



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING May 13, 2014 COUNCIL CHAMBER, 735 ANACAPA STREET

---

---

### CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:01 p.m. (The Finance Committee met at 12:00 p.m. and Ordinance Committee met at 12:30 p.m.)

### PLEDGE OF ALLEGIANCE

Mayor Schneider.

### ROLL CALL

Councilmembers present: Gregg Hart, Frank Hotchkiss, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: Dale Francisco.

Staff present: City Administrator James L. Armstrong, City Attorney Ariel Pierre Calonne, Deputy City Clerk Deborah L. Applegate.

### CEREMONIAL ITEMS

#### 1. **Subject: Letter Of Recognition To Conductor Heiichiro Ohyama (120.04)**

Action: Letter of recognition was presented to Santa Barbara Chamber Orchestra Chair of the Board Joe Campanelli, who accepted it on behalf of Conductor Heiichiro Ohyama.

### PUBLIC COMMENT

Speakers: Clint Orr, Nancy Tunnell, Phil Walker, Gail Osherenko, Trevor Martinson, Ethan Shenkman, Andrea Roselinsky, Tim Warner.

Councilmember Francisco arrived at 2:10 p.m.

ITEM REMOVED FROM CONSENT CALENDAR

Councilmember Hart stated that he will abstain from this item due to a potential conflict of interest related to his recent appointment on the Santa Barbara Arts Collaborative Board.

**13. Subject: Funding Agreement With Santa Barbara Arts Collaborative For Community Arts Workshop At 631 Garden Street (610.04)**

Recommendation: That Council authorize the City Administrator to execute a funding agreement with the Santa Barbara Arts Collaborative to provide \$300,000 to support the initial phase of improvements of the City-owned property at 631 Garden Street towards the development of a Community Arts Workshop.

Documents:

- May 13, 2014, report from the City Administrator.

Motion:

Councilmembers Murillo/Hotchkiss to approve the recommendation (Agreement No. 29841).

Vote:

Unanimous voice vote (Abstention: Councilmember Hart).

**CONSENT CALENDAR (Item Nos. 1-12 and 14,15)**

The titles of the resolutions and ordinance related to the Consent Calendar items were read.

Motion:

Councilmembers Rowse/Francisco to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

**2. Subject: Minutes**

Recommendation: That Council waive further reading and approve the minutes of the special meeting of April 28, 2014, and the regular meeting of April 29, 2014.

Action: Approved the recommendation.

## **CONSENT CALENDAR (CONT'D)**

### **3. Subject: Creation Of Water Drought Fund (540.01)**

Recommendation: That Council:

- A. Approve a transfer of \$3,991,301 from the Water Operating Fund from existing appropriations to the newly-created Drought Fund to provide funding and to allow for better tracking of drought-related costs; and
- B. Approve a transfer of \$3,563,216 from the Water Capital Fund from the reprogramming of existing appropriations tied to various capital projects to the newly-created Drought Fund.

Speakers: Phil Walker.

Action: Approved the recommendations (May 13, 2014, report from the Public Works Director).

### **4. Subject: Professional Services Agreement For Compensation Study For Treatment And Patrol (440.02)**

Recommendation: That Council approve a professional services agreement with Koff and Associates, in the amount of \$28,272, and \$2,827 in extra services, for a total authorization of \$31,099 to design and conduct a compensation study for Treatment and Patrol bargaining unit classifications.

Action: Approved the recommendation; Agreement No. 24,838 (May 13, 2014, report from the Acting Administrative Services Director).

### **5. Subject: Contract For Professional Design Services To Evaluate The Relocation Of The Alameda Park Well (540.10)**

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Pueblo Water Resources in the amount of \$149,501 to provide professional hydrogeologic and engineering services to assess relocation and design services for the Alameda Park Well, and authorize the Public Works Director to approve expenditures of up to \$14,950 for extra services that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Agreement No. 24,839 (May 13, 2014, report from the Public Works Director).

## CONSENT CALENDAR (CONT'D)

**6. Subject: Berthing Policy - Designated Commercial Fishing Slips (570.03)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Establishing a Slip Occupancy Policy for Designated Commercial Fishing Slips in Santa Barbara Harbor, and Repealing Resolution 11-022.

Action: Approved the recommendation; Resolution No. 14-023 (May 13, 2014, report from the Waterfront Director; proposed resolution).

**7. Subject: Police Department Explorer Program Funds (520.04)**

Recommendation: That Council accept a donation of \$500 from Mr. and Mrs. Friederich for the Explorer Program and increase appropriations and estimated revenues in the Police Department Miscellaneous Grants Fund for the Explorer Program by \$500.

