications and/or references (attach additional pages or resume if you wish).
I have a thorough and complete understanding of all styles of architecture including traditional Northern European, Colonial Spanish and California Ranch styles. I've done multiple projects in the Santa Ynez Valley and within the City of Solvang including a group of Traditional Danish homes on Copenhagen Drive. I believe I have a vested interest in trying to maintain quality design in our community.

Please Note: Members are required to file a FPPC Form 700, Code of Ethics form and complete AB 1661 and AB 1234 training withing 30 days of appointment and agree to these requirements or forfeit their appointment.

I hereby confirm that I have read the Solvang Municipal Code requirements if any, for the position, and confirm that I am qualified to serve in such a capacity. (see qualifications attached)


Signature


Date

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CITY OF SOLVANG
 ADVISORY BODY APPLICATION
 Design Review Committee
 Measure U Citizens Advisory Committee
 Planning Commission

Office of the City Clerk
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 PH (805) 688-5575 x206
 Email: cityclerk@cityofsolvang.com

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Applying for: (check all that apply)

- Design Review Committee
- Measure U Citizens Advisory Committee
- Planning Commission

Name SHARI EYNON

Date: 12-18-24

Home and address where registered to Vote: (if different, list both)

[REDACTED] SOLVANG, CA 93463

District # 2

Number of Years living in Solvang? 24+

Cell Phone: [REDACTED]

Email: [REDACTED]

Occupation: INTERIOR DESIGNER

Employer: TRI COUNTY OFFICE FURNITURE

Previous service on any Advisory Body? NO If yes, which one(s) and when? _____

Available to attend evening meetings? YES Daytime meetings? POSSIBLE Weekend/Community meetings? YES

Do you presently contract any services or are you otherwise employed by the City? NO

If so, what is the nature of the contract or employment? _____

List qualifications for Advisory Body sought (if any)

BACHELOR OF ARTS IN INTERIOR DESIGN & WORK IN THE DESIGN FIELD
FORMER RETAIL STORE MANAGER IN SOLVANG FOR 7 YEARS (DANSK)
LOVER OF ARTS & ARCHITECTURE, ESPECIALLY HISTORIC ARCHITECTURE
PROUD OF OUR CITY'S DANISH HERITAGE & IN LOVE WITH OUR BEAUTIFUL LANDSCAPE

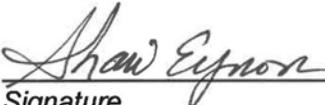
List Civic Activities, Clubs, Associations, etc.

VEGGIE RESCUE VOLUNTEER
FORMER U.S. GREEN BUILDING COUNCIL LEED GREEN ASSOCIATE

Additional information, qualifications and/or references (attach additional pages or resume if you wish).

Please Note: Members are required to file a FPPC Form 700, Code of Ethics form and complete AB 1661 and AB 1234 training within 30 days of appointment and agree to these requirements or forfeit their appointment.

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Signature

12.18.24
Date

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CITY OF SOLVANG
ADVISORY BODY APPLICATION

Design Review Committee
Measure U Citizens Advisory Committee
Planning Commission

Office of the City Clerk
1644 Oak Street, Solvang, CA 93463
PH (805) 688-5575 x206
Email: cityclerk@cityofsolvang.com

Interested parties must submit application to the City Clerk's office by 5:00 p.m. Thursday, January 2, 2025

Applying for: (check all that apply)

- Design Review Committee
- Measure U Citizens Advisory Committee
- Planning Commission

Name Charlene Goetz

Date: 12-16-24

Home and address where registered to Vote: (if different, list both)

[Redacted] Solvang

District # _____ Number of Years living in Solvang? 5 yrs

Cell Phone [Redacted] Email: [Redacted]

Occupation: _____ Employer: _____

Previous service on any Advisory Body? No If yes, which one(s) and when? _____

Available to attend evening meetings? Daytime meetings? Weekend/Community meetings?

Do you presently contract any services or are you otherwise employed by the City? No

If so, what is the nature of the contract or employment? _____

List qualifications for Advisory Body sought (if any)

* See attached sheet

List Civic Activities, Clubs, Associations, etc.

Meals on wheels volunteer & board member

Chamber of commerce member - Solvang

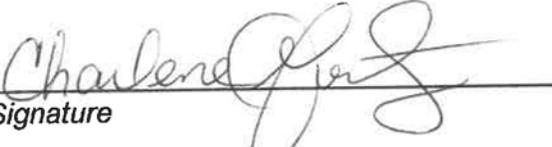
Cystic Fibrosis Foundation volunteer

Ashley Goetz Foundation - exec. director

Additional information, qualifications and/or references (attach additional pages or resume if you wish.)

Please Note: Members are required to file a FPPC Form 700, Code of Ethics form and complete AB 1661 and AB 1234 training within 30 days of appointment and agree to these requirements or forfeit their appointment.

I hereby confirm that I have read the Solvang Municipal Code requirements if any, for the position, and confirm that I am qualified to serve in such a capacity. (see *qualifications attached*)


Signature

12-20-24
Date

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1. Professional Expertise in Design and Curation:

As an antique dealer and founder of a successful vintage market, Flying Miz Daisy, I bring a strong background in curating cohesive and visually compelling designs for events, ensuring an authentic and engaging atmosphere.

2. Event Organization and Execution:

Proven experience in organizing and managing events ranging from 45 to 200 small businesses, demonstrating excellent organizational and logistical skills.

