



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING October 8, 2013 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:00 p.m. (The Finance and Ordinance Committees, 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: Acting City Administrator Paul A. Casey, City Attorney Stephen P. Wiley, Deputy City Clerk Susan Tschech.

CEREMONIAL ITEMS

1. **Subject: Proclamation Declaring October 11, 2013, As International Day Of The Girl (120.04)**

Action: Proclamation presented to Monica Spear, Executive Director of Girls Inc. of Greater Santa Barbara.

PUBLIC COMMENT

Speakers: David Daniel Diaz, Dr. James Chappell, Flora West, Je Goolsby, Cruzito Herrera Cruz, Steve Reynalds.

CONSENT CALENDAR (Item Nos. 2 – 11)

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

Motion:

Councilmembers Murillo/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 September 24, 2013.

Action: Approved the recommendation.

3. Subject: Local Coastal Program Amendment For 415 Alan Road (650.04)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving a Local Coastal Program Amendment for the Property at 415 Alan Road - Parcel B.

Action: Approved the recommendation; Resolution No. 13-084 (October 8, 2013, report from the Assistant City Administrator/Community Development Director; proposed resolution).

4. Subject: Recommendation By The Fire And Police Commission To Modify The City's Tow Service Rules And Regulations (520.04)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving Changes Made to the Tow Rules and Regulations by the Fire and Police Commission Pursuant to Santa Barbara Municipal Code Chapter 5.30.

Speakers:

Staff: Police Captain David Whitham.

Action: Approved the recommendation; Resolution No. 13-085 (October 8, 2013, report from the Chief of Police; proposed resolution).

5. Subject: Introduction Of Ordinance For Consent To Sublease Amendment Between Signature Flight Support Corporation And Fidelity National Financial, Inc. (330.04)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Airport Director to Execute a Consent to Amendment of Sublease No. 200855 Between Signature Flight Support Corporation, a Delaware Corporation, and Fidelity National Financial, Inc., a Delaware Corporation, Dated as of October 15, 2013, Amending the "Term" of the Sublease to Make it Coterminous With That of the Master Lease, July 31, 2016.

Action: Approved the recommendation (October 8, 2013, report from the Airport Director; proposed ordinance).

6. Subject: Adoption Of Ordinance For Gas Franchise (380.02)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Granting Southern California Gas Company a Franchise to Install, Use, Maintain, Repair and Replace Pipes and Appurtenances for the Purpose of Transmitting and Distributing Natural Gas for Any and All Purposes Within the City of Santa Barbara.

Action: Approved the recommendation; Ordinance No. 5634.

7. Subject: Fiscal Year 2014 Interim Financial Statements For The Two Months Ended August 31, 2013 (250.02)

Recommendation: That Council accept the Fiscal Year 2014 Interim Financial Statements for the Two Months Ended August 31, 2013.

Action: Approved the recommendation (October 8, 2013, report from the Finance Director).

8. Subject: Professional Services Agreement To Conduct Recruitment And Selection Process For A New City Attorney (450.01)

Recommendation: That Council:

- A. Approve, and authorize the City Administrator to execute, an agreement with Ralph Andersen and Associates to conduct a City Attorney recruitment and selection process for a total cost not to exceed \$29,500; and
- B. Allocate \$29,500 from the Appropriated Reserve of the General Fund to the Mayor & Council's Fiscal Year 2014 budget to cover recruitment costs for a new City Attorney.

(Cont'd)

8. (Cont'd)

Action: Approved the recommendations; Agreement No. 24,635 (October 8, 2013, report from the Assistant City Administrator).

9. Subject: Contract For Development Of Wastewater Collection System Hydraulic Computer Model (540.13)

Recommendation: That Council approve and authorize the Public Works Director to execute a contract with Water Systems Consulting, Incorporated, in the amount of \$183,845 for Wastewater Collection System hydraulic modeling services, and approve expenditures of up to \$18,385 for extra services of Water Systems Consulting, Incorporated, that may result from necessary changes in the scope of work, for a total of \$202,230.

Action: Approved the recommendation; Contract No. 24,636 (October 8, 2013, report from the Public Works Director).

NOTICES

10. The City Clerk has on Thursday, October 3, 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.
11. A City Council site visit scheduled for Monday, October 14, 2013, at 1:30 p.m. to the property located at 2946 De La Vina Street, has been cancelled due to withdrawal of the appeal.

