



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING July 2, 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 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, 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, Deborah L. Applegate, Deputy City Clerk.

CEREMONIAL ITEMS

1. **Subject: Employee Recognition - Service Award Pins (410.01)**

Recommendation: That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through July 31, 2013.

Documents:

July 2, 2013, report from the Assistant City Administrator/Administrative Services Director.

Speakers:

Staff: City Administrator James Armstrong, Award Recipient Lieutenant Rafael Molina.

1. (Cont'd)

By consensus, the Council approved the recommendation, and the following employees were recognized:

5 YEARS

Kerry Hollowell, Fire Department
Jack Heinz Jr., Public Works Department
Peter Leyva, Parks and Recreation Department
Donald Young, Waterfront Department

15 YEARS

Cynthia Garcia, Police Department
Patrick Henry, Waterfront Department

25 YEARS

William Marazita, Police Department
Rafael Molina, Police Department

30 YEARS

Cindy Goodrich, Police Department
Gilbert Torres, Police Department

PUBLIC COMMENT

Speakers: Kenneth Loch; Robert Mayo.

CONSENT CALENDAR (Item Nos. 2-13)

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

Motion:

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

Vote:

Unanimous roll call vote.

2. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of June 18, 2013.

Action: Approved the recommendation.

CONSENT CALENDAR (CONT'D)

3. Subject: Statement Of Investment Policy And Delegation Of Investment Authority For Fiscal Year 2014 (260.01)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the Investment Policy for the City and Rescinding Resolution No. 12-047.

Action: Approved the recommendation; Resolution No. 13-058 (July 2, 2013, report from the Finance Director; proposed resolution).

4. Subject: State Of California Office Of Traffic Safety - Sobriety Checkpoint And Selective Traffic Enforcement Grants (530.05)

Recommendation: That Council:

- A. Accept a grant from the State of California, Office of Traffic Safety in the amount of \$103,700 for Sobriety Checkpoints and authorize the Chief of Police to execute a grant agreement;
- B. Accept a grant from the State of California, Office of Traffic Safety in the amount of \$86,100 and authorize the Chief of Police to execute a grant agreement; and
- C. Increase appropriations and estimated revenues by \$189,800 in the Miscellaneous Grants Fund for Fiscal Year 2014 for the Sobriety Checkpoint and Selective Traffic Enforcement Programs Grants.

Speakers: Lieutenant Mandrell; Sergeant McGrew.

Action: Approved the recommendation; Agreement Nos. 24,550 and 24,551 (July 2, 2013, report from the Chief of Police).

5. Subject: Contract With Deborah J. Aitkins For Database Consulting And Support (170.04)

Recommendation: That Council authorize the City's General Services Manager to execute a professional services contract in an annual amount of \$40,000 for three years with Deborah Aitkins to provide database consulting and support services to all City departments.

Action: Approved the recommendation; Agreement No. 24,552 (July 2, 2013, report from the Assistant City Administrator/Administrative Services Director).

CONSENT CALENDAR (CONT'D)

6. Subject: Replacement Of Citywide Data Storage, Backup, And Recovery System (170.04)

Recommendation: That Council increase appropriations in the Information Systems Operating Fund by \$122,000 from available reserves for the replacement of a Citywide Data Storage, Backup and Recovery System.

Action: Approved the recommendation (July 2, 2013, report from the Assistant City Administrator/Administrative Services Director).

7. Subject: Contract With Cardno ENTRIX For Biological Services In City Parks and Beaches (570.08)

Recommendation: That Council authorize the Parks and Recreation Director to execute a professional services agreement with Cardno ENTRIX for biological services in parks and beaches in the amount of \$21,263 with options to renew in Fiscal Year 2015 for \$21,263, and in Fiscal Year 2016 for \$21,263, subject to Council appropriation of funds.

Action: Approved the recommendation; Agreement No. 24,553 (July 2, 2013, report from the Parks and Recreation Director).