Action: Approved the recommendation (May 13, 2014, report from the Chief of Police).

**8. Subject: Integrated Pest Management 2013 Annual Report (330.01)**

Recommendation: That Council accept the Integrated Pest Management (IPM) 2013 Annual Report.

Action: Approved the recommendation (May 13, 2014, report from the Parks and Recreation Director).

**9. Subject: Airport Master Plan Contract Amendment For Environmental Review (560.09)**

Recommendation: That Council:

- A. Approve and authorize the Acting Airport Director to execute an Amendment to Contract 23,903 with Coffman Associates to amend the scope of work to include preparation of an Environmental Impact Report for the Airport Master Plan in an amount not to exceed \$250,245, for a total contract amount of \$1,083,319; and
- B. Allocate \$250,245 from existing appropriations in the Airport Capital Fund for the Taxiway C, H and J Rehabilitation Project to fund the costs of the Airport Master Plan Environmental Impact Report.

Action: Approved the recommendations; Agreement No. 23,903.1 (May 13, 2014, report from the Acting Airport Director).

## CONSENT CALENDAR (CONT'D)

**10. Subject: Agreement For Facilities And Services As Part Of The Interim Family Assistance Plan For Santa Barbara Airport (560.01)**

Recommendation: That Council authorize the Acting Airport Director to execute an Agreement with the UCSB Board of Regents for use of University facilities as an interim family assistance center for an anticipated maximum of 12 hours in the event of certain airline accidents or incidents at or near the Santa Barbara Airport.

Action: Approved the recommendation; Agreement No. 24,840 (May 13, 2014, report from the Acting Airport Director).

**11. Subject: Records Destruction For Public Works Department (160.06)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the Public Works Department in the Engineering, Transportation and Water Resources Divisions.

Action: Approved the recommendation; Resolution No. 14-024 (May 13, 2014, report from the Public Works Director; proposed resolution).

**12. Subject: Introduction Of Ordinance For Agreements To Use Recycled Water (540.13)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the Agreement Between the City of Santa Barbara and the Shoreline Condominiums Home Owners Association and Shoreline Villas Owners Association for Purchase, Use, and Delivery of the City's Recycled Water.

Action: Approved the recommendation (May 13, 2014, report from the Public Works Director; proposed ordinance).

**14. Subject: Authorization Of Payment To Jarvis, Fay, Doporto & Gibson, LLP For Legal Services re *Donald Sipple, and New Cingular Wireless PSC LLC, et al., v. The City of Alameda, California, et al.*, LASC Case No. BC432270 (160.01)**

Recommendation: That Council authorize the City Attorney to negotiate and execute a third amendment to the legal services agreement with Jarvis, Fay, Doporto & Gibson, LLP, on the same terms and conditions as Agreement No. 23,871 and the First Amendment dated January 30, 2012, and the Second Amendment dated November 12, 2013, in an amount not to exceed \$13,000, bringing the total contract authorization to \$47,000. Funding is available in the City Attorney's Office budget.

(Cont'd)

**14. (Cont'd)**

Action: Approved the recommendation; Agreement No. 23,871.3 (May 13, 2014, report from the City Attorney).

NOTICES

15. The City Clerk has on Thursday, May 8, 2014, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

This concluded the Consent Calendar.

**REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Bendy White reported that the Committee met to review and discuss proposed creation of and appropriations to a newly-created Drought Fund. The Committee also heard a report from staff regarding Fiscal Year 2014 Third Quarter Review and The Fiscal Year 2015 Recommended Budget.

**REPORT FROM THE ORDINANCE COMMITTEE**

Ordinance Committee Chair Randy Rowse reported that the Committee met to review the requirements of Senate Bill 2 regarding emergency shelter zoning and voted to forward the proposed ordinance amendments to the Planning Commission for further review and then to City Council for introduction and adoption.

**CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

FINANCE DEPARTMENT

**16. Subject: Fiscal Year 2014 Third Quarter Review (210.01)**

Recommendation: That Council:

- A. Hear a report from staff on the status of revenues and expenditures in relation to budget for the nine months ended March 31, 2014;
- B. Accept the Fiscal Year 2014 Interim Financial Statements for the Nine Months Ended March 31, 2014; and
- C. Approve the proposed third quarter adjustments to Fiscal Year 2014 estimated revenues and appropriations as detailed in the schedule of Proposed Third Quarter Adjustments.

