



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING November 12, 2013 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:01 p.m. (The Finance Committee and Ordinance Committee met at 12:30 p.m.)

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.

CEREMONIAL ITEMS

1. **Subject: Employee Recognition - Service Award Pins (120.04)**

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 November 30, 2013.

Documents:

November 12, 2013, report from the Assistant City Administrator.

(Cont'd)

1. (Cont'd)

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

5 YEARS

Michael Pease, Budget Manager, Finance Department
Sue Sadler, Code Enforcement Officer, Environmental Services Department
Paul Diaz, Water Distribution Operator II, Public Works Department
Jason Remotti, Water Treatment Plant Operator, Public Works Department
Evan Ellison, Airport Patrol Officer II, Airport Department

15 YEARS

Melissa Velasco, Public Safety Dispatcher, Police Department
Florencio Herrera, Streets Maintenance Worker I, Public Works Department

25 YEARS

Gilbert Cash, Fire Captain, Fire Department
Sheri Markley, Police Records Specialist, Police Department
Fernando Arroyo, Senior Custodian, Public Works Department
Jose Guerrero, Senior Custodian, Public Works Department

30 YEARS

William Rodoracio, Fire Captain, Fire Department

PUBLIC COMMENT

Speakers: Robin Elander, Santa Barbara Open Streets; Barry Remir, Santa Barbara Open Streets; Robert Hansen; AIE! The Person.

CONSENT CALENDAR (Item Nos. 2-8)

The title of the resolution 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 meetings of October 22 and 29, 2013 and the regular meeting of November 5, 2013 (cancelled).

Action: Approved the recommendation.

3. Subject: Appropriation Of Miscellaneous Grants Funds For Scheduling Software Upgrade (170.04)

Recommendation: That Council:

- A. Appropriate \$20,000 in the Fiscal Year 2014 Police Department Miscellaneous Grants Fund from available reserves for the purchase of an upgrade and service package for the InTime Scheduling software; and
- B. Find it in the City's best interest to waive the bidding process as provided in Municipal Code 4.52.070(k) and authorize the General Services Manager to issue a purchase order in the amount of \$20,000 to InTime for a software upgrade and annual maintenance for the following four fiscal years, in accordance with approved budgets.

Action: Approved the recommendations (November 12, 2013, report from the Chief of Police).

4. Subject: Appropriation Of Asset Forfeiture Funds For The Purchase Of A System Upgrade And Digital Forensic Equipment (520.04)

Recommendation: That Council:

- A. Appropriate \$8,668 in the Fiscal Year 2014 Police Department Police Asset Forfeiture Fund from available reserves for the purchase of an upgrade for the NEC fingerprint workstation;
- B. Appropriate \$8,632 in the Fiscal Year 2014 Police Department Police Asset Forfeiture Fund from available reserves for the purchase of a Micro Systemation XRY software for the forensic analysis of mobile device digital data evidence;
- C. Find it in the City's best interest to waive the formal bid process as authorized in Municipal Code Section 4.52.080(k) and authorize the City's General Services Manager to issue a sole source purchase order to NEC for an upgrade to the fingerprint workstation; and
- D. Find it in the City's best interest to waive the formal bid process as authorized in Municipal Code Section 4.52.080(k) and authorize the City's General Services Manager to issue a sole source purchase order to Micro Systemation for the XRY software application used to perform secure forensic extraction of digital data.

Action: Approved the recommendations (November 12, 2013, report from the Chief of Police).

5. Subject: Request To Restate And Amend Covenant On Property Located At 203, 215, And 221 Hitchcock Way ("Rancho Franciscan Apartments") (330.01)

Recommendation: That Council approve a Restated and Amended Declaration of Covenants, Conditions, and Restrictions Imposed on Real Property ("Covenant") to Comply with Housing and Urban Development (HUD) Requirements Concerning Age Discrimination and Subordination of the Covenant to a New HUD Insured Loan During the Term of the Loan and Authorize the Community Development Director to Execute Such Agreements and Related Documents, Subject to Approval as to Form by the City Attorney, as Necessary.