3. Attention to Detail and Aesthetics:

A keen eye for detail and design, understanding that success depends on careful display and curation to maintain authenticity and visual harmony.

4. Commitment to Authenticity:

Dedication to preserving the historical and cultural integrity of designs and displays, ensuring they resonate with audiences while maintaining their intended purpose.

5. Collaboration and Community Building:

Extensive experience collaborating with small business owners and vendors, fostering strong relationships, and ensuring a cohesive vision.

6. Problem-Solving Skills:

Ability to assess potential challenges and implement creative solutions that enhance the functionality and appeal of designs.

7. Passion for Heritage and Design:

A deep appreciation for vintage and antique elements, combined with the ability to integrate these into spaces and businesses, enriching the overall aesthetic for customers.



CITY OF SOLVANG
ADVISORY BODY APPLICATION

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Measure U Citizens Advisory Committee
Planning Commission

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Email: cityclerk@cityofsolvang.com

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Applying for: (check all that apply)

- Design Review Committee
- Measure U Citizens Advisory Committee
- Planning Commission

Name Jennifer Johnson

Date: December 11, 2024

Home and address where registered to Vote: (if different, list both)

[REDACTED] Solvang, CA 93460 - [REDACTED] Santa Ynez, CA 93460

District # 3 Number of Years living in Solvang? 55

Cell Phone: [REDACTED] Email: [REDACTED]

Occupation: Office Manager/Transactions Employer: Village Properties Realtors

Previous service on any Advisory Body? No If yes, which one(s) and when? _____

Available to attend evening meetings? Yes Daytime meetings? No Weekend/Community meetings? Possible

Do you presently contract any services or are you otherwise employed by the City? No

If so, what is the nature of the contract or employment? _____

List qualifications for Advisory Body sought (if any)

see below

List Civic Activities, Clubs, Associations, etc.

1985 Danish Maid, 1990 Co-Chairman of Danish Days, Solvang Danish Days Committee Member, Member of SY Chamber and Member of Solvang Chamber

Additional information, qualifications and/or references (attach additional pages or resume if you wish.

My career in the real estate industry started when I was 16 years old and continues to this day. My passion has always been architectural and site design, construction, landscape and decor. The honor and love I have for my heritage along with a fierce desire to preserve, protect, enhance, improve and maintain the integrity of architectural and design guidelines and standards along with traditions is a deep connection that I have. I would love the opportunity to bring a fresh, positive and fair aesthetic evaluations and sustain harmonious working relationships with committee members, the planning commission, staff and the public.

Please Note: Members are required to file a FPPC Form 700, Code of Ethics form and complete AB 1661 and AB 1234 training withing 30 days of appointment and agree to these requirements or forfeit their appointment.

I hereby confirm that I have read the Solvang Municipal Code requirements if any, for the position, and confirm that I am qualified to serve in such a capacity. (see qualifications attached)

DocuSigned by: <i>Jennifer Johnson</i>	12/11/2024
Signature	Date

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CITY OF SOLVANG
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Planning Commission

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Applying for: (check all that apply)

- Design Review Committee
- Measure U Citizens Advisory Committee
- Planning Commission

Name Steve Letchworth Date: 1/2/25

Home and address where registered to Vote: (if different, list both)

[Redacted] Solvang CA 93463

District # 1 Number of Years living in Solvang? 2

Cell Phone: [Redacted] Email: [Redacted]

Occupation: Certified Real Estate Appraiser Employer: Manipose Partners

Previous service on any Advisory Body? No If yes, which one(s) and when? _____

Available to attend evening meetings? Yes Daytime meetings? Yes Weekend/Community meetings? Yes

Do you presently contract any services or are you otherwise employed by the City? No

If so, what is the nature of the contract or employment? _____

List qualifications for Advisory Body sought (if any)

1. Understanding of Solvang's unique Danish-themed architecture and its significance to the community 2. Strong belief in the importance of maintaining Solvang's architectural character as a cornerstone of its economic viability and cultural identity.

List Civic Activities, Clubs, Associations, etc.

→ See reverse

3. Expertise in evaluating property values, with a deep understanding of how design and architectural elements impact economic and cultural value
4. Successfully "flipped" several homes over the past 20 years, including properties in historical districts, balancing modern needs with preservation requirements.
5. Dedicated approach to preserving Solvang's unique identity while fostering sustainable growth that benefits residents and businesses alike.

Additional information, qualifications and/or references (attach additional pages or resume if you wish).

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Signature _____ Date 1/2/25

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- Measure U Citizens Advisory Committee
- Planning Commission

Name Maryvonne Laparriere Martin Date: 01/02/2025

Home and address where registered to Vote: (if different, list both)
[Redacted] Solvang CA 93463

District # _____ Number of Years living in Solvang? 4 1/2

Cell Phone: [Redacted] Email: [Redacted]

Occupation: gallery owner Employer: Self

Previous service on any Advisory Body? yes If yes, which one(s) and when? DRC 222 -> 24

Available to attend evening meetings? yes Daytime meetings? yes Weekend/Community meetings? yes

Do you presently contract any services or are you otherwise employed by the City? No

If so, what is the nature of the contract or employment? _____

List qualifications for Advisory Body sought (if any)
Only DRC

List Civic Activities, Clubs, Associations, etc.

Additional information, qualifications and/or references (attach additional pages or resume if you wish).