8. Subject: Purchase Of Real Property Occupied By Hydroelectric Plant (330.01)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Confirming the Negotiated Purchase Price for the Purchase of the Real Property Occupied by the City's Hydroelectric Plant Located at 1402 San Roque Road in the Amount of \$65,000, Authorizing Acquisition of the Real Property, and Approving the Funding for Such Acquisition; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara to Accept in Fee all Right, Title and Interest in the +/- .0997 Acres of Real Property Located at 1402 San Roque Road in the County of Santa Barbara, California, and to Authorize the Public Works Director to Execute Such Documents as Necessary for the Acquisition and Acceptance of Said Real Property Interest, and to Record Such Documents in the Official Records of the County of Santa Barbara.

Action: Approved the recommendations; Resolution No. 13-059 and 13-060

(July 2, 2013, report from the Public Works Director; proposed resolutions).

CONSENT CALENDAR (CONT'D)

9. Subject: Introduction Of Ordinance Authorizing An Alternative Power Public Water And Wastewater Agency Agreement (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 Authorizing the Execution and Delivery of a Renewable and Alternative Power Public Water and Wastewater Agency Agreement With Southern California Edison, Inc., for the Purpose of Selling Electricity Generated at the City's Conduit Hydroelectric Plant, and Authorizing Related Actions.

Action: Approved the recommendation; Agreement No. 24,554. (July 2, 2013, report from the Public Works Director; proposed ordinance).

10. Subject: Local Coastal Program Grant Application Resolution (650.04)

Recommendation: Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara supporting a grant application to update the City of Santa Barbara Local Coastal Program (LCP) to address sea-level rise, coastal hazards and other climate change-related impacts.

Action: Approved the recommendation; Resolution No. 13-061 (July 2, 2013, report from the Assistant City Administrator; proposed resolution).

NOTICES

11. The City Clerk has on Thursday, June 27, 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.
12. Cancellation of the regular City Council meeting of July 9, 2013.
13. Receipt of communication advising of vacancy created on the Parks and Recreation Commission with the resignation of Charles Trentacosti; the vacancy will be part of the next City Advisory Groups recruitment.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dale Francisco reported that the Committee met to review the Statement of Investment Policy and Delegation of Investment Authority for Fiscal Year 2014. He indicated that there were no changes except for the elimination of references to the Redevelopment Agency. He also reported the committee looked at various options of funding the Final Judgment in Ruben Barajas, et, al. v. City of Santa Barbara. The committee will bring their recommendations before Council at a future meeting.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

14. Subject: Options For Addressing The Revenue Shortfall On The Downtown Waterfront Shuttle (570.03)

Recommendation: That Council provide direction on resolving the \$40,000 revenue shortfall for the Downtown/Waterfront Shuttle.

Documents:

- July 2, 2013, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Transportation Manager Browning Allen; Waterfront Director/Harbormaster Scott Reidman.
- Santa Barbara Metropolitan Transit District: General Manager Sherrie Fisher, Assistant General Manager Jerry Estrada, Manager of Planning George Amoon.
- Downtown Parking Committee: Committee Member Matt LaBrie.

Motion:

Councilmembers Francisco/House approved the funding of \$40,000 for the Downtown/Waterfront Shuttle to be taken from the Waterfront Department budget for Fiscal Year 14.

Vote:

Unanimous voice vote.

PUBLIC HEARINGS

15. Subject: Implementation Of The Average Unit-Size Density (AUD) Incentive Program (640.02)

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara adding Chapter 28.20 to the Santa Barbara Municipal Code to implement the City's 2011 General Plan Average Unit-Size Density Incentive Program; amending Section 28.43.040 regarding exemptions to the City's Inclusionary Ordinance; amending Sections 28.66.050, 28.69.050, 28.72.050, and 28.73.050 concerning building height standards for community benefit projects in the C-2, C-M, M-1, and OM-1 zones; and amending Section 28.87.062 concerning encroachments in open yards.

