



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING October 14, 2014 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 Finance Committee and Ordinance Committee, 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, Gregg Hart, Frank Hotchkiss, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: None.

Staff present: Acting City Administrator Paul Casey, City Attorney Ariel Pierre Calonne, City Clerk Services Manager Gwen Peirce.

### CEREMONIAL ITEMS

- 1. Subject: Proclamation Declaring October 16, 2014 As The Forge 100 Year Anniversary (120.04)**

Action: Proclamation presented to Tyler Greenwald, Emma Cisek, Nicola Freeland and Beau Lettieri, representing *The Forge* Newspaper.

- 2. Subject: Proclamation Declaring October 2014 As National Community Planning Month (120.04)**

Action: Proclamation presented to Kurt Christensen, American Planning Association (APA) National Board Member; Brooke Peterson, California Chapter President; Dave Ward, APA Central Coast Section; and Bettie Weiss, City Planner. Kurt Christensen presented Mayor Schneider with a certificate designating State Street with the "Great Street, Great Public Places Award" from the American Planning Association.

## **PUBLIC COMMENT**

Speakers: Pat Love, Phil Walker, Bryan Rosen, Tom Becker, Robin Elander, Hans Van der Weijden.

## **CONSENT CALENDAR (Item Nos. 3 – 10)**

Motion:

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

Vote:

Unanimous voice vote.

### **3. Subject: Minutes**

Recommendation: That Council waive further reading and approve the minutes of the special meeting of September 29, 2014, and the regular meeting of September 30, 2014.

Action: Approved the recommendation.

### **4. Subject: Central Coast Collaborative On Homelessness (C3H) Memorandum Of Understanding (660.04)**

Recommendation: That Council authorize the Acting City Administrator to execute a Memorandum of Understanding with the Northern Santa Barbara County United Way for the Central Coast Collaborative on Homelessness (C3H) effort.

Action: Approved the recommendation; Agreement No. 25,003 (October 14, 2014, report from the Community Development Director).

### **5. Subject: Contract For Construction Of The Fleet Operations Building Renovation Project (320.01)**

Recommendation: That Council award a contract for construction of the Fleet Operations Building Renovation Project, Bid No. 5348, with EJS Construction, Inc., in their low bid amount of \$525,000, and authorize the Public Works Director to execute the contract and approve expenditures up to \$52,500 to cover any cost increases that may result from contract change orders for extra work.

Action: Approved the recommendation; Contract No. 25,004 (October 14, 2014, report from the Public Works Director).

**6. Subject: Contract For Construction Of Santa Barbara Police Department Vehicle Access Security Gate Project (700.08)**

Recommendation: That Council award a contract with GLR Construction, Inc., in their low bid amount of \$315,789 for construction of the Santa Barbara Police Department Vehicle Access Security Gate Project, Bid No. 5346; and authorize the Public Works Director to execute the contract and approve expenditures of up to \$11,000 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment.

Action: Approved the recommendation; Contract No. 25,005 (October 14, 2014, report from the Public Works Director).

**7. Subject: Contract For Preparation Of The New Zoning Ordinance (NZO) (640.09)**

Recommendation: That Council authorize the Community Development Director to execute a City Professional Services Agreement with Dyett & Bhatia, Urban and Regional Planners, in an amount not to exceed \$199,910, for planning consultant services to prepare the City's new Zoning Ordinance.

Action: Approved the recommendation; Professional Services Agreement No. 25,006 (October 14, 2014, report from the Community Development Director).

**8. Subject: Acquisition Of Police Forensic Software Upgrade (520.04)**

Recommendation: That Council:

- A. Appropriate \$5,085 in the Fiscal Year 2014 Police Department Police Asset Forfeiture and Miscellaneous Grants Fund from available reserves for the purchase of an upgrade for the Cellebrite UFED Mobile Examination Workstation; and
- B. 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 Cellebrite for an upgrade to the Cellebrite workstation.

Action: Approved the recommendations (October 14, 2014, report from the Chief of Police).

**9. Subject: Set A Date For Public Hearing Regarding Appeal Of Planning Commission Approval For 3435 Marina Drive (640.07)**

Recommendation: That Council:

- A. Set the date of November 18, 2014, at 2:00 p.m. for hearing the appeal filed by Mike Moore, et al., of the Planning Commission approval for property owned by Charles Rudd and located at 3435 Marina Drive, Assessor's Parcel No. 047-022-005, A-1/SD-3 (One-Family Residence/Coastal Overlay) Zones, General Plan/Local Coastal Plan Designation: Residential, 1 Unit per Acre. The project consists of the construction of a new two-story single-family residence of approximately 5,990 square feet, a 440 square-foot attached garage, and associated improvements on a vacant lot of 48,787 net square feet. The discretionary application required for the project is a Coastal Development Permit to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone; and
- B. Set the date of November 17, 2014, at 1:30 p.m. for a site visit to the property located at 3435 Marina Drive.