Professional Artist - Art classes - Restoration - Designer
See www.laparlere.com

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I hereby confirm that I have read the Solvang Municipal Code requirements if any, for the position, and confirm that I am qualified to serve in such a capacity. (see qualifications attached)


Signature

01/02/2025
Date

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CITY OF SOLVANG
ADVISORY BODY APPLICATION

Design Review Committee
Measure U Citizens Advisory Committee
Planning Commission

RECEIVED

JAN 02 2025

CITY OF SOLVANG

Office of the City Clerk
1644 Oak Street, Solvang, CA 93463
PH (805) 688-5575 x206
Email: cityclerk@cityofsolvang.com

Interested parties must submit application to the City Clerk's office by 5:00 p.m. Thursday, January 2, 2025

Applying for: (check all that apply)

- Design Review Committee
- Measure U Citizens Advisory Committee
- Planning Commission

Name RAELYNN PEDERSEN

Date: 1 JAN 25

Home and address where registered to Vote: (if different, list both)

[REDACTED] SANTA YNEZ CA 93460

District # N/A Number of Years living in Solvang? 1960-1979 *In the process of moving back*

Cell Phone: [REDACTED] Email: [REDACTED]

Occupation: PILOT Employer: DELTA AIRLINES

Previous service on any Advisory Body? If yes, which one(s) and when?

Available to attend evening meetings? YES Daytime meetings? YES Weekend/Community meetings? YES

Do you presently contract any services or are you otherwise employed by the City? NO

If so, what is the nature of the contract or employment?

List qualifications for Advisory Body sought (if any)

My family roots in Solvang go back to 1935. My family has been very active in the local community. I was also stationed in Germany for 2.5 years which allowed me extensive travel to observe architecture and culture. I also travel extensively in my present job which allows me to observe positive visitor

List Civic Activities, Clubs, Associations, etc. various destinations which will help me as a committee member.
AMERICAN LEGION

DANISH SISTERHOOD

Additional information, qualifications and/or references (attach additional pages or resume if you wish).

I would like to see Ray Paaskes legacy of creating a Danish looking community be continued. Maintaining the Danish characteristics which make Solvang unique for visitors to enjoy.

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I hereby confirm that I have read the Solvang Municipal Code requirements if any, for the position, and confirm that I am qualified to serve in such a capacity. (see qualifications attached)

Raelyn Pedersen
Signature

2 JAN 25
Date

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CITY OF SOLVANG

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Applying for: (check all that apply)

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- Measure U Citizens Advisory Committee
- Planning Commission

Name JUAN ROCA

Date: 12/5/24

Home and address where registered to Vote: (if different, list both)

[REDACTED] SOLVANG

District # 1

Number of Years living in Solvang? 10

Cell Phone: [REDACTED]

Email: [REDACTED]

Occupation: GENERAL CONTRACTOR Employer: SELF EMPLOYED

Previous service on any Advisory Body? NO If yes, which one(s) and when? _____

Available to attend evening meetings? YES Daytime meetings? YES Weekend/Community meetings? YES

Do you presently contract any services or are you otherwise employed by the City? NO

If so, what is the nature of the contract or employment? _____

List qualifications for Advisory Body sought (if any)

- 15 YEARS IN THE CONSTRUCTION INDUSTRIES
- CONSTANTLY WORKING WITH A WIDE RANGE OF ARCHITECTS & DESIGNERS.
- HIGH LEVEL OF ORGANIZATION AND COMMUNICATION.

List Civic Activities, Clubs, Associations, etc.

NONE CURRENTLY.

Additional information, qualifications and/or references (attach additional pages or resume if you wish).

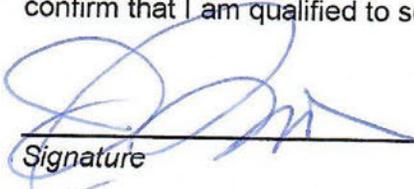
REFERENCE: ROBERT CLARKE

ROBERT.CLARKE@CITYOFSOLVANG
.COM

RESUME: ATTACHED

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Signature

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JUAN ROCA



EXPERIENCE

OWNER

Juliana Construction | Santa Ynez Valley | August 2015 – Present

Construction management company focused on custom home builds and hospitality spaces.

- Consistently managing a monthly production portfolio averaging \$300K.
- Successfully completed projects with architect William Hefner and designers such as DISC Interiors and Platner Design.
- Construction partner for acclaimed establishments including Bells, Bar Le Cote, Dreamcote Wine Tasting and Little King Coffee.
- Strong relationship with Land-Use Planning, Engineering, and County Inspectors to facilitate streamlined operations.

SENIOR PROJECT ENGINEER

Pacific Coast Energy Company | Orcutt | August 2011 – August 2018

Oil and gas production facility.

- Directed budgeting, scheduling, and execution of all above-ground construction.
- Oversaw subcontractor contracts, identifying and implementing cost-saving measures resulting in annual savings exceeding \$1MM.
- Led the construction efforts for the production infrastructure for a \$90MM well expansion project.

PROJECT ENGINEER

John Madonna Construction | San Luis Obispo | August 2011 – August 2018

General Engineering Contractor that specializes in earthwork and grading as well as underground utility construction, including water, sewer, storm drain, fire and gas lines.

- Project estimator for multiple projects including the San Luis Obispo Target shopping center.

