



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING May 20, 2014 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:01 p.m. (The Finance Committee met at 12:30 p.m. The Ordinance Committee, which ordinarily meets at 12:30 p.m., did not meet on this date.)

### PLEDGE OF ALLEGIANCE

Mayor Schneider.

### ROLL CALL

Councilmembers present: Dale Francisco (2:07 p.m.), Gregg Hart, Frank Hotchkiss, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: None.

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

### PUBLIC COMMENT

Speakers: Phil Walker; Clint Orr; Anne Victoria; Greg Gorga, Santa Barbara Maritime Museum.

### CONSENT CALENDAR (Item Nos. 1 – 15)

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

Motion:

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

Vote:

Unanimous roll call vote.

**1. Subject: Minutes**

Recommendation: That Council waive further reading and approve the minutes of the special meeting of May 5, 2014, and the regular meeting of May 6, 2014.

Action: Approved the recommendation.

**2. Subject: Introduction Of The Ordinance For 2014-2016 Police Management Association Memorandum Of Understanding (440.02)**

Recommendation: That Council:

- A. Ratify the Memorandum of Understanding between the City of Santa Barbara and the Santa Barbara Police Management Association for the period of January 1, 2014, through December 31, 2016, by introduction and subsequent adoption of, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting the 2014-2016 Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara Police Management Association; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara For Paying and Reporting the Value of Employer-Paid Member Contributions for Certain Police Management Association Employees Effective May 31, 2014.

Action: Approved the recommendations; Resolution No. 14-025 (May 20, 2014, report from the Acting Administrative Services Director; proposed ordinance and resolution).

**3. Subject: Adoption Of Ordinance For Agreements To Use Recycled Water (540.13)**

Recommendation: That Council 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; Ordinance No. 5652; Agreement Nos. 24,844 and 24,845.

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

Recommendation: That Council 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.

(Cont'd)

**4. (Cont'd)**

Action: Approved the recommendation; Ordinance No. 5653.

**5. Subject: April 2014 Investment Report (260.02)**

Recommendation: That Council accept the April 2014 Investment Report.

Action: Approved the recommendation (May 20, 2014, report from the Finance Director).

**6. Subject: Loan Restatement Request On Property At 625-629 Coronel Place (660.04)**

Recommendation: That Council:

- A. Approve a Restatement of the 1984 Loan Agreement funded with Redevelopment Agency Housing Set-Aside Funds related to the property located At 625-629 Coronel Place; and
- B. Authorize the Community Development Director to execute, subject to approval as to form by the City Attorney, such agreements and related City documents as necessary.

Action: Approved the recommendations; Agreement No. 24,851 (May 20, 2014, report from the Acting Community Development Director).

**7. Subject: Contract For Design Of The Quinientos Street Bridge Replacement Project (530.04)**

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Bengal Engineering, Inc., in the amount of \$664,787 for design services for the Quinientos Street Bridge Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$66,478 for extra services of Bengal Engineering, Inc., that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Contract No. 24,846 (May 20, 2014, report from the Public Works Director).

**8. Subject: Contract For Design Of The Anapamu Street Bridge Replacement Project (530.04)**

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Drake Haglan and Associates in the amount of \$563,328 for design services for the Anapamu Street Bridge Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$56,332 for extra services of Drake Haglan and Associates that may result from necessary changes in the scope of work.

(Cont'd)

**8. (Cont'd)**

Action: Approved the recommendation; Contract No. 24,847 (May 20, 2014, report from the Public Works Director).

**9. Subject: Third Supplemental Agreement To Santa Barbara City College Joint Use Agreement Regarding Joint Use Of Vehicles (570.06)**

Recommendation: That Council authorize the Parks and Recreation Director to execute a third Supplemental Agreement to Agreement No. 12,427, Joint Use Agreement with Santa Barbara City College (SBCC), for the shared use of vehicles.

Action: Approved the recommendation; Agreement No. 24,848 (May 20, 2014, report from the Parks and Recreation Director).

**10. Subject: Agreement For Surface Water And Groundwater Monitoring (540.10)**

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a joint funding agreement with the United States Geological Survey for water resources investigations related to surface water and groundwater measurements for the period of November 1, 2013, through October 31, 2014, with a City cost share not to exceed \$134,400; and
- B. Authorize the Public Works Director to approve expenditures up to \$20,000 for extra monitoring services of United States Geological Survey that may result in the event of seawater intrusion.

Action: Approved the recommendations; Agreement No. 24,849 (May 20, 2014, report from the Public Works Director).

**11. Subject: Agreement With County For Sheriff Work Alternative Program (530.04)**

Recommendation: That Council authorize the City Administrator to enter into an agreement with the County of Santa Barbara to use Sheriff Work Alternative Program personnel in the Transportation Division, Street Maintenance Section, for cleanup work around the City.

