



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING June 18, 2013 COUNCIL CHAMBER, 735 ANACAPA STREET

---

---

### CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:00 p.m. (The Finance Committee and Ordinance Committee, which ordinarily meet at 12:30 p.m., did not meet on this date).

### PLEDGE OF ALLEGIANCE

Mayor Schneider.

### ROLL CALL

Councilmembers present: Dale Francisco, Frank Hotchkiss, Grant House, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, City Clerk Services Manager Gwen Peirce.

### CHANGES TO THE AGENDA

#### Item Removed from Agenda

City Administrator Armstrong stated that the following item was being removed from the Agenda:

#### **21. Subject: Conference with Real Property Negotiators (330.03)**

Recommendation: That Council hold a closed session pursuant to the authority of Government Code Section 54956.8 to provide direction to the City Administrator and to the City Attorney regarding the relinquishment by the State of California of a portion of State Route 225 to the City of Santa Barbara.

Real Property: A portion of State Route 225 between Post Mile 0.031 to Post Mile 4.55 (Castillo Street to Cliff Drive to Las Positas Road) within the City of Santa Barbara. (Cont'd)

**21. (Cont'd)**

City Negotiators: Public Works Director and the City Attorney

Negotiating Party: CALTRANS, Deputy District Director Loe (San Luis Obispo District)

Under Negotiation: Price and Terms of Transfer and Compensation

Scheduling: Duration: 30 Minutes; anytime  
Report: None anticipated

**PUBLIC COMMENT**

Speakers: Kenneth Loch, David Williams, Claudia Bratton, Dr. Robert Johns, Robert Burke.

**CONSENT CALENDAR (Item Nos. 1 – 13)**

The title of the ordinance related to Item No. 2 was read.

Motion:

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

Vote:

Unanimous roll call vote.

**1. Subject: Minutes**

Recommendation: That Council waive the reading and approve the minutes of the special meeting of June 3, 2013 and the regular meeting of June 4, 2013.

Action: Approved the recommendation.

**2. Subject: Adoption Of Ordinance For Renewal Of Agreement 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 Covenant Retirement Communities West for Purchase, Use and Delivery of the City's Recycled Water.

Action: Approved the recommendation; Ordinance No. 5622; Agreement No. 24,529.

**3. Subject: Renewal Of Agreement With Major League Softball (570.06)**

Recommendation: That Council authorize the Parks and Recreation Director to execute a two-year agreement with Major League Softball, Inc. (MLS), to perform adult softball league services.

Action: Approved the recommendation; Agreement No. 24,530 (June 18, 2013, report from the Parks and Recreation Director).

**4. Subject: Parks And Recreation Community Foundation Contribution For The West Beach Wading Pool (570.05)**

Recommendation: That Council:

- A. Accept a contribution from the Parks and Recreation Community (PARC) Foundation in the amount of \$13,000 for Parks and Recreation Department programs to operate the West Beach Wading Pool; and
- B. Increase appropriations and estimated revenues in the Fiscal Year 2013 Parks and Recreation Department Miscellaneous Grants Fund in the amount of \$13,000.

Action: Approved the recommendations (June 18, 2013, report from the Parks and Recreation Director).

**5. Subject: County Of Santa Barbara Strategic Prevention Framework State Incentive Grant for Responsible Beverage Server Training (520.04)**

Recommendation: That Council:

- A. Accept \$7,500 from the County of Santa Barbara and the Strategic Prevention Framework State Incentive Grant to collaborate with the County Alcohol and Drug Program in order to address underage and excessive drinking, and alcohol-related motor vehicle accidents for Fiscal Year 2013; and
- B. Increase appropriations and estimated revenues by \$7,500 in the Police Miscellaneous Grants Fund for Fiscal Year 2013.

Action: Approved the recommendations (June 18, 2013, report from the Police Chief).

**6. Subject: Contract with Building Electronics Controls, Inc. for Airport Access Control System Maintenance (560.01)**

Recommendation: That Council:

- A. Find it in the City's best interest to waive the formal bid process, as authorized by Municipal Code 4.52.070 L., and authorize the Airport Director to execute a two-year agreement with Building Electronics Controls, Inc. (BEC) in an amount not to exceed \$248,000 to maintain the Airport's Security System for Fiscal Years 2014 and 2015; and (Cont'd)

**6. (Cont'd)**

- B. Retroactively approve the payment of \$120,000 in Fiscal Year 2013 to BEC pursuant to a fifteen-month agreement ending June 30, 2013 approved by Council in April 2012 which inadvertently excluded the dollar amount to be paid in Fiscal Year 2013.