EDUCATION

CIVIL ENGINEERING

California Polytechnic State University
San Luis Obispo

LANGUAGES

Fluent in Spanish

SOFTWARE

AutoCAD, Asana, Procore, Sketchup & Microsoft Suite



CITY OF SOLVANG
ADVISORY BODY APPLICATION

Design Review Committee
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Planning Commission

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- Measure U Citizens Advisory Committee
- Planning Commission

Name MR. HOWARD WITTAUSCH

Date: 28 DEC 2024

Home and address where registered to Vote: (if different, list both)

[REDACTED] SANTA YNEZ, CA 93460

District # N/A

Number of Years living in Solvang? Santa Ynez 7 YRS

Cell Phone: [REDACTED]

Email: [REDACTED]

Occupation: ARCHITECT/CIVIL ENGINEER Employer: SELF

Previous service on any Advisory Body? Y If yes, which one(s) and when? SEE BELOW

Available to attend evening meetings? Y Daytime meetings? Y Weekend/Community meetings? Y

Do you presently contract any services or are you otherwise employed by the City? No.

If so, what is the nature of the contract or employment? N/A

List qualifications for Advisory Body sought (if any)

<u>MEMBER CITY of SANTA BARBARA</u>	<u>ARCH REVIEW BOARD</u>
<u>"</u>	<u>"</u>
<u>"</u>	<u>"</u>
<u>"</u>	<u>"</u>
<u>"</u>	<u>HISTORIC LANDMARK COMMISSION</u>
<u>"</u>	<u>COUNTY of SANTA BARBARA HIST LANDMARKS ADVISY COMMISSION</u>

List Civic Activities, Clubs, Associations, etc.

Additional information, qualifications and/or references (attach additional pages or resume if you wish.)

SEE ATTACHED RESUME

Please Note: Members are required to file a FPPC Form 700, Code of Ethics form and complete AB 1661 and AB 1234 training withing 30 days of appointment and agree to these requirements or forfeit their appointment.

I hereby confirm that I have read the Solvang Municipal Code requirements if any, for the position, and confirm that I am qualified to serve in such a capacity. (see *qualifications attached*)


Signature

28 DEC 2024
Date

Information provided on this form is public information and may be made available to other applicants, members of the press, or the general public.

1. *How to Apply:* Each person seeking appointment or reappointment to an advisory body shall obtain and file an application administered by the Office of the City Clerk. Applications may be made for a vacancy that currently exists or for expiring terms.
2. Applicants are encouraged to attend at least one full meeting of the Advisory Body for which they are applying.
3. Interview Process and Appointment Recommendation: Applicants shall be offered the opportunity to address the City Council regarding their qualifications during the City Council meeting of January 20, 2025.
4. The Mayor and each member of the City Council has authority to appoint one member to each Advisory Body. The exception is for the Measure U Citizens Advisory Committee. The Mayor and Mayor pro tem will each appoint only one new member for a two-year term.
5. Applicants not appointed will be so advised and their applications held for no less than one year for consideration in the event of a future vacancy.
6. Limitations: No applicant shall not be appointed to serve on more than one advisory body. If an applicant is appointed to another advisory body, they must immediately resign from one body upon being appointed to another.
7. Oath of Office: Following appointment and usually at the next meeting of the advisory body, the City Clerk, or designee, will administer the Oath of Office pursuant to the City Charter. The Oath may also be administered in the Office of the City Clerk. The Oath of office need not be done for consecutive appointments to the same advisory body.
8. Training - The City Attorney conducts Brown Act and Public Records Act training every two years to review Conflict of Interest laws, Brown Act regulations, and best practices for meeting management and records retention. Newly appointed members are encouraged to view archived recordings of the training available on the City's website and to communicate any questions they may have to the City Manager.
9. Term of Office – Advisory Body Members. The full term of office will be two years unless filling a vacancy of a board. Each advisory body, at its first regular meeting of the new term, shall elect a chairperson and a vice chairperson to serve a term of one year.
10. Removal from Office - Members of advisory bodies serve at the pleasure of the Council and may be removed without cause by Council action in an open public City Council meeting.

WILLIAM HOWARD WITTAUSCH

ARCHITECT ♦ CIVIL ENGINEER

██████████ 103 SANTA YNEZ, CA 93460

TEL (██████████) ██████████-██████████

January 1, 2025

Annamarie Porter, City Clerk
City of Solvang
431 2nd Street, Suite 9
Solvang, CA, 93463

Re: Design Review Committee

Dear Ms. Porter,

Attached for your review and consideration are a completed Advisory Body Application and Resume. I am interested in serving on the City Design Review Committee.

I am a California licensed Architect and Civil Engineer and have been in private practice in Santa Barbara since June 1978. In March 2018, my wife and I moved to the Santa Ynez Valley where I now have a home office at ██████████ ██████████ ██████████ in Santa Ynez.

We are drawn to the Valley for its natural beauty and scenic open spaces. I believe my background and experience could be useful to the Committee, helping to guide future development and still retain the Valley's rural character.

Should you have any questions and/or require additional information, please call me.

Sincerely



Wm. Howard Wittausch
Architect / Civil Engineer

WILLIAM HOWARD WITTAUSCH
ARCHITECT ♦ CIVIL ENGINEER
[REDACTED] SANTA BARBARA, CA 93102
TEL [REDACTED] CELL [REDACTED]

RESUME

WM. HOWARD WITTAUSCH, Architect / Civil Engineer

[REDACTED] Santa Barbara, CA 93102-0267 ♦ [REDACTED] ♦ [REDACTED]

EDUCATION

- Bachelor of Architecture University of California, Berkeley, CA
- School of Engineering Stanford University, Palo Alto, CA

MILITARY SERVICE

US Navy Civil Engineer Corps (1967 - 1970)

- Engineering Officer, US Naval Mobile Construction Battalion 71, CBC Davisville, RI. Chu Lai, Marine Air Base in the Republic of Viet Nam.
- Facilities Maintenance Officer, US Naval Air Station, Quonset Point, Rhode Island and Liaison for West Side Narragansett Bay Master Plan.