Action: Approved the recommendation; Agreement No. 24,653 (November 12, 2013, report from the Assistant City Administrator/Community Development Director).

6. Subject: Avigation And Noise Easement For 7000 Hollister Avenue, Goleta (560.14)

Recommendation: That Council:

- A. Approve and authorize the City Administrator to execute and record a grant deed of avigation and noise easement and agreement imposing conditions on real property by and between Goleta Hollister, LLC and the City of Santa Barbara; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City Of Santa Barbara Accepting an Avigation and Noise Easement Imposing Conditions on Real Property known as Assessor's Parcel Numbers 073-030-020 and 073-030-021.

Action: Approved the recommendations: Resolution No. 13-089, Deed No. 61-432 and Agreement No. 24,654 (November 12, 2013, report from the Airport Director; proposed resolution).

7. Subject: Cancellation Of Certain Council Meetings In 2014 (120.02)

Recommendation: That Council cancel the regular Council Meetings on the following dates: January 21, February 18, April 1, May 27, July 8, August 19, August 26, September 2, December 2, December 23, December 30, 2014.

Action: Approved the recommendation (November 12, 2013, report from the City Administrator).

8. Subject: Adoption Of Ordinance Amending Lease With Richones Inc., Doing Business As Chuck's Waterfront Grill, For Office Space At 113 Harbor Way (330.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving Lease Amendment Number One to Lease Number 23,328 with Richones Inc., Doing Business As Chuck's Waterfront Grill, for Office Space Located at 113 Harbor Way #145 and #150 at a Monthly Rate of \$2,519.

Action: Approved the recommendation; Agreement No. 23,328.1; Ordinance No. 5640.

NOTICES

9. The City Clerk has on Thursday, November 7, 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.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dale Francisco reported that the Committee met to review the City's Interim Financial Statements for the Three Months Ended September 30, 2013. The Committee approved the statements, which were approved by the full Council as Item No. 10.

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Grant House reported that the Committee met to review a draft ordinance establishing interim air quality design standards for development near Highway 101, to implement Policy ER7 of the 2011 General Plan and will be referring this ordinance to the Planning Commission and entire Council at a future meeting.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

FINANCE DEPARTMENT

10. Subject: Fiscal Year 2014 First Quarter Interim Financial Statements (120.03)

Recommendation: That Council:

- A. Hear a report from staff on the status of revenues and expenditures in relation to budget for the three months ended September 30, 2013;
- B. Accept the fiscal year 2014 Interim Financial Statements for the Three Months Ended September 30, 2013; and
- C. Approve the proposed first quarter adjustments to Fiscal Year 2014 appropriations and estimated revenues as detailed in the attached Schedule of Proposed First Quarter Adjustments.

Documents:

- November 12, 2013, report from the Finance Director.
- PowerPoint presentation prepared and presented by Staff.

Speakers:

Staff: Accounting Manager Julie Nemes; Treasury Manager Genie Wilson.

Motion:

Councilmembers Francisco/Rowse to approve the staff's recommendations.

Vote:

Unanimous voice vote.

COMMUNITY DEVELOPMENT DEPARTMENT

11. Subject: Emergency Shelter Zoning Discussion (640.09)

Recommendation: That Council provide direction to Community Development staff related to the implementation of Senate Bill 2 (SB2), (as enacted in 2007 as Government Code Section 65583), requiring that every municipality identify zoning intended to encourage and facilitate "emergency shelters".

Documents:

- November 12, 2013, report from the Assistant City Administrator/Community Development Director.
- PowerPoint presentation prepared and presented by Staff.

(Cont'd)

11. (Cont'd)

Speakers:

Staff: Project Planner Irma Unzueta; Principal Planner John Ledbetter.

Motion:

Councilmember House/Hotchkiss to direct staff to proceed in the direction of Option 1 as outlined in the Council Agenda Report, and bring the item back to the Ordinance Committee for review, submit it to Planning Commission, and then return to the City Council for final approval.

Vote:

Unanimous voice vote.

