



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING August 13, 2013 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, 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, Deputy City Clerk Susan Tschech.

### PUBLIC COMMENT

Speakers: Wayne Scoles; Kenneth Loch; Josiah Jenkins, Old Spanish Days; R. Johns; Ron Cuff and Janet Rowse, Safe Launch.

### CHANGES TO THE AGENDA

City Administrator Armstrong advised that the following item was being removed from the agenda:

#### **17. Subject: Intent To Award Gas Franchise To SoCalGas (380.02)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring Its Intent to Grant A 30-Year Franchise to Southern California Gas Company and to Set the Time and Place for a Public Hearing Pursuant to Article XIV of the City Charter.

## ITEM REMOVED FROM CONSENT CALENDAR

### 2. **Subject: Adoption Of Ordinance For Attornment Agreement With H. Oliver Dixon And Montecito Bank & Trust For An Airport Property (330.04)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving an Attornment Agreement Between the City of Santa Barbara, H. Oliver Dixon, and Montecito Bank & Trust For Use of a Vehicle Parking Lot at the Santa Barbara Municipal Airport.

The title of the ordinance was read.

Councilmember White stated he would abstain from voting on this item due to a conflict of interest pertaining to his client relationship with one of the parties to this agreement.

Motion:

Councilmembers Francisco/Hotchkiss to approve the recommendation; Ordinance No. 5631; Agreement No. 24,587.

Vote:

Unanimous roll call vote (Abstentions: Councilmember White).

## CONSENT CALENDAR (Item Nos. 1 and 3 – 16)

The titles of the ordinance and resolutions 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 the reading and approve the minutes of the regular meeting of July 30, 2013.

Action: Approved the recommendation.

### 3. **Subject: Adoption Of Ordinance For 50-Year Ground Lease With Santa Barbara Children's Museum (620.06)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the City Administrator to Execute a 50-Year Ground Lease with Santa Barbara Children's Museum on City-Owned Property Located at 125 State Street.

(Cont'd)

**3. (Cont'd)**

Action: Approved the recommendation; Ordinance No. 5632; Agreement No. 24,588.

**4. Subject: Acceptance Of Street Easement At 901 East Cabrillo Boulevard (330.03)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting a Street Easement Deed for Sidewalk and Street Purposes on Portions of that Certain Property Commonly Known as 901 East Cabrillo Boulevard, Authorizing the Public Works Director to Execute the Same, and Causing the Recordation by the City Clerk of Said Easement in the Official Records with the County Recorder.

Action: Approved the recommendation; Resolution No. 13-070; Deed No. 61-422 (August 13, 2013, report from the Public Works Director; proposed resolution).

**5. Subject: July 2013 Investment Report (260.02)**

Recommendation: That Council accept the July 2013 Investment Report.

Action: Approved the recommendation (August 13, 2013, report from the Finance Director).

**6. Subject: Fiscal Year 2014 Agreement For Countywide Library System (570.04)**

Recommendation: That Council:

- A. Approve and authorize the City Administrator to execute an agreement between the County of Santa Barbara and the Cities of Santa Barbara, Santa Maria and Lompoc for the operation of a Countywide Library System for Fiscal Year 2014;
- B. Increase estimated revenues and appropriations in the amount of \$93,779 (per capita and administrative fee) in the Fiscal Year General Fund Library Department budget; and
- C. Increase estimated revenues and appropriations in the amount of \$109,727 in the Fiscal Year 2014 County Library Fund budget.

Action: Approved the recommendations; Agreement No. 24,589 (August 13, 2013, report from the Library Director).

**7. Subject: School Crossing Guard Agreements - Santa Barbara Unified And Hope School Districts (150.05)**

Recommendation: That Council:

- A. Authorize the Chief of Police to execute a Memorandum of Understanding with the Santa Barbara Unified School District for School Crossing Guard services, including Peabody Charter School, from August 2013 through June 2016; and
- B. Authorize the Chief of Police to execute a Memorandum of Understanding with the Hope School District for School Crossing Guard services from August 2013 through June 2016.

Action: Approved the recommendations; Agreement Nos. 24,590 and 24,591 (August 13, 2013, report from the Chief of Police).

**8. Subject: County Of Santa Barbara Strategic Prevention Framework State Incentive Grant To Reduce Excessive And Underage Drinking (520.04)**

Recommendation: That Council:

- A. Authorize the Chief of Police or his designee to execute an agreement with the County of Santa Barbara for the Strategic Prevention Framework State Incentive Grant for Fiscal Year 2014;
- B. Accept \$35,400 from County of Santa Barbara from the Strategic Prevention Framework State Incentive Grant to collaborate with County Alcohol and Drug Program to address underage and excessive drinking, and alcohol-related motor vehicle accidents for Fiscal Year 2014; and
- C. Increase appropriations and estimated revenues by \$35,400 in the Miscellaneous Grants Fund for Fiscal Year 2014.