(Cont'd)

15. (Cont'd)

- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting Environmental Findings pursuant to the California Environmental Quality Act Regarding the Implementation of the Average Unit-size Density Incentive Program.

Documents:

- July 2, 2013, report from the Assistant City Administrator/Community Development Director.
- Proposed Ordinance.
- Proposed Resolution.
- PowerPoint presentation prepared and made be Staff.
- June 26, 2013, email from Paul Hernadi.
- June 26, 2013, email from Robert Burk.
- June 27, 2013, email from Gabor L. Dobos.
- June 27, 2013, email from Jean Holmes.
- July 1, 2013, email from Joe Rution.

The titles of the ordinance and resolution were read.

Public Comment Opened:

4:10 p.m.

Speakers:

- Staff: Project Planner Irma Unzueta, Principal Planner John Ledbetter, City Planner Bettie Weiss; Principal Transportation Planner Rob Dayton
- Members of the Public: Jarrett Gorin, Santa Barbara Association of Realtors; Bill Marks; Susan Shank, Santa Barbara League of Women Voters; Robert Burke; Brian Nelson; Trish Allen, Suzanne Elledge Planning & Permitting Services; Sheila Lodge; Paul Hernadi, Citizens Planning Association; Joe Rution, Allied Neighborhoods; Detty Peikert,

Santa Barbara For All; Lisa Plowman, Santa Barbara For All, Cathie McCannon; John Campanolla.

Public Comment Closed:
4:46 p.m.

Motion:

Councilmembers House/Murillo to approve the staff recommendations, with the following revisions: 1) inclusion of a statement of program intent based on the second and third sentences of the first paragraph of the Council Agenda Report Executive Summary; 2) revision of the development incentives in a manner that incorporates the provisions of Slide 28 of the PowerPoint presentation regarding the relationship between the AUD and the SD-2 standards; 3) amend Section 28.20.050.B to allow an addition of bedrooms to existing variable density projects if the project was originally built with fewer bedrooms than could be allowed under the variable density standards; 4) amend 28.20.070.B.1.C to allow for a variable 6 foot interior setback; and 5) amend the Medium-High category on the AUD table from 1,450 to 905 square feet.

Substitute Motion:

Councilmembers House/Murillo directed staff to bring item back to next Council meeting for introduction of Ordinance with the above mentioned revisions for Council's review and subsequent adoption.

Vote on Substitute Motion:

Majority voice vote (Noes: Councilmember Francisco).

Motion:

Councilmembers White/Rowse directed staff to return to Council at a future date to address the issue of processing larger rental unit projects and the need for these projects to go through the Planning Commission process after staff gets feedback from the Planning Commission.

Vote:

Unanimous voice vote.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

None.

CHANGES TO THE AGENDA

Item Removed from Agenda

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

18. 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.

Scheduling: Duration: 30 minutes; anytime

Report: None anticipated

RECESS

Mayor Schneider recessed the meeting at 6:34 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 16 and 17.

CLOSED SESSIONS

16. 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: *Jose Monclus v. City of Santa Barbara*, WCAB case number ADJ7390587.

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

Documents:

July 2, 2013, report from the Risk Manager.

Time:

6:40 p.m. – 6:43 p.m.

No report made.

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. The pending litigation is *Ruben Barajas*

and Pamela Barajas as Trustees for the Ruben and Pamela Barajas Living Trust vs. City Of Santa Barbara; Christine Lucadello vs. City Of Santa Barbara, SBSC Case No. 1383054 and 1401852.

Scheduling: Duration: 15 minutes; anytime

Report: None anticipated

Documents:

July 2, 2013, report from the City Attorney.

Time:

6:43 p.m. – 6:50 p.m.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 6:34 p.m. in memory of the nineteen members of the Granite Mountain Hotshot Crew killed on June 30, 2013.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST:

DEBORAH L. APPLGATE
DEPUTY CITY CLERK