Action: Approved the recommendations.

**NOTICES**

- 10. The City Clerk has on Thursday, October 9, 2014, 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.

**CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

**PUBLIC WORKS DEPARTMENT**

**11. Subject: Stage Two Drought Update (540.05)**

Recommendation: That Council receive an update on the status of the current drought.

Documents:

- October 14, 2014, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

(Cont'd)

## 11. (Cont'd)

### Speakers:

- Staff: Acting Water Resources Manager Joshua Haggmark, City Attorney Ariel Calonne, City Planner Bettie Weiss, Acting Water Conservation Coordinator Madeline Ward.
- Members of the Public: Phil Walker; Brad Smith, Sweetwater Collaborative; Ethan Shenkman.

### Discussion:

Staff's presentation included: 1) charts showing water use trends during the current water year; 2) water supply outlook; 3) Lake Cachuma status update; 4) information on the Sustainable Groundwater Management Act; 5) an update on drought response capital projects; 6) an overview of potential drought development restrictions; 7) a brief history of water conservation in Santa Barbara; 8) an overview of best practices; and 9) an explanation of the current conservation program. Councilmembers' questions were answered.

Councilmember Francisco left the meeting at 2:55 p.m. and returned at 3:15 p.m.

## PUBLIC HEARINGS

### 12. **Subject: Appeal Of Historic Landmarks Commission Conditional Approvals Of An As-Built Mural Located At 901 Chapala Street (640.07)**

Recommendation: That Council deny the appeal of Juan Jimenez, co-owner of Cajun Kitchen restaurant, and uphold the decision of the Historic Landmarks Commission to approve an as-built art mural for a temporary period of one year.

### Documents:

- October 14, 2014, report from the Community Development Director.
- PowerPoint presentation prepared and made by Staff.

### Public Comment Opened:

4:15 p.m.

### Speakers:

- Staff: Senior Planner II Jaime Limon.
- Appellant/Applicant: Juan Jimenez, Co-owner of Cajun Kitchen Café.
- Members of the Public: Gerardo Ayala.

### Public Comment Closed:

5:05 p.m.

(Cont'd)

## 12. (Cont'd)

### Motion:

Councilmembers Francisco/Hotchkiss to approve staff's recommendation to deny the appeal of Juan Jimenez, co-owner of Cajun Kitchen restaurant and uphold the decision of the Historic Landmarks Commission.

### Vote:

Unanimous voice vote.

## COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

### Information:

- Councilmember Hotchkiss spoke regarding his attendance at the Police Foundation's fundraising event.
- Councilmember White reported on his attendance at: 1) the Santa Barbara Middle School celebration of the completion of the school's infrastructure project; 2) a recent Water Commission Meeting; 3) a Neighborhood Advisory Council meeting where they received the City infrastructure presentation; and 4) a recent Planning Commission meeting regarding the Housing Authority project on South Hope Avenue.
- Councilmember Rowse reported on his attendance at: 1) a recent City infrastructure presentation at the Faulkner Gallery; and 2) a recent Downtown Parking Committee meeting.
- Councilmember Murillo spoke regarding her attendance at the following events: 1) Police Foundation event; 2) Santa Barbara Middle School celebration; 3) Vista Del Monte 50<sup>th</sup> Anniversary celebration; and 4) the Coalition for Sustainable Transportation (COAST) Westside Walk event.
- Mayor Schneider reported on her attendance at a recent Infrastructure Task Force meeting.

## RECESS

The Mayor recessed the meeting at 5:29 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 13, and she stated that no reportable action is anticipated.

## CLOSED SESSIONS

### 13. Subject: Conference With City Attorney - 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 *Lawrence Grassini, Sharon Grassini, and Mark Schwartz, v. California Department of Transportation; City of Santa Barbara, et al. Real Parties in Interest*, SBSC Case No.1468955. (Cont'd)

**13. (Cont'd)**

Scheduling: Duration, 15 minutes; anytime  
Report: None anticipated

Documents:  
October 14, 2014, report from the City Attorney.

Time:  
5:32 p.m. – 5:55 p.m. Councilmember Hart was absent.

No report made.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 5:55 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

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

ATTEST: \_\_\_\_\_  
GWEN PEIRCE, CMC  
CITY CLERK SERVICES MANAGER