Action: Approved the recommendation; Agreement No. 24,850 (May 20, 2014, report from the Public Works Director).

**12. Subject: Ratification Of Cachuma Operations Maintenance Board Emergency Pumping Project (540.05)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Ratifying the Cachuma Operation and Maintenance Board's Approval of the Drought Emergency Pumping Facility Project and Related City Expenditures in an Amount Not to Exceed the City's Allocated Proportionate Share of \$6,000,000, and Authorizing Certain Other Actions.

Action: Approved the recommendation; Resolution No. 14-026 (May 20, 2014, report from the Public Works Director; proposed resolution).

**NOTICES**

13. The City Clerk has on Thursday, May 15, 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.
14. The public hearing originally scheduled for May 20, 2014, at 2:00 p.m. to consider the Historic Landmarks Commission's recommendations that resources located at 1105 Chapala Street, 1535 Santa Barbara Street, and 16 East Carrillo Street be designated as City landmarks, has been rescheduled for June 10, 2014, at 2:00 p.m.
15. Cancellation of the regular City Council meeting of May 27, 2014.

This concluded the Consent Calendar.

**REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Dale Francisco reported that the Committee met to hear a Staff report regarding transportation funding received through the Santa Barbara County Association of Governments. The Committee also considered Staff-recommended adjustments to the Fiscal Year 2015 Recommended Budget and approved those adjustments for submittal to the full Council.

**CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

**PUBLIC WORKS DEPARTMENT**

**16. Subject: Declaration Of Stage Two Drought Condition (540.05)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring a Stage Two Drought Condition and Establishing Water Use Regulations to be Effective During a Stage Two Drought Condition.

(Cont'd)

**16. (Cont'd)**

Documents:

- May 20, 2014, report from the Public Works Director.
- Proposed Resolution.
- PowerPoint presentation prepared and made by Staff.

The title of the resolution was read.

Speakers:

- Staff: Acting Water Resources Manager Joshua Haggmark.
- Members of the Public: Phil Walker.

Motion:

Councilmembers White/Hart to approve the recommendation; Resolution No. 14-027.

Vote:

Unanimous roll call vote.

Councilmember Francisco left the meeting at 2:48 p.m. and returned at 2:59 p.m.

Councilmembers Hotchkiss and White stated they would not participate in the following item due to conflicts of interest related to their ownership of property located within the Assessment District, and they left the meeting at 2:48 p.m. City Attorney Calonne disclosed a similar conflict and also left the meeting; Assistant City Attorney Sarah Knecht took his place.

**PUBLIC HEARINGS**

**17. Subject: Renewal Of Levy For Fiscal Year 2015 For The Wildland Fire Suppression Assessment District (290.00)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring Its Intention to Continue Vegetation Road Clearance, Implementation of a Defensible Space Inspection and Assistance Program, and Implementation of a Vegetation Management Program Within the Foothill and Extreme Foothill Zones; Declaring the Work to be of More Than General or Ordinary Benefit and Describing the District to be Assessed to Pay the Costs and Expenses Thereof; Approving the Engineer's Report; Confirming Diagram and Assessment; and Ordering Continuation of the Wildland Fire Suppression Assessment District for Fiscal Year 2015.

Documents:

- May 20, 2014, report from the Fire Chief.
- Proposed Resolution.
- Affidavit of Publication.
- PowerPoint presentation prepared and made by Staff.

(Cont'd)

**17. (Cont'd)**

The title of the resolution was read.

Public Comment Opened:  
2:48 p.m.

Speakers:

- Staff: Fire Marshal Joe Poiré, Fire Services Specialist Christopher Braden, City Administrator James Armstrong.
- SCI Consulting Group (Consultant to City): Civil Engineer John Bliss.

Public Comment Closed:  
3:15 p.m.

Motion:

Councilmembers Rowse/Hart to approve the recommendation; Resolution No. 14-028.

Vote:

Unanimous roll call vote (Absent: Councilmembers Hotchkiss, White).

Councilmembers Hotchkiss and White and City Attorney Calonne returned to the meeting at 3:16 p.m.

**18. Subject: Appeal Of Architectural Board Of Review Final Approval - 510 N. Salsipuedes Street (640.07)**

Recommendation: That Council deny the appeal of Trevor Martinson and uphold the Architectural Board of Review's Final Approval of the proposed three-story, 40-unit apartment project proposed by Peoples' Self-Help Housing.

Documents:

- May 20, 2014, report from the Acting Community Development Director.
- May 20, 2014, letter from Stanley Mendes on behalf of the Appellant.
- May 16, 2014, letter from the Applicant.
- April 24, and May 15, 2014, letters from the United States Federal Emergency Management Agency.
- PowerPoint presentation prepared and made by Staff.
- PowerPoint presentation prepared and made by the Applicant.