Action: Approved the recommendations; Agreement No. 24,531 (June 18, 2013, report from the Airport Director).

**7. Subject: Proposed FY 2014 Airline Terminal Rates and Charges (560.01)**

Recommendation: That Council approve airline rates and charges for the Airline Terminal, including annual Airline Terminal building space square footage rate of \$87; a boarding bridge fee of \$56 per turn; and landing fee of \$3.46 per thousand pounds of gross landed weight effective July 1, 2013 through June 30, 2014.

Action: Approved the recommendation (June 18, 2013, report from the Airport Director).

**8. Subject: Santa Barbara South Coast Tourism Business Improvement District Annual Report (290.00)**

Recommendation: That Council receive the Annual Report from the Santa Barbara South Coast Tourism Business Improvement District.

Action: Approved the recommendation (June 18, 2013, report from the Finance Director).

**9. Subject: Agreement With Easy Lift Transportation For Paratransit Services (510.04)**

Recommendation: That Council authorize the Public Works Director to execute a four-year Agreement with Easy Lift Transportation, Incorporated, for paratransit services for elderly and mobility-impaired people in an amount not to exceed \$229,416.73 for Fiscal Year 2014, with an annual adjustment based on the Consumer Price Index and the availability of Measure A funds.

Action: Approved the recommendation; Agreement No. 24,532 (June 18, 2013, report from the Public Works Director).

**10. Subject: Animal Control Shelter Services Agreement With The County Of Santa Barbara (520.05)**

Recommendation: That Council authorize the Chief of Police or his designee to execute an agreement with the County of Santa Barbara to provide animal control shelter services from July 1, 2013 to June 30, 2015.

Speakers:

Staff: City Administrator James Armstrong.

Action: Approved the recommendation; Agreement No. 24,533 (June 18, 2013, report from the Police Chief).

**11. Subject: Agreement With The Santa Barbara Metropolitan Transit District For Transit Services (150.05)**

Recommendation: That Council authorize the Public Works Director to execute a four-year Agreement with the Santa Barbara Metropolitan Transit District, in a form acceptable to the City Attorney, for transit services in an amount not to exceed \$1,148,180 for Fiscal Year 2014, with annual adjustments based on the Consumer Price Index and the availability of Measure A funds.

Speakers:

Staff: Transportation Manager Browning Allen.

Action: Approved the recommendation; Agreement No. 24,534 (June 18, 2013, report from the Public Works Director).

**NOTICES**

12. The City Clerk has on Thursday, June 13, 2013, 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.
13. Receipt of communication advising of vacancy created on the Civil Service Commission with the resignation of Gabriel Garcia; the vacancy will be part of the next City Advisory Groups recruitment.

This concluded the Consent Calendar.

## CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

### FINANCE DEPARTMENT

**14. Subject: Adoption Of The Two-Year Financial Plan For Fiscal Years 2014 And 2015 And The Operating And Capital Budget For Fiscal Year 2014 (230.05)**

Recommendation: That Council adopt, by reading of title only:

- A. A Resolution of the Council of the City of Santa Barbara Adopting the Two-Year Financial Plan for Fiscal Years 2014 and 2015;
- B. A Resolution of the Council of the City of Santa Barbara Adopting the Budget for the Fiscal Year 2014 by Appropriating Moneys for the Use and Support of Said City from the Funds and to the Purposes Herein Specified;
- C. A Resolution of the Council of the City of Santa Barbara Establishing the City's Appropriation Limitation for Fiscal Year 2014;
- D. A Resolution of the Council of the City of Santa Barbara Establishing Certain City Fees, and Rescinding Resolution No. 12-041;
- E. A Resolution of the Council of the City of Santa Barbara Establishing A Public, Education, And Government Access Fee On State Franchised Video Service Providers For Use In Providing Public, Educational, And Government Access Video Services And Rescinding Resolution No. 10-100;
- F. A Resolution of the Council of the City of Santa Barbara Authorizing Classified and Unclassified Positions in the City's Service Effective July 1, 2013, and Providing a Schedule of Classifications and Salaries for the Same in Accordance with the Operating Budget for the 2014 Fiscal Year;
- G. A Resolution of the Council of the City of Santa Barbara Authorizing the Continuation of Capital and Special Project Appropriations to Fiscal Year 2014;
- H. A Resolution of the Council of the City of Santa Barbara for Paying and Reporting the Value of Employer-Paid Member Contributions (EPMC) for Regular Miscellaneous Employees Effective June 15, 2013;
- I. A Resolution of the Council of the City of Santa Barbara for Employer-Paid Member Contributions for Hourly Employees Effective June 15, 2013; and
- J. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Extending the Terms of the 2012-2013 Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara City Supervisory Employees' Bargaining Unit (Supervisors' Unit), the 2012-2013 Salary Plan Applicable to Unrepresented Managers and Professional Attorneys (Including the City Administrator and City Attorney), and the 2012-2013 Salary Plan Applicable to Certain Unrepresented Safety Managers, Adopted By Ordinance No. 5587, Until June 30, 2015 and Providing Salary Increases Consistent with the Two-Year Financial Plan.

