



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING October 15, 2013 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:00 p.m. (The Ordinance Committee met at 12:30 p.m., and the Finance 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 Deborah L. Applegate.

### CHANGES TO THE AGENDA

### PUBLIC COMMENT

**Speakers:** Christy Haynes, Reverend Arthur Stevens, Adam Walters, Nicole Shoong, Respectful Aging, Lazarus, Pat Love, Dr. Robert John, Matthew Kramer, Patricia Rosen, Bryan Rosen.

## **CONSENT CALENDAR (Item Nos. 1-2, 4-7)**

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

Motion:

Councilmembers Fransico/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 regular meeting of October 1, 2013.

Action: Approved the recommendation.

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

Recommendation: That Council 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 (Signature), a Delaware Corporation, and Fidelity National Financial, Inc., a Delaware Corporation, Amending the "Term" of the Sublease to Make it Coterminous With That of the Master Lease, July 31, 2016, To Take Effect on the Effective Date of the Ordinance.

Action: Approved the recommendation; Ordinance No. 5635; Agreement No. 12.037.3.

### **4. Subject: Adoption of Ordinance For Memorandum Of Understanding With The Police Officers' Association (440.02)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting A Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara Police Officers' Association for the Period of July 1, 2013, through June 30, 2016.

Action: Approved the recommendation; Ordinance No. 5637.

## CONSENT CALENDAR (CONT'D)

**5. Subject: Set A Date For Public Hearing Regarding Appeal Of Architectural Board of Review Design Approval For 510 North Salsipuedes Street (People's Self Help Housing) (640.07)**

Recommendation: That Council:

- A. Set the date of November 26, 2013, at 2:00 p.m. for hearing the appeal filed by Trevor J. Martinson of the Architectural Board of Review Project Design Approval of an application for property owned by People's Self Help Housing and located at 510 North Salsipuedes Street, Assessor's Parcel Nos. 031-222-018, -019, and -021, C-M Commercial Manufacturing Zone, General Plan Designation: Commercial/Medium High Residential. The project proposes the construction of a 63,171 total square-foot, three-story, 40-unit affordable apartment project with attached garage and community center. Three existing lots will be merged to create one 41,099 square-foot property; and
- B. Set the date of November 25, 2013, at 1:30 p.m. for a site visit to the property located at 510 North Salsipuedes Street.

Action: Approved the recommendations.

## NOTICES

6. The City Clerk has on Thursday, October 10, 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.
7. Receipt of communication advising of vacancies created on the Santa Barbara Youth Council with the resignations of Naomi Zamudio and Eesha Kelkar; the vacancies will be part of the next City Advisory Group recruitment.

## **ITEMS REMOVED FROM CONSENT CALENDAR (Item No. 3)**

Councilmember Randy Rowse announced that he is abstaining from this item due to a potential conflict of interest with his wife's business. He left the meeting at 2:27 p.m.

**3. Subject: Adoption Of Single Use Bag Ordinance And Resolution Making Certain Findings Concerning The Single-Use Bag Ordinance (640.07)**

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution Of The City Council Of The City Of Santa Barbara Making Certain Findings Required By The California Environmental Quality Act Concerning The City's Single-Use Bag Ordinance And Denying An Appeal Of The City Planning Commission Decision To Certify A Final Environmental Impact Report For The City's Proposed Single-Use Carryout Bag Ordinance; and (Cont'd)

**3. (Cont'd)**

- B. Adopt, by reading of title only, An Ordinance Of The Council Of The City Of Santa Barbara Amending The Santa Barbara Municipal Code By Adding Chapter 9.150 Pertaining To The Use Of Single-Use Carryout Bags At Certain Retail Food And Grocery Store Establishments Within The City.

Speakers:

Members of the Public: Steve Reynolds.

Motion:

Councilmembers House/Murillo to approve staff recommendation.

Vote:

Unanimous voice vote (Absent: Councilmember Rowse).

Action: Approved the recommendation; Resolution No. 13-087 and Ordinance No. 5636.

