



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING November 18, 2014 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:04 p.m. (The Finance Committee and Ordinance Committee met at 12:30 p.m.)

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Gregg Hart, Frank Hotchkiss, Cathy Murillo, Randy Rowse, Mayor Schneider.

Councilmembers absent: Dale Francisco, Bendy White.

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

PUBLIC COMMENT

Speakers: Bob Hansen, Nancy McCradie, Kenneth Loch.

Councilmember Francisco arrived at 2:10 p.m.

CONSENT CALENDAR (Item Nos. 1 – 12)

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

Motion:

Councilmembers Hotchkiss/Rowse to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote (Absent: Councilmember White).

1. Subject: Amendment To The Position And Salary Control Resolution For Drought Related Water Supply Positions (410.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 14-046, the Position and Salary Control Resolution for Fiscal Year 2015, Affecting the Public Works Department, Effective November 18, 2014.

Action: Approved the recommendation; Resolution No. 14-078 (November 18, 2014, report from the Administrative Services Director; proposed resolution).

2. Subject: Grant From The Institute Of Museum And Library Services For Family Literacy (570.04)

Recommendation: That Council:

- A. Authorize the Library Director to accept a \$249,914 grant from the Institute of Museum and Library Services for the Read Together Program; and
- B. Increase appropriations and estimated revenue in the General Fund, Library Department's Public Services Program by \$62,333.25 in Fiscal Year 2015.

Action: Approved the recommendations (November 18, 2014, report from the Library Director).

3. Subject: Adoption Of Revised Minimum Standard Requirements For Airport Aeronautical Activities (560.01)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving the Revised Minimum Standard Requirements for Airport Aeronautical Activities at the Santa Barbara Airport and Repealing Resolution No. 06-078.

Action: Approved the recommendation; Resolution No. 14-079 (November 18, 2014, report from the Airport Director; proposed resolution).

4. Subject: Purchase Order For Skidata, Inc., Parking Revenue Control Equipment At Stearns Wharf (550.08)

Recommendation: That Council find it in the City's best interest to waive the formal bid procedure as authorized by Municipal Code Section 4.52.070(L), and authorize the General Services Manager to issue a purchase order to Sentry Control Systems for Skidata parking revenue control equipment for Stearns Wharf in an amount not to exceed \$84,500.

Action: Approved the recommendation (November 18, 2014, report from the Waterfront Director).

5. Subject: Cancellation Of Certain Council Meetings In 2015 (120.09)

Recommendation: That Council cancel the regular Council Meetings on the following dates: January 6, January 20, February 17, March 31, May 26, July 7, August 18, August 25, September 8, November 3, December 1, December 22, and December 29, 2015.

Action: Approved the recommendation (November 18, 2014, report from the Acting City Administrator).

6. Subject: Contract For Design Of Sodium Hypochlorite Line Replacement At The El Estero Wastewater Treatment Plant (540.13)

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with MNS Engineers, Inc., in the amount of \$51,105 for design services of the Sodium Hypochlorite Line Replacement Project at the El Estero Wastewater Treatment Plant, and authorize the Public Works Director to approve expenditures of up to \$5,110 for extra services of MNS Engineers, Inc., that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Contract No. 25,030 (November 18, 2014, report from the Public Works Director).

7. Subject: Contract For Construction Management For El Estero Digester Cleaning And Equipment Rehabilitation Project (540.13)

Recommendation: That Council authorize the Public Works Director to execute a contract with MNS Engineering, Inc., in the amount of \$54,600 for construction support services, and approve expenditures of up to \$5,460 for extra services of MNS Engineers, Inc., that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Contract No. 25,031 (November 18, 2014, report from the Public Works Director).

8. Subject: Introduction Of Ordinance To Amend Municipal Code Title 16, Liquid And Industrial Waste Disposal (540.13)

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the Municipal Code By Repealing Title 16 in its Entirety and Adding Title 16 Pertaining to Liquid and Industrial Waste Disposal; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving an Updated Pretreatment Program Enforcement Response Plan.

Action: Approved the recommendations; Resolution No. 14-080 (November 18, 2014, report from the Public Works Director; proposed ordinance and resolution).

9. Subject: Records Destruction For Police Department (160.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the Police Department.

Action: Approved the recommendation; Resolution No. 14-081 (November 18, 2014, report from the Chief of Police; proposed resolution).

NOTICES

10. The City Clerk has on Thursday, November 13, 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.
11. A City Council site visit is scheduled for Monday, November 24, 2014, at 1:30 p.m. to the property located at 3626 San Remo Drive, which is the subject of an appeal hearing set for November 25, 2014, at 2:00 p.m.
12. Receipt of communication advising of vacancy created on the Parks and Recreation Commission with the resignation of Carolyn Brown. This vacancy will be part of the current City Advisory Groups Recruitment.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dale Francisco reported that the Committee met to hear a report on the financial status of the municipal golf course and made recommendations to forward to Council at the December 9 Council meeting.

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Randy Rowse reported that the Committee met to consider amendments to the City's recreational vehicle parking ordinance. The Committee approved to forward the ordinance amendments to the full Council for its consideration in a few months.

Councilmember White arrived at 2:15 p.m.