Action: Approved the recommendations; Agreement No. 24,592 (August 13, 2013, report from the Chief of Police).

**9. Subject: Contract For Final Design Of Cota Street Bridge Replacement Project (530.04)**

Recommendation: That Council:

- A. Approve and authorize the Public Works Director to execute a City Professional Services contract with Bengal Engineering, Inc., in the amount of \$650,485 for final design services for the Cota Street Bridge Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$65,049 for extra services of Bengal Engineering, Inc., that may result from necessary changes in the scope of work; and

(Cont'd)

**9. (Cont'd)**

B. Increase appropriations by \$115,000 in the Fiscal Year 2014 Streets Capital Fund from reserves generated from the proceeds of the sale of surplus properties acquired for past bridge replacement projects to the Cota Street Bridge Replacement Project to fund the City's portion necessary to complete the design costs not covered by the Federal Highway Administration.

Action: Approved the recommendations; Contract No. 24,593 (August 13, 2013, report from the Public Works Director).

**10. Subject: Contract For Design Of The Zone 1 Pavement Maintenance Project (530.04)**

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Flowers & Associates, Inc., in the amount of \$76,517 for design services for the Zone 1 Pavement Maintenance Project, and authorize the Public Works Director to approve expenditures of up to \$7,652 for extra services that may result from necessary changes in the scope of work for a total contract authorization of \$84,169.

Action: Approved the recommendation; Contract No. 24,594 (August 13, 2013, report from the Public Works Director).

**11. Subject: Central Coast Collaborative On Homelessness Memorandum Of Understanding (660.04)**

Recommendation: That Council authorize the City Administrator to execute a Memorandum of Understanding with the Northern Santa Barbara County United Way for the Central Coast Collaborative on Homelessness effort, subject to City Attorney approval as to form.

Action: Approved the recommendation; Agreement No. 24,595 (August 13, 2013, report from the Assistant City Administrator/Community Development Director).

**12. Subject: Clean Beaches Grant Initiative Application (540.13)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Rescinding Resolution No. 13-033, Authorizing and Designating the Public Works Director to Enter Into and Execute an Agreement With the State of California, Including Any Amendments Thereto, and Confirming the City's Intent to Fund the Operation and Maintenance Costs of the Wastewater Main Rehabilitation Project For a Minimum of Twenty Years.

(Cont'd)

**12. (Cont'd)**

Action: Approved the recommendation; Resolution No. 13-071; Agreement No. 24,596 (August 13, 2013, report from the Public Works Director; proposed resolution).

**13. Subject: Acceptance Of Southern California Edison Funds (380.01)**

Recommendation: That Council:

- A. Authorize the receipt of Southern California Edison funds totaling \$52,250 through the South Coast Energy Efficiency Partnership; and
- B. Increase appropriations and estimated revenues in the Facilities Management Fund by \$52,250 .

Action: Approved the recommendations (August 13, 2013, report from the Public Works Director).

**NOTICES**

- 14. The City Clerk has on Thursday, August 8, 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.
- 15. Recruitment for City Advisory Groups:
  - A. The City Clerk's Office will accept applications through Tuesday, October 8, 2013, at 5:30 p.m. to fill scheduled vacancies on various City Advisory Groups and the unscheduled vacancies resulting from resignations received in the City Clerk's Office through October 8, 2013;
  - B. The City Council will conduct interviews of applicants for vacancies on various City Advisory Groups on Tuesday, October 29, 2013, at 4:00 p.m. (Estimated Time), Tuesday, November 12, 2013, at 4:00 p.m. (Estimated Time), and Tuesday, November 19, 2013, at 6:00 p.m.; and
  - C. The City Council will make appointments to fill the vacancies on various City Advisory Groups on Tuesday, December 10, 2013.
- 16. Cancellation of the regular City Council meetings of August 20, August 27, and September 3, 2013.

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 the Interim Financial Statements for the Fiscal Year Ended June 30, 2013. The Committee approved the Statements as well as proposed adjustments to the Fiscal Year 2013 budget, both of which will be considered by the full Council as Agenda Item No. 18.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### **FINANCE DEPARTMENT**

#### **18. Subject: Interim Financial Statements For the Fiscal Year Ended June 30, 2013 (250.02)**

Recommendation: That Council:

- A. Hear a report from staff on the status of revenues and expenditures in relation to budget for the fiscal year ended June 30, 2013;
- B. Accept the Interim Financial Statements for the Fiscal Year Ended June 30, 2013; and
- C. Approve the proposed adjustments to the Fiscal Year 2013 budget as detailed in the attached schedule of Proposed Budget Adjustments.

Documents:

- August 13, 2013, report from the Finance Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Finance Director Robert Samario, City Administrator James Armstrong.
- Members of the Public: Matthew Kramer.

Motion:

Councilmembers Murillo/Francisco to approve recommendations B and C.

Vote:

Unanimous voice vote.