(Cont'd)

#### 14. (Cont'd)

Documents:

- June 18, 2013, report from the Finance Director.
- Proposed Resolutions.
- Proposed Ordinance.
- PowerPoint presentation prepared and made by Staff.

The titles of the resolutions and ordinance were read.

Speakers:

Staff: Finance Director Robert Samario, City Administrator James Armstrong.

Motion:

Councilmembers House/White to approve recommendations A – J; Resolution Nos. 13-045 – 13-053, with the exception of the Harbor Waterfront Slip Fee portion of Resolution No. 13-048 (Recommendation D).

Vote:

Unanimous roll call vote.

Councilmembers Rowse and White stated they would abstain from voting on the approval of the Harbor Waterfront slip fee section of Resolution No. 13-048 due to conflicts of interest related to their rental of Harbor slips.

Motion:

Councilmembers House/Murillo to approve that portion of the schedule attached to Resolution No. 13-048 related to Harbor Waterfront Slip Fees.

Vote:

Unanimous roll call vote (Abstentions: Councilmembers Rowse, White).

### PUBLIC HEARINGS

#### 15. **Subject: Proposed Historic District Designation Of El Encanto Hotel Site At 800 Alvarado Place (Formerly 1900 Lasuen Road) (640.06)**

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the City Council of the City of Santa Barbara Amending Title 22 of the Santa Barbara Municipal Code With Respect to Historic Resources and the El Encanto Hotel Property and its Designation as a City Historic District; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating El Encanto Hotel Site at 800 Alvarado Place (Formerly 1900 Lasuen Road) as a City Historic District.

(Cont'd)

**15. (Cont'd)**

Documents:

- June 18, 2013, report from the Community Development Director.
- Proposed Resolution.
- Proposed Ordinance.
- PowerPoint presentation prepared and made by Staff.
- Affidavit of Publication.

The titles of the resolution and ordinance were read.

Public Comment Opened:

2:30 p.m.

Speakers:

- Staff: Urban Historian Nicole Hernandez.
- Applicant: Laura McIver, General Manager, El Encanto Hotel.

Public Comment Closed:

2:41 p.m.

Motion:

Councilmembers White/Francisco to approve the recommendations;  
Resolution No. 13-054.

Vote:

Unanimous roll call vote.

**16. Subject: 2013 Citywide Zoning And General Plan Map Amendments (640.09)**

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting 2013 Citywide Amendments to the General Plan Map and Making Environmental Findings Pursuant to the California Environmental Quality Act; and
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending All of the Zoning Sectional Maps in Chapter 28.12 of the Santa Barbara Municipal Code.

Documents:

- June 18, 2013, report from the Community Development Director.
- Proposed Resolution.
- Proposed Ordinance.
- PowerPoint presentation prepared and made by Staff.
- Affidavit of Publication.
- June 17, 2013, email from Christine Nail.

(Cont'd)

**16. (Cont'd)**

The titles of the resolution and ordinance were read.

Public Comment Opened:  
2:48 p.m.

Speakers:  
Staff: City Planner Bettie Weiss, Project Planner Beatriz Gularte, City Attorney Stephen Wiley.

Public Comment Closed:  
3:25 p.m.

Motion:  
Councilmembers White/House to approve Recommendation A and to introduce the proposed ordinance referred to in Recommendation B, excluding Sections 8 and 9 of the ordinance; Resolution No. 13-055.

Vote:  
Unanimous roll call vote.

Mayor Schneider announced that she would abstain from voting on the approval of Sections 8 and 9 of the proposed ordinance due to a potential conflict of interest related to the proximity of her residence to the area.

Motion:  
Councilmembers White/House to introduce a separate ordinance that includes only Sections 8 and 9 of the proposed ordinance.

Vote:  
Unanimous voice vote (Abstention: Mayor Schneider).

**COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

Information:

- Councilmember Rowse reported on his attendance at a recent joint meeting of the Downtown Parking Committee and the Transportation and Circulation Committee, where they received a presentation on Bike Station Services.
- Councilmember Murillo reported on her attendance at:
  - Meeting of youth service providers of the South Coast Task Force on Youth Gangs where plans for an upcoming summit were discussed;
  - Housing Authority's Father's Day BBQ; and
  - A Convention of the Association of University Women.
- Councilmember Hotchkiss spoke regarding a tour he had taken of the Summer Solstice Workshop and encouraged residents to attend the Parade and Festival.

**RECESS**

Mayor Schneider recessed the meeting at 3:35 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 17, 18, 19, and 20 and said that no reportable action is anticipated. Councilmember White stated that he has a potential conflict of interest related to the property under discussion in Item No. 20, and therefore he would not be participating in the discussion on that item.

## **CLOSED SESSIONS**

### **17. Subject: Conference With Legal Counsel - Pending Litigation (160.03)**

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. Pending litigation considered is: *John Ornelas v. City of Santa Barbara*, WCAB case numbers ADJ7425168 & ADJ7594280.

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

Documents:

June 18, 2013, report from the Finance Director.

Time:

3:40 p.m. – 3:45 p.m.

No report made.

### **18. Subject: Conference With Legal Counsel - Pending Litigation (160.03)**

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. Pending litigation considered is a workers' compensation claim: *Gary Kerwood v. City of Santa Barbara*, WCAB case number Unassigned.

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

Documents:

June 18, 2013, report from the Finance Director.

Time:

3:45 p.m. – 3:50 p.m.

No report made.

### **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 Kristy Schmidt, Employee Relations Manager, regarding negotiations with the Police Bargaining Unit, and the General Bargaining Unit, and regarding discussions with certain unrepresented employees and managers about salaries and fringe benefits.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

Documents:

June 18, 2013, report from the Assistant City Administrator.

Time:

3:50 p.m. – 4:25 p.m.

No report made.

**20. Subject: Conference with Real Property Negotiators (330.03)**

Recommendation: That Council hold a closed session pursuant to Government Code Section 54956.8 to consider the possible dedication of a vehicular access easement over City-owned property on East Mountain Drive:

Real Property: A portion of East Mountain Drive commonly known as Gould Park, Santa Barbara, California, APN 011-010-002.

City Negotiators: David Thornburgh, Senior Real Property Agent; Stephen P. Wiley, City Attorney; N. Scott Vincent, Assistant City Attorney.

Negotiating Parties: Michael and Robert White, successor trustees to the Roderick White Trust.

Under Negotiation: Price and terms of transfer of an easement over City-owned real property.

Scheduling: Duration: 20 Minutes; anytime

Report: None anticipated

Documents:

June 18, 2013, report from the City Attorney.

Time:

4:25 p.m. – 5:55 p.m. Councilmember White was absent.

No report made.

**RECESS**

5:55 p.m. to 6:00 p.m.

Mayor Schneider presiding.

Councilmembers present: Francisco (6:03 p.m.), Hotchkiss, House (6:03 p.m.), Murillo, Rowse, White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator Armstrong, City Attorney Wiley, City Clerk Services Manager Peirce.

## **PUBLIC COMMENT**

No one wished to speak.

## **MAYOR AND COUNCIL REPORTS**

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

Recommendation: That Council hold interviews of applicants to various City Advisory Groups.

(Continued from June 4, 2013)

Documents:

June 18, 2013, report from the Assistant City Administrator.

Speakers:

The following applicants were interviewed:

Airport Commission:

- Craig Arcuri
- William Nelson

Community Events & Festivals Committee:

Brittany Heaton

Historic Landmarks Commission:

Craig Shalanberger

Neighborhood Advisory Council:

Brittany Heaton

Parks & Recreation Commission:

Megan Alley

Santa Barbara Youth Council:

- Angela Penza
- Wei-Joan Udden
- Alyse Adams
- Andrew Rodriguez
- Sarah Douglas
- Jacqueline Cabral
- Marissa Hernandez

(Cont'd)

### **22. (Cont'd)**

Speakers (Cont'd):

Santa Barbara Youth Council (Cont'd):

- Joanna Alvarez
- Nicholas Mayner

## **ADJOURNMENT**

Mayor Schneider adjourned the meeting at 6:55 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

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

ATTEST:

\_\_\_\_\_  
GWEN PEIRCE, CMC  
CITY CLERK SERVICES MANAGER