Documents:

- May 13, 2014, report from the Finance Director.
- PowerPoint presentation prepared and presented by Staff.

(Cont'd)

**16. (Cont'd)**

Speakers:

Staff: Accounting Manager Julie Nemes, Treasury Manager Genie Wilson, Finance Director Robert Samario.

Motion:

Councilmembers White/Hotchkiss to approve the staff recommendations.

Vote:

Unanimous voice vote.

PUBLIC WORKS DEPARTMENT

**17. Subject: Annual Wastewater Collection System Report (540.13)**

Recommendation: That Council hear a report from staff on the wastewater collection system maintenance and management activities.

Documents:

- May 13, 2014, report from the Public Works Director.
- PowerPoint presentation prepared and presented by the Staff.

Speakers:

- Staff: Water Resource Manager Joshua Haggmark, Wastewater Manager Chris Toft.
- Kira Redmond, Santa Barbara Channelkeeper.

Discussion:

Wastewater Manager Chris Toft presented the Annual Wastewater Collection System Report for 2013. The presentation summarized the department's work for the year 2013, particularly as it related to the rehabilitation, replacement or repair of wastewater collection system pipes. Executive Director at Santa Barbara Channelkeeper made comments to Council after the staff presentation. Councilmembers questions were answered.

**18. Subject: Introduction Of Ordinance To Amend Santa Barbara Municipal Code Chapter 14.20 And Review Of Proposed Drought Water Regulations (540.05)**

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 14.20 of the Municipal Code With Respect to Unlawful Water Use and Regulations During Water Shortage Conditions; and

(Cont'd)

## 18. (Cont'd)

- B. Consider water use regulations proposed to be effective upon declaration of a Stage Two Drought Condition.

### Documents:

- May 13, 2014, report from the Public Works Director.
- PowerPoint presentation prepared and presented by the Staff.
- May 13, 2014, letter from Gail Osherenko and Oran Young.

### Speakers:

- Staff: Water Resource Manager Joshua Haggmark, Project Manager II Bill Ferguson, Water Resources Supervisor Alison Jordan.
- Members of the Public: Gail Oshrenihuard, Marilyn Rickard, Casa Rivera Homeowners Association.

### Discussion:

Water Resource Manager Joshua Haggmark and Project Manager Bill Ferguson discussed the current language of Santa Barbara Municipal Code Section 14.20 relating to the use of water supplied by the City's water distribution system, specifically proposed water use regulations that become effective upon Council's adoption of a resolution declaring Stage Two or Stage Three Drought Condition. The proposed amendment for this section was presented and Councilmembers' input was invited and questions were answered.

## COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

### Information:

- Mayor Schneider thanked Councilmember Murillo for fulfilling her duties while she was away last week.
- Councilmember Murillo reported on her attendance at the Santa Barbara National Train Day event where this year's theme focused on the need for a Ventura to Goleta commuter rail which would help elevate the congestion on Highway 101. She reported on her attendance at the 11<sup>th</sup> Annual Youth Leadership Awards and congratulated Augustin Angel Bernabe who has contributed 1,324 hours of community service and was recognized as the 2014 Youth Leader of the Year.
- Councilmember Hotchkiss reported on his attendance at the University of California Santa Barbara Economic Forecast Project where in addition to the economic forecasts, experts discussed the changing nature of work. He encouraged the public to visit The Wings of Freedom Tour at the Santa Barbara Airport where vintage airplanes from World War II are on display.

(Cont'd)

## COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS (CONT'D)

Information: (Cont'd)

- Councilmember White attended and spoke on his recent meeting at the Visit Santa Barbara's Annual General Meeting and Tourism Luncheon where "Branding The New Normal" was the topic of discussion. He also reported on his attendance at the Fire Chiefs' Association of Santa Barbara County where a summary of this year's wildfire assessments and activities were presented.

## CLOSED SESSIONS

### 19. Subject: Conference With Labor Negotiator (440.05)

Recommendation: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristine Schmidt, Acting Administrative Services Director, regarding negotiations with the Treatment and Patrol Bargaining Units and Firefighters Association.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

Documents:

May 13, 2014, report from the Acting Administrative Services Director.

Time:

4:00 p.m. – 4:07 p.m.

No report made.

## ADJOURNMENT

Mayor Schneider adjourned the meeting at 3:56 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

\_\_\_\_\_  
HELENE SCHNEIDER  
MAYOR

ATTEST: \_\_\_\_\_  
DEBORAH L. APPLGATE  
DEPUTY CITY CLERK