Councilmember Francisco left the meeting at 2:38 p.m. and returned at 2:56 p.m.

### **PARKS AND RECREATION DEPARTMENT**

#### **19. Subject: Urban Forest Management Plan Status Report (570.05)**

Recommendation: That Council receive a status report and discuss development of the Urban Forest Management Plan.

Documents:

- August 13, 2013, report from the Parks and Recreation Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Assistant Parks and Recreation Director Jill Zachary, Urban Forest Superintendent Timothy Downey.
- Members of the Public: Lee Moldaver.

(Cont'd)

**19. (Cont'd)**

By consensus, the Council received the report and their questions were answered.

**MAYOR AND COUNCIL REPORTS**

**20. Subject: Zoning Information Report Process (640.09)**

Recommendation: That Council consider the request from Mayor Schneider and Councilmember Francisco regarding the requirement for Zoning Information Reports (ZIRs) at the time of sale of residential property, and provide direction on possible amendments to the Zoning Ordinance to change the requirements and/or processing of ZIRs.

Councilmember Hotchkiss stated he would not participate in this item due to a conflict of interest related to his membership in the Santa Barbara Association of Realtors, and he left the meeting at 3:09 p.m.

Documents:

- August 13, 2013, report from the Assistant City Administrator/Community Development Director.
- PowerPoint presentation prepared and made by Staff.
- PowerPoint presentation prepared and made by staff of the Santa Barbara Association of Realtors.
- August 12, 2013, letter from Colleen Parent Beall.

Speakers:

- Staff: Senior Planner Susan Reardon, City Attorney Stephen Wiley, City Planner Bettie Weiss, City Administrator James Armstrong.
- Santa Barbara Association of Realtors: Executive Officer Bob Hart, Government Affairs Director Krista Pleiser, Kyle Kemp.
- Members of the Public: Sarah Wildwood; Isaac Garrett, Santa Barbara Association of Realtors; Bill Spencer; Matt Vaughan and Toni Kiraly, Santa Barbara Association of Realtors; Aaron Harkey; Kalia Rork; Reyne Stapelmann, Santa Barbara Association of Realtors; Randy Reetz; Jarrett Gorin; Adrienne Schuele.

Discussion:

The Council and Staff agreed on a process to be followed for making changes to the procedure for issuing Zoning Information Reports.

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

### Information:

- Councilmember Rowse reported that at its last meeting, the Downtown Parking Committee received status reports regarding operations and electric vehicle charging stations.
- Councilmember Murillo commented on her attendance at an event held by the California Domestic Workers Coalition and on her presentation of a proclamation recognizing Sadako Peace Day, sponsored by the Nuclear Age Peace Foundation. She also announced a meeting of the Pro-Youth Movement scheduled for August 17, 2013.
- Mayor Schneider remarked on her attendance at an event celebrating the centennial of the Flying A Studios and Santa Barbara's cinematic history.

## **RECESS**

The Mayor recessed the meeting at 5:32 p.m. in order for the Council to reconvene in closed session for Item Nos. 21 – 23. She stated that no reportable action is anticipated.

## **CLOSED SESSIONS**

### **23. 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 General Bargaining Unit.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

#### Documents:

August 13, 2013, report from the Assistant City Administrator.

#### Time:

5:35 p.m. – 5:38 p.m. Councilmember Hotchkiss was absent.

No report made.

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

Recommendation: That Council hold a closed session pursuant to Government Code Section 54956.8 (Conference with Real Property Negotiators):

Real Property: A portion of the Airport property located at 6100 Hollister Avenue bounded by Hollister Avenue, Frederick Lopez Road, Francis Botello Road and David Love Place (Parcel 22 of the Airport Specific Plan Map, City Parcel Map No. 20,608) in the City of Santa Barbara.

City Negotiators: Karen Ramsdell, Airport Director; Paul Casey, Assistant City Administrator/Community Development Director; Stephen P. Wiley, City Attorney; Sarah Knecht, Assistant City Attorney.

Negotiating Parties: Direct Relief International - Thomas Tighe, President and CEO; Judy Partch, Director of Human Resources, Administration & Compliance.

Under Negotiation: Instructions to negotiators will concern price and terms of payment of a possible ground lease or property purchase.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

Documents:

August 13, 2013, report from the Airport Director and City Attorney.

Time:

5:38 p.m. – 5:50 p.m. Councilmember Hotchkiss was absent.

No report made.

**22. Subject: Conference With Legal Counsel - Potential Litigation (160.03)**

Recommendation: That Council hold a closed session to consider potential litigation pursuant to subsection (c) of Section 54956.9 of the Government Code and take appropriate action as needed (one potential case).

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

August 13, 2013, report from the City Attorney.

Time:

5:50 p.m. – 6:00 p.m. Councilmember Hotchkiss was absent.

No report made.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 6:00 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

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

ATTEST:

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SUSAN TSCHECH, CMC  
DEPUTY CITY CLERK