PUBLIC HEARINGS

13. **Subject: Public Hearing To Adopt A Resolution Of Necessity For The Cabrillo Boulevard Bridge Replacement Project And Authorization For Agreement For Legal Services (530.04)**

Recommendation: That Council:

- A. Hold a public hearing, and make the necessary findings to acquire the real property rights in the parcels subject to this hearing, and subsequently adopt (by a 2/3 vote), by reading of title only, A Resolution of Necessity of the Council of the City of Santa Barbara to Acquire Certain Real Property Rights Over the Property Commonly Known as 13 (Otherwise Known as 15) East Cabrillo Boulevard (APN: 033-111-012), 21 Helena Avenue (APN: 033-111-004), and 6 State Street (APN: 033-111-011); and
- B. Authorize the City Attorney to execute a professional services agreement with the law firm of Best Best & Krieger, LLP, in the not-to-exceed amount of \$200,000 for special legal services to the City on matters related to the Cabrillo Boulevard Bridge Replacement Project.

Documents:

- November 18, 2014, report from the Public Works Director.
- Proposed resolution.
- Binder containing the Notice of Determination, Mitigated Negative Declaration, National Environmental Policy Act Categorical Exclusion and Revalidation.
- PowerPoint presentation prepared and made by Staff.
- November 4, 2014, letter from Virginia Castagnola-Hunter.

The title of the resolution was read.

Public Comment Opened:

2:28 p.m.

Speakers:

- Staff: Assistant Public Works Director/City Engineer Pat Kelly, Deputy City Attorney Tava Ostrenger.
- Best, Best & Krieger, LLP: Bruce Beach.
- Members of the Public: Steven Amerikaner, representing Virginia Castagnola-Hunter.

Public Comment Closed:

2:32 p.m.

Motion:

Councilmembers Murillo/Rowse to approve the recommendations; Resolution No. 14-082; Agreement No. 25,032.

Vote:

Majority roll call vote (Noes: Councilmember Francisco).

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

14. Subject: Stage Two Drought Update (540.05)

Recommendation: That Council receive an update on the status of the current drought and the implementation of the Parks and Recreation Department's Park and Tree Drought Response Plan.

Documents:

- November 18, 2014, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

Staff: Acting Water Resources Manager Joshua Haggmark, Water Resources Supervisor Kelley Dyer, Acting Water Conservation Coordinator Madeline Ward, Assistant Parks and Recreation Director Jill Zachary.

Discussion:

Staff's presentation included: 1) a discussion of the area weather forecast for the next three months; 2) charts showing water use trends; 3) current water supply strategy; 4) Lake Cachuma status update; 5) information on the United States Geological Survey (USGS) Groundwater Modeling; 6) an update on drought response capital projects; 7) an overview of recent water main breaks; 8) an explanation of the current conservation outreach program; and 9) an overview of the Parks and Recreation Drought Response Plan. Councilmembers' questions were answered.

RECESS

3:48 p.m. – 3:57 p.m.

PUBLIC HEARINGS (CONT'D)

15. Subject: Appeal Of Planning Commission Approval Of A Coastal Development Permit For A New Residence At 3435 Marina Drive (640.07)

Recommendation: That Council deny the appeal of Kitch Wilson, Ron Green, Mike Moore, and Don Santee, and uphold the decision and findings of the Planning Commission to approve the application of Mr. Charles Rudd for a Coastal Development Permit for a new single-family residence on a vacant lot.

(Cont'd)

15. (Cont'd)

Documents:

- November 18, 2014, report from the Community Development Director.
- PowerPoint presentation prepared and made by Staff.
- PowerPoint presentation prepared and made by the Appellants.
- PowerPoint presentation prepared and made by the Applicant.
- November 7, 2014, letter from Ruben Rodriguez.
- November 11, 2014, letter from Ronald Green.
- November 11, 2014, packet from Kitch Wilson.
- November 14, 2014, packet from Paul Zink.
- November 16, 2014, email from Marc Whitten.
- November 17, 2014, email from Beth Collins-Burgard.
- November 17, 2014, email from Ann Collins-Burgard.
- November 18, 2014, packet of petitions, submitted by Kitch Wilson.

Public Comment Opened:

3:58 p.m.

Speakers:

- Staff: Project Planner Allison DeBusk, Assistant City Attorney Scott Vincent.
- Single Family Design Board: Chair Fred Sweeney.
- Planning Commission: Vice Chair Addison Thompson.
- Appellants: Kitch Wilson, Michael Moore, Hilary Santee, Ron Green.
- Applicant: Paul Zink, Charles Rudd.
- Members of the Public: Lisa Moore, Lori Rafferty, Patricia Foley, Tom Monroe, Andrew Gottlieb, Ralph Edebo, Nancy Edebo, Jon Kechejian, Sandy Schoolfield, John Bedford, Morgan Reis, Von Jansma, Cindy Gulbranson, Susan Case, Arthur Schwartz, Susan Green.

Public Comment Closed:

5:49 p.m.

(Cont'd)

15. (Cont'd)

Motion:

Councilmembers Francisco/Hart to deny the appeal of Kitch Wilson, Ron Green, Mike Moore, and Don Santee, and uphold the decision and conditions of the Planning Commission, with a revision to the conditions as follows:

Insert a new Section II.B.