PROFESSIONAL REGISTRATION

- Architect, State of California, C8705
- Civil Engineer, State of California, C29838
- National Council of Architectural Registration Boards, Certificate #26173

PROFESSIONAL AFFILIATIONS

- American Institute of Architects, Emeritus Member
- American Society of Civil Engineers

PROFESSIONAL SERVICE

- California State Board of Architectural Examiners, Oral Exam Commissioner

COMMUNITY SERVICE

- Santa Barbara Beautiful, Juror
- Santa Barbara and Santa Ynez High Schools, Design Competition Juror
- City of Santa Barbara, Historic Landmarks Committee
- City of Santa Barbara, Sign Committee
- City of Santa Barbara, Architectural Board of Review
- City of Santa Barbara, Building/Fire Code Board of Appeals
- County of Santa Barbara, Historic Landmarks Advisory Commission.

PROFESSIONAL EXPERIENCE

- Professional practice to provide architectural, civil and structural engineering design consulting services to Public and private clients is established in Santa Barbara in 1978.
- Architectural Services include custom homes, residential remodels and additions, commercial and adaptive re-use and mixed-use projects, industrial & manufacturing facilities, public housing, health care facilities, and historic preservation.
- Engineering Services include site hydrology and storm water management, grading and drainage, earthwork, retaining walls, roads, bridges and site utilities.
- Consulting Services include site planning, building design, space planning, feasibility studies, engineering evaluations, building documentation, construction documents, and cost estimating.
- Forensic Services include pre-trial investigations, expert witness at depositions and/or at trial in connection with construction defects and breach of contract.

AWARDS

- Pearl Chase Award - Sheetz Building, Santa Barbara
- Santa Barbara Beautiful Award - Vedanta Society Dormitories, Montecito
- Montecito Association Beautification Award - Paseo El Camino, Montecito

REFERENCES

Available upon Request

Educational Background:

A.S. Degee in Fire Science, Hazardous materials specialist, numerous professional classes

relating to the fire service as well as public education.

Civic Activities & Community Involvement:

Volunteer with the City of Solvang for various events, 7 years doing the Halloween Haunted House with Fred.

Approximately how many City Council or advisory body meetings have you attended in the last 24 months? Please describe the reasons for attendance or topics of Interest?

8 in person, usually with the need to present a public comment. Almost all City Council Meetings online (YouTube).

Why are you seeking the appointment to a City Council Advisory Body?

To help participate in the City I live in by addressing our fiscal responsibilities with the Measure U Funds.

I hereby certify that the information contained in this application and any accompanying documents is true and correct to the best of my knowledge.

Signature Hank P Homburg

Date: 12-10-24

Print Name Hank P Homburg



CITY OF SOLVANG
ADVISORY BODY APPLICATION
Design Review Committee
Measure U Citizens Advisory Committee
Planning Commission

Office of the City Clerk
1644 Oak Street, Solvang, CA 93463
PH (805) 688-5575 x206
Email: cityclerk@cityofsolvang.com

Interested parties must submit application to the City Clerk's office by 5:00 p.m. Thursday, January 2, 2025

Applying for: (check all that apply)

- Design Review Committee
- Measure U Citizens Advisory Committee
- Planning Commission

Name: Henry Haugse

Date: Dec 12, 2024

Home and address where registered to Vote: *(if different, list both)*

[REDACTED] Solvang, CA 93463

District # 2

Number of Years living in Solvang? 5

Cell Phone: [REDACTED]

Email: [REDACTED]

Occupation: retired

Employer: n/a

Previous service on any Advisory Body? yes If yes, which one(s) and when? Measure U - 2024

Available to attend evening meetings? yes Daytime meetings? yes Weekend/Community meetings? yes

Do you presently contract any services or are you otherwise employed by the City? no

If so, what is the nature of the contract or employment?

List qualifications for Advisory Body sought (if any)

Served on the Measure U Citizens Advisory Committee in 2024.

List Civic Activities, Clubs, Associations, etc.

Solvang Senior Center – Building Committee 2022-24.

Elks Club – Veterans Committee.

Additional information, qualifications and/or references (attach additional pages or resume if you wish.)

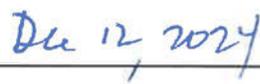
My experience on the Measure U Committee in 2024 and professional experience in the implementation of Sales Tax measures in other California communities would be a benefit to the Measure U Citizens Advisory Committee.

Please Note: Members are required to file a FPPC Form 700, Code of Ethics form and complete AB 1661 and AB 1234 training within 30 days of appointment and agree to these requirements or forfeit their appointment.

I hereby confirm that I have read the Solvang Municipal Code requirements if any, for the position, and confirm that I am qualified to serve in such a capacity. (see *qualifications attached*)



Signature



Date

Information provided on this form is public information and may be made available to other applicants, members of the press, or the general public.