This concluded the Consent Calendar.

**REPORT FROM THE ORDINANCE COMMITTEE**

Ordinance Committee Chair Grant House reported that the Committee met to hear proposed amendments to the Fire and Building Codes. The Committee will be bringing the items to Council in upcoming months.

**CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

WATERFRONT DEPARTMENT

**8. Subject: 2013 Annual Charitable Giving Campaign (170.01)**

Recommendation: That Council receive a report from the Chairperson of the City's 2013 Annual Charitable Giving Campaign.

Documents:

- October 15, 2013, report from the Waterfront Director.
- Video presentation prepared and presented by Staff.

Speakers:

- Staff: Waterfront Director Scott Reidman.
- Santa Barbara United Way: Kevin Battle.

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

## CITY ADMINISTRATOR

### **9. Subject: Citywide Sustainability Achievements (630.02)**

Recommendation: That Council receive a presentation on sustainability achievements, highlighting the City's recent accomplishments in environmental programs.

#### Documents:

- October 15, 2013, report from the City Administrator.
- PowerPoint presentation prepared and presented by Staff.

#### Speakers:

Staff: Assistant to City Administrator Nina Johnson, Water Conservation Supervisor Alison Jordan, Facilities and Energy Manager Jim Dewey.

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

## **COUNCIL AND STAFF COMMUNICATIONS**

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

### **Information:**

- Councilmember Murillo reported on her attendance at the Candidate Forum sponsored by the Santa Barbara Youth Council and Future Leaders of America. She also reported her attendance at the following: 1) Looking Good Santa Barbara community clean-up day, 2) ribbon cutting ceremony for SBTV, 3) Neighborhood Advisory Council meeting, and 5) the Milpas Action Task Force meeting.
- Councilmember Rowse reported on his attendance at the Downtown Parking Committee where one of the items discussed was the proposed Bike Corral on Cannon Perdido.
- Councilmember White reported on his attendance at the Looking Good Santa Barbara community clean-up day, Seafood Harbor Festival, and the Water Commission meeting.
- Councilmember Hotchkiss report on his attendance at the Seafood Harbor Festival and the Milpas Action Task Force meeting.

## **RECESS**

Mayor Schneider recessed the meeting at 3:58 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 10, 11, 12 and 13. She stated no reportable action is anticipated.

## CLOSED SESSIONS

### 10. 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 *Santa Barbara Patients' Collective Health Cooperative v. City of Santa Barbara, et al.*, USDC Case No. CV10-6534 DDP(RCx).

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

October 15, 2013, report from the City Attorney.

Time:

4:00 p.m. – 4:23 p.m.

No report made.

### 11. 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 *Jeannetta Ann Purdue Rizkalla And Tarek Ramzi Rizkalla v. City Of Santa Barbara, et al.*, SBSC Case No.1383789.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

October 15, 2013, report from the City Attorney.

Time:

3:45 p.m. – 4:00 p.m.

No report made.

**12. 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 proposed lease of City-owned real property.

Real Property: 602 West Anapamu Street, Santa Barbara, California.

City Negotiators: Nancy L. Rapp, Parks and Recreation Director and Scott Vincent, Assistant City Attorney.

Negotiating Parties: Executive Director Gina Carbajal and members of the Board of Directors, United Boys and Girls Clubs of Santa Barbara County.

Under Negotiation: Price and terms of a lease of City-owned real property.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

Documents:

October 15, 2013, report from the City Attorney and Parks and Recreation Director.

Time:

4:23 p.m. – 5:10 p.m.

No report made.

**13. Subject: Public Employment (450.01)**

Recommendation: That Council hold a closed session, per Section 54957 of the Government Code, to consider the Council process for recruiting and selecting a City Attorney.

Title: City Attorney

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

Documents:

October 15, 2013, report from the Assistant City Administrator.

Time:

5:10 p.m. – 5:25 p.m.

No report made.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 3:45 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

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

ATTEST:

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DEBORAH L. APPLGATE  
DEPUTY CITY CLERK