This concluded the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

12. Subject: Rancho Arroyo Specific Plan Amendment And Zone Change Initiation (640.09)

Recommendation: That Council:

- A. Initiate an Amendment to the Rancho Arroyo Specific Plan to allow the following additional uses on Area A-2 (251 S. Hope Avenue/Assessor's Parcel No. 051-240-008): State-Licensed Senior Residential Care Facility with a Conditional Use Permit, Community Benefit Housing, and Recreation/Open Space; and

(Cont'd)

12. (Cont'd)

- B. Initiate a Zone Change to Rancho Arroyo Specific Plan Area A-2 (251 S. Hope Avenue/Assessor's Parcel No. 051-240-008) from E-3 (One Family Residence Zone) to R-3 (Limited Multiple Family Residence Zone).

Councilmember White stated he would abstain from participating in this matter due to a potential conflict of interest related to his investment in a dementia care facility. He left the meeting at 2:29 p.m.

Documents:

- October 8, 2013, report from the Assistant City Administrator/Community Development Director.
- Affidavit of Publication.
- PowerPoint presentation prepared and made by Staff.
- September 30, 2013, letter from Richard Graham, President of Graham Chevrolet • Cadillac.
- October 1, 2013, letter from Edward Steinfeldt.

Public Comment Opened:
2:30 p.m.

Speakers:

- Staff: Associate Planner Daniel Gullett, City Attorney Stephen Wiley, Senior Planner Daniel Kato, Acting City Administrator Paul Casey.
- Applicant: Don Pitarre, Pacific Summit Development; Property Owner Don Hughes.
- Members of the Public: Matt and Jessica Graham, Graham Chevrolet; Jean Parks.

Public Comment Closed:
3:12 p.m.

Motion:

Councilmembers House/Murillo to approve the recommendations.

Vote:

Unanimous voice vote (Absent: Councilmember White).

Councilmember White returned to the meeting at 3:32 p.m.

PARKS AND RECREATION DEPARTMENT

13. Subject: Resolution And Appropriation Of \$1,050,000 For Purchase Of Property At 3780 Foothill Road And Initial Planning Costs For A Creek Restoration And Water Quality Improvement Project (540.14)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting Real Property Located at 3780 Foothill Road, and Authorizing the Parks and Recreation Director to Execute an Agreement for Acquisition of Real Property with Escrow Instructions and All Related Documents That May Be Required, All Subject to Review and Approval as to Form by the City Attorney, Relating to a Future Creek Restoration and Water Quality Improvement Project, and Consenting to the Recordation of the Related Deed in the Official Records, County of Santa Barbara; and
- B. Increase appropriations by \$1,050,000 in the Creeks Restoration and Water Quality Improvement Fund from available reserves to cover the purchase of real property located at 3780 Foothill Road and associated conservation and access easements, and related escrow, testing, inspection, and preliminary planning costs.

Documents:

- October 8, 2013, report from the Parks and Recreation Director.
- Proposed Resolution.
- PowerPoint presentation prepared and made by Staff.

The title of the resolution was read.

Speakers:

Staff: Creeks Restoration/Clean Water Manager Cameron Benson.

Motion:

Councilmembers White/Francisco to approve the recommendations; Resolution No. 13-086; Agreement No. 24,637.

Vote:

Unanimous roll call vote.

Councilmember Francisco left the meeting at 3:41 p.m.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember White commented on the event held to celebrate the 90th anniversary of the City's Planning Commission and the Commission's role in the City's orderly development.

(Cont'd)

Information (Cont'd)

- Councilmember Rowse mentioned his attendance at the ribbon cutting for the new downtown PathPoint facility.
- Councilmember House remarked upon the Community Action Commission's annual fiscal audit and the impact of the federal sequester on funding for local social services.
- Councilmember Murillo reported on her attendance at the following events/meetings: 1) the swearing-in of new City police officers; 2) a meeting of the Rental Housing Mediation Task Force, where the process to resolve landlord/tenant disputes was discussed; and 3) the 50th anniversary of the Alano Club of Santa Barbara.
- Councilmember Hotchkiss commented on his attendance at the reception held for California Arts Day and the 2013 AIDS Walk on Cabrillo Boulevard.
- Mayor Schneider reported on Santa Barbara's 2013 Alzheimer's Walk held last Saturday, and on the ribbon cutting for the new "Pickle Room" at the site of the former Jimmy's Restaurant on Canon Perdido Street.

RECESS

Mayor Schneider recessed the meeting at 3:47 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 14. She stated no reportable action is anticipated.

CLOSED SESSIONS

14. Subject: Conference With Legal Counsel - Pending Litigation (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (d)(1) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is *Rolland Jacks, et al., v. City Of Santa Barbara, SBSC Case No. 1383959*.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

October 8, 2013, report from the City Attorney.

Time:

3:50 p.m. – 3:55 p.m.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 3:55 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST: _____
SUSAN TSCHECH, CMC
DEPUTY CITY CLERK