CITY OF SOLVANG
ADVISORY BODY APPLICATION
 Design Review Committee
 Measure U Citizens Advisory Committee
 Planning Commission

Office of the City Clerk
 1644 Oak Street, Solvang, CA 93463
 PH (805) 688-5575 x206
 Email: cityclerk@cityofsolvang.com

Interested parties must submit application to the City Clerk's office by 5:00 p.m. Thursday, January 2, 2025

Applying for: (check all that apply)

- Design Review Committee
- Measure U Citizens Advisory Committee
- Planning Commission

Name Adelia (Dee) Kehoe Date: 13 December 2024

Home and address where registered to Vote: (if different, list both)

[Redacted address]

District # _____ Number of Years living in Solvang? 13+
 Email: _____

Cell Phone: _____

Occupation: _____ Employer: Nature Track Foundation

Previous service on any Advisory Body? If yes, which one(s) and when? Measure U, 2024

Available to attend evening meetings? Daytime meetings? Weekend/Community meetings?

Do you presently contract any services or are you otherwise employed by the City? No

If so, what is the nature of the contract or employment? _____

List qualifications for Advisory Body sought (if any)

- Early childhood educator; massage therapist ran my own practice -
- Worked in family investment firm
- Volunteer Coordinator on several statewide campaigns (Oregon)

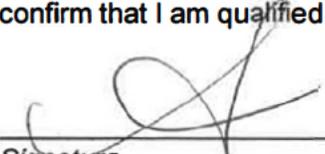
List Civic Activities, Clubs, Associations, etc.

- Measure U 2024, Solvang PPD/SSEF 2yrs -
- Pollworker for local elections
- Guide nature hikes + activities for children K-12

Additional information, qualifications and/or references (attach additional pages or resume if you wish.

Please Note: Members are required to file a FPPC Form 700, Code of Ethics form and complete AB 1661 and AB 1234 training within 30 days of appointment and agree to these requirements or forfeit their appointment.

I hereby confirm that I have read the Solvang Municipal Code requirements if any, for the position, and confirm that I am qualified to serve in such a capacity. (see *qualifications attached*)



Signature

13 December 2024

Date

Information provided on this form is public information and may be made available to other applicants, members of the press, or the general public.

1. **How to Apply:** Each person seeking appointment or reappointment to an advisory body shall obtain and file an application administered by the Office of the City Clerk. Applications may be made for a vacancy that currently exists or for expiring terms.
2. Applicants are encouraged to attend at least one full meeting of the Advisory Body for which they are applying.
3. Interview Process and Appointment Recommendation: Applicants shall be offered the opportunity to address the City Council regarding their qualifications during the City Council meeting of January 20, 2025.
4. The Mayor and each member of the City Council has authority to appoint one member to each Advisory Body. The exception is for the Measure U Citizens Advisory Committee. The Mayor and Mayor pro tem will each appoint only one new member for a two-year term.
5. Applicants not appointed will be so advised and their applications held for no less than one year for consideration in the event of a future vacancy.
6. Limitations: No applicant shall not be appointed to serve on more than one advisory body. If an applicant is appointed to another advisory body, they must immediately resign from one body upon being appointed to another.
7. Oath of Office: Following appointment and usually at the next meeting of the advisory body, the City Clerk, or designee, will administer the Oath of Office pursuant to the City Charter. The Oath may also be administered in the Office of the City Clerk. The Oath of office need not be done for consecutive appointments to the same advisory body.
8. Training - The City Attorney conducts Brown Act and Public Records Act training every two years to review Conflict of Interest laws, Brown Act regulations, and best practices for meeting management and records retention. Newly appointed members are encouraged to view archived recordings of the training available on the City's website and to communicate any questions they may have to the City Manager.
9. Term of Office – Advisory Body Members. The full term of office will be two years unless filling a vacancy of a board. Each advisory body, at its first regular meeting of the new term, shall elect a chairperson and a vice chairperson to serve a term of one year.
10. Removal from Office - Members of advisory bodies serve at the pleasure of the Council and may be removed without cause by Council action in an open public City Council meeting.



AGENDA ITEM 9.c

Meeting Date: January 13, 2025

SUBJECT: Discussion and possible action to Adopt Resolution No. 25-1279 Amending the Remote Public Comment and “Zoom Bombing” Policy and Renaming said policy the “Remote and In-Person Public Comment and Disruptive Speech Policy.”

PREPARED BY: Craig Steele, Acting City Attorney
Taylor Foland, Assistant City Attorney

DISCUSSION:

In November 2023, in response to a recent uptick in “zoom bombing” at its meetings, the City Council adopted the Current Policy to ensure an effective environment for the City Council and its Advisory Bodies to conduct city business. “Zoom bombing” refers to concerted efforts by a number of typically anonymous individuals to disrupt the public meeting most often by voicing anti-Semitic, racist, and other inflammatory comments over Zoom during the public comment period. The Current Policy allows for remote public comment at City Council and Advisory Body meetings subject to certain rules and regulations to avoid and address disruptive remote public comments.

However, the Current Policy only governs remote public commenting at City Council and Advisory Body meetings. It does not regulate in-person public comments. The Proposed Policy would extend the procedures to address “zoom bombing” to both in-person and remote public comments that are disruptive, add a category of disruptive speech, and make other streamlining edits.

The Current Policy prescribes certain operational constraints for remote comments aimed at curbing “zoom bombing” and establishes procedures to address suspected and actual “zoom bombing” during a meeting. The procedures for addressing remote disruptive comments would remain the same in the Proposed Policy but would be modified to apply to both in-person and remote public commenters.