Public Comment Opened:  
3:16 p.m.

Speakers:

- Staff: Assistant Planner Tony Boughman, Acting Community Development Director Bettie Weiss, Assistant City Attorney N. Scott Vincent, City Attorney Ariel Calonne.

(Cont'd)

**18. (Cont'd)**

Speakers (Cont'd):

- Appellant: Trevor Martinson, Stanley Mendes, Arthur Posch.
- Applicant: Detlev Peikert.

Public Comment Closed:

4:15 p.m.

Motion:

Councilmembers Hart/Murillo to deny the appeal and uphold the Architectural Board of Review's Final Approval of the project.

Vote:

Unanimous voice vote.

**RECESS**

4:39 p.m. – 4:46 p.m.

**MAYOR AND COUNCIL REPORTS**

**19. Subject: Interviews For City Advisory Groups (140.05)**

Recommendation: That Council:

- A. Hold interviews of applicants to various City Advisory Groups; and
- B. Continue interviews of applicants to June 3, 2014, and June 10, 2014.  
(Estimated Time: 4:00 p.m.)

Documents:

May 20, 2014, report from the Acting Administrative Services Director.

Speakers:

The following applicants were interviewed:

Building and Fire Code Board of Appeals:

Karen Johnson

Central Coast Commission for Senior Citizens:

James Scafide

Harbor Commission:

Mark Rincon-Ibarra

Mosquito and Vector Management District Board:

Larry Fausett

Parks and Recreation Commission:

Mark Rincon-Ibarra

Rocky Jacobson

Santa Barbara Youth Council:

Gabriela Goldberg

By consensus, the Council continued the interviews to June 3, 2014.

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

### Information:

- Councilmember Murillo commented on her attendance at a fundraiser for the ASAP Shelter, a meeting of the Pro-Youth Movement, a graduation ceremony for the Housing Authority's Family Self-Sufficiency Program, and the AMGEN bike tour finish.
- Councilmember Hart remarked on his attendance at the following events/meetings: 1) the ribbon cutting ceremony for the Community Arts Workshop; 2) a meeting of the Riviera Association, at which City Staff gave a presentation regarding water-saving measures during the current drought; and 3) the Walk for Wellness, sponsored by the Mental Health Association.
- Councilmember Rowse reported on a meeting of the Fighting Back Steering Committee, during which students from both the University of California Santa Barbara and Santa Barbara City College stated their commitment to find solutions to the problems caused by incidents such as the recent "Deltopia."
- Councilmember White reported on his attendance at the following committee meetings: 1) Neighborhood Advisory Council, regarding the Gang Injunction; 2) Air Pollution Control District Board of Directors, regarding transparency in communication; 3) Council Committee on Legislation, which began its review of proposed additions and changes to the Legislative Agenda; and 4) Sustainability Council Committee, which discussed the City's energy use and the Bicycle Master Plan.
- Councilmember Hotchkiss mentioned his attendance at the kickoff for Old Spanish Days' annual Fiesta celebration, a car show on State Street, and a meeting of the City's Arts Advisory Committee regarding the issue of business licenses for artists.
- Mayor Schneider commented on her attendance at the following events: 1) kickoff for the Summer Meals Program; 2) presentation of a Letter of Recognition to the Scotts of KDB Radio; and 3) a Courthouse Legacy Foundation Dinner for the Mural Room Restoration. She also congratulated Lynn Houston, the Airport's Marketing Coordinator, for her 2<sup>nd</sup>-place finish in the "Fast Pitch Santa Barbara" competition.

## **RECESS**

The Mayor recessed the meeting at 5:13 p.m. in order for the Council to reconvene in closed session for Item Nos. 20 and 21, and she stated that no reportable action is anticipated.

## CLOSED SESSIONS

### 20. Subject: Conference With City Attorney - Existing Litigation (160.03)

Recommendation: That Council hold a closed session to consider existing litigation pursuant to Government Code section 54956.9(d)(1) and take appropriate action as needed. The existing litigation is Sarelyn Wager v. City of Santa Barbara, SBSC Case No. 1415112.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

Documents:

May 20, 2014, report from the City Attorney.

Time:

5:15 p.m. – 5:18 p.m.

No report made.

### 21. 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 20, 2014, report from the Acting Administrative Services Director.

Time:

5:19 p.m. – 5:40 p.m.

No report made.

## ADJOURNMENT

Mayor Schneider adjourned the meeting at 5:40 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

ATTEST:

HELENE SCHNEIDER  
MAYOR

SUSAN TSCHECH, CMC  
DEPUTY CITY CLERK