PUBLIC HEARINGS

12. Subject: General Plan Safety Element Update (610.04)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the 2013 Safety Element Update to the General Plan and Making Environmental Findings Pursuant to the California Environmental Quality Act.

Documents:

- November 12, 2013, report from the Assistant City Administrator/Community Development Director.
- Proposed Resolution.
- Affidavit of Publication.
- PowerPoint presentation prepared and made by Staff.

The title of the resolution was read.

Public Comment Opened:

3:02 p.m.

Speakers:

- Staff: Project Planner Elizabeth V. Limon; Principal Planner John Ledbetter; City Attorney Stephen P. Wiley.
- Members of the Public: Steve Monk, attorney with the law firm Hollister & Brace.

Public Comment Closed:

3:11 p.m.

(Cont'd)

12. (Cont'd)

Motion:

Councilmembers White/Rowse to continue the item until the Council meeting of December 10, 2013.

Vote:

Unanimous roll call vote.

MAYOR AND COUNCIL REPORTS

13. Subject: Interviews For City Advisory Groups (140.05)

Recommendation: That Council:

- A. Hold interviews of applicants to various City Advisory Groups; and
- B. Continue interviews of applicants to November 19, 2013.

Documents:

November 12, 2013, report from the Assistant City Administrator.

Speakers:

The following applicants were interviewed:

Access Advisory Committee:

Karen L. Johnson
Adelaida Ortega

Airport Commission:

Jeff Clark
Carl L. Hopkins
Mark A. Rincon-Ibarra
James R. Wilson

Arts Advisory Committee:

Robert F. Adams
Nina L. Dunbar
Jim Laponis
Marylove Thralls

Civil Service Commission:

Bernard Melekian
Desmond O'Neill
Mark A. Rincon-Ibarra

Community Development And Human Services Committee:

Katherine Zeiss

Community Events & Festivals Committee:

Katrina Carl

Creeks Advisory Committee:

James Hawkins

(Cont'd)

13. (Cont'd)

Fire and Police Commission:
Matthew Hunter Kramer
Jim Laponis
Bernard Melekian
Harbor Commission:
Mark A. Rincon-Ibarra
Jim Sloan
Neighborhood Advisory Council:
Ana D. Soto
Parks and Recreation Commission:
Margery Baragona
Chris Casebeer
David Victor Vasquez
Planning Commission:
Michael Jordan
Rental Housing Mediation Task Force:
Margery Baragona
Jeana L. Dressel
Santa Barbara Youth Council:
Rachael Diaz

By consensus, the Council continued the interviews to November 19, 2013, at 6:00 p.m.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Murillo reported that she attended the Housing Authority Commission meeting where they discussed the Agency's Five-Year Strategic Plan. She reported on her attendance at the Veteran's Day Celebration; and her attendance at the Veteran's Treatment Court Graduation where six individuals went through a restorative justice rehabilitation program.
- Councilmember White reported on his attendance at the City's Open Streets Celebration and mentioned he is looking forward to future events.
- Councilmember Hotchkiss shared his concern of closing certain streets for the Open Street Celebration which resulted in traffic concerns impacting State and Milpas Streets. He mentioned he would like to address this issue prior to next year's event.

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 *Donald Sipple, and New Cingular Wireless PSC LLC, et al., v. The City of Alameda, California, et al.*, LASC Case No. BC432270

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

Documents:

November 12, 2013, report from the City Attorney.

Time:

3:20 p.m. – 3:30 p.m.

No report made.

15. 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 General Bargaining Unit, Treatment and Patrol Bargaining Units, Hourly Bargaining Unit, Police Management Association, and regarding salaries and fringe benefits for certain unrepresented management and confidential employees.

Scheduling: Duration, 45 minutes; anytime

Report: None anticipated

Documents:

November 12, 2013, report from the Assistant City Administrator.

Time:

3:30 p.m. – 4:17 p.m.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 5:32 p.m. in memory of Jonny Wallis, former Mayor, Councilmember and early founder of the City of Goleta.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST: _____
DEBORAH L. APPLGATE
DEPUTY CITY CLERK