Under the Proposed Policy (building on the procedures in the Current Policy), the following procedures would be followed to address disruptive in-person and remote public comment should such behavior occur during a meeting: Upon first utterance of a comment suspected to be disruptive, the City Attorney, City Manager, Mayor or other individual presiding over the meeting shall (1) interrupt the speaker; (2) issue a warning to stop uttering and using disruptive words; (3) inform them that their comments fall within one or more categories disruptive speech discussed below, and (4) instruct them to proceed respectfully on a matter with the City’s subject matter jurisdiction, or a specific agenda item if one is being discussed. The Proposed Policy would also clarify that the public commenter’s time clock shall be paused while the presiding officer issues this warning and will restart once the warning is given.

Categories of Disruptive Speech

1. Comments that violate the City Council Protocols for the conduct of a City Council meeting, specifically those regarding disruptive, inappropriate and derogatory comments;
2. Comments that are not related to a matter within the subject matter jurisdiction of the City Council;
3. Comments that are not related to the agenda item being discussed; and
4. Comments that are harassing and discriminatory and therefore require the City to take all reasonable steps to prevent discrimination and harassment from occurring in the workplace for City employees staffing the meeting;

5. Comments that constitute a true threat of force as defined by Government Code Section 54957.95.¹

While the First Amendment limits the City's ability to regulate the content of public comments, certain state laws expressly allow the City to remove individuals from meetings for continued disruptive behavior provided that the presiding member first issue a warning.² If, after having received a first warning, the speaker continues the disruptive speech, the presiding officer may terminate the speakers' time by immediately muting the speaker's microphone and announcing the name of the next speaker. The presiding officer may eject a speaker from the meeting or the Zoom altogether if both of the following occur: (1) the speaker actually disrupts the conduct of the meeting after a warning to stop, and (2) the speaker has had their speaking time terminated as described above.

Disruptive speech categories 1 through 3 and 5 are in the Current Policy. The Proposed Policy would add the 4th category of disruptive speech because harassing and hate speech can actually disrupt a meeting when it interferes with the City's duty as an employer to ensure a discrimination and harassment-free workplace. This duty includes protecting employees from harassment from third parties. City Council and other Advisory Body meetings are 'places of work' for several City employees. Harassing and discriminatory speech at meetings could result in actual disruptions to a meeting due to its effect on City employees. For example, the City must allow employees to leave meetings during hate speech to ensure a discrimination and harassment-free workplace. The absence of employees at a meeting could prevent the City from accomplishing its business. The City recognizes that the Brown Act prevents a government entity from prohibiting criticism of the entity or its officials; this policy addresses disruptive speech that goes much further than legitimate criticism.

ALTERNATIVES:

The Council could decline to adopt the Proposed Policy and give staff alternative direction.

FISCAL IMPACT:

There is no fiscal impact associated with the adoption of the Policy.

ATTACHMENTS:

A. Resolution 25-1279 Remote and In-Person Public Comment and Disruptive Speech Policy

¹ Government Code Section 54957.95(b)(2) defines "true threat of force" to mean "a threat that has sufficient indicia of intent and seriousness, that a reasonable observer would perceive it to be an actual threat to use of force by the person making the threat."

² Gov. Code § 54957.95.

RESOLUTION NO. 25-1279

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLVANG, CALIFORNIA AMENDING THE REMOTE PUBLIC COMMENT AND “ZOOM BOMBING” POLICY AND RENAMING SAID POLICY THE “REMOTE AND IN-PERSON PUBLIC COMMENT AND DISRUPTIVE SPEECH POLICY”

WHEREAS, as a result of the COVID-19 pandemic, the City of Solvang (“City”) began using remote meeting services to conduct City Council and Advisory Body meetings and continue to allow public participation during a time when in-person meetings were either prohibited by health regulations, or impractical due to social distancing requirements; and

WHEREAS, in response to the practice known as “zoom bombing,” whereby typically anonymous individuals utilize the remote public comment period on Zoom to voice anti-Semitic, racist, and other inflammatory opinions and comments, the City Council adopted a Remote Public Comment and “Zoom-Bombing” Policy on November 23, 2023 to allow for an effective environment for the City Council and its Advisory Bodies to conduct their business; and

WHEREAS, the City Council finds that in-person comments similar in nature to “zoom bombing” also disrupt City Council and Advisory Body meetings and inhibit the ability of City Council and its Advisory Bodies to effectively conduct city business; and

WHEREAS, the City Council finds that a policy governing both remote and in-person public commenting and disruptive speech at public meetings is necessary to allow for an effective environment for the City Council and its Advisory Bodies to conduct their business.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SOLVANG DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Recitals set forth above are true and correct and are adopted as findings in support of this Resolution.

SECTION 2. The City Council of the City of Solvang hereby amends the Remote Public Comment and “Zoom Bombing” Policy and renames said policy the “Remote and In-Person Public Comment and Disruptive Speech Policy” to read as shown in Exhibit “A” and incorporated herein by reference.

SECTION 3. This Resolution is effective immediately upon adoption.

SECTION 4. That the City Clerk shall certify to the passage and adoption of this Resolution and shall cause a certified copy to be filed in the book of original resolutions.

PASSED, APPROVED AND ADOPTED this 13th day of January, 2025.

David Brown, Mayor

APPROVED AS TO FORM:

ATTEST:

Craig Steele, Acting City Attorney

Annamarie Porter, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA)ss
CITY OF SOLVANG)

I, Annamarie Porter, City Clerk of the City of Solvang, California do hereby certify that Resolution No. 25-1279 was passed and adopted by the City Council of the City of Solvang at a regular meeting of said City Council held on the 13th day of January, 2025, and thereafter signed and approved by the Mayor and attested by the City Clerk, and that said resolution was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Annamarie Porter, City Clerk



**Remote and In-Person
Public Comment and
Disruptive Speech Policy**

Section: **City Council**

Adopted: **January 13, 2025**

Last Amended: **November 11, 2023**

I. PURPOSE

The purpose of this Remote and In-Person Public Comment and Disruptive Speech Policy (“Policy”) is to allow for an effective environment for the City Council of the City of Solvang (“City Council”) and all public meetings to conduct City business and enforce the City Council Protocols, specifically Protocol 6.2.7 and 6.2.8 regarding disruptive, inappropriate and derogatory comments during a City Council meeting. This policy shall also apply to Advisory Body meetings.

II. DEFINITIONS

For the purposes of this Policy, the following definitions shall apply:

- A. “Disruptive Speech” refers to individuals who provide public comment, either in person or remotely, which, due to the disruptive and offensive nature of the comment, violates the City Council Protocols, is not related to a matter within the subject matter jurisdiction of the City Council or Advisory Body, is harassing and discriminatory and therefore requires the City to take all reasonable steps to prevent discrimination and harassment from occurring in the workplace for City employees staffing the meeting, and/or is not related to the agenda item being discussed, as may be applicable.
- B. “Presiding Officer” refers to the officer presiding over the meeting of the legislative body. For the City Council the Presiding Officer is the Mayor or the Mayor Pro Tem or other Council member selected to preside over the meeting in the Mayor’s absence. For Advisory Bodies, the presiding officer is the Chair or the Vice Chair or other member selected to preside over the meeting in the Chair’s absence.
- C. “Public Commenter” or “Public Commenters” means individuals who provide public comment, in-person or remotely, during a noticed and public meeting of the City Council or Advisory Body.
- D. “Remote Public Comment” or “Remote Public Commenters” means a Public Commenter who provides public comment via Zoom, telephone, or other remote viewing platform during a noticed and public meeting of the City Council or Advisory Body. Remote Public Commenter includes project applicants appearing by Zoom to present their application and/or respond to questions.
- E. “Zoom” refers to the videoconferencing software used by the City to conduct public meetings remotely whether that software be Zoom or any other similar software.

III. POLICY AND PROCEDURE

A. Remote Public Comments

1. Oral Comments Only. Remote Public Commenters shall have the opportunity to make oral comments on Zoom subject to the same limitations governing in-person public comments (e.g. time limits, subject matter limitations on agenda items, etc.). Remote Public Commenters shall not be permitted to appear by video, provide visual presentations or use the “share screen” function.

2. Procedure for Remote Public Comment. To participate in a meeting, Remote Public Commenters may join a meeting via the meeting link or meeting number provided on the meeting agenda. Remote Public Commenters shall use the “raise hand” feature when they desire to speak on an item. The Presiding Officer will notify each Remote Public Commenter orally when it is that Remote Public Commenter’s turn to speak and then Staff will unmute that Remote Public Commenter. Remote Public Commenters will be muted for the duration of the meeting except when acknowledged by the Presiding Officer for their turn to speak.

B. Disruptive Speech Procedures

1. Issuance of Warning. Upon first utterance of a comment suspected to be Disruptive Speech by a Public Commenter, the City Attorney, City Manager, or Presiding Officer shall interrupt the Public Commenter, notify the Public Commenter that their comments fall within one or more of the categories listed below, and instruct the Public Commenter that they may continue speaking if they refrain from disruptive behavior:
 - i. Comments violate the City Council Protocols for the conduct of the City Council meeting, and specifically Sections 6.2.7 and 6.2.8 regarding disruptive, inappropriate and derogatory comments;
 - ii. Comments are not related to a matter within the subject matter jurisdiction of the legislative body;
 - iii. Comments are not related to the agenda item being discussed;
 - iv. Comments are harassing and discriminatory and therefore require the City to take all reasonable steps to prevent discrimination and harassment from occurring in the workplace for City employees staffing the meeting;
 - v. Comments constitute a true threat of force as defined by Government Code Section 54957.95.

The presiding officer will stop the Public Commenter’s time clock when issuing the warning and will restart the clock once the warning is given and allow the Public Commenter to continue, subject to Section III.B.2.

The City may immediately and temporarily mute the Public Commenter’s microphone to allow for communication of this notice. The Public Commenter’s microphone shall be turned back on once the notice has been given.

2. Terminate Speaker Time. If, after having received a warning described in Section III.B.1, the Disruptive Speech continues, the Presiding Officer shall direct the individual responsible for the technical management of the City’s sound system (the sound technician) to mute the Public Commenter’s microphone. The sound technician shall then immediately mute the Public Commenter’s microphone, and the Presiding Officer shall announce the name of the next speaker or otherwise proceed with the meeting. The Public Commenter whose speaking time was terminated pursuant to this section shall not be permitted to further address the City Council or Advisory Body during the balance of the meeting.
3. Ejection of Speaker. The Presiding Officer may eject a Public Commenter from the meeting, or off the Zoom link if appearing remotely, only if the Public Commenter actually disrupts the conduct of the meeting and has already received a warning, failed to cease the Disruptive Speech, and had their speaking time terminated during the meeting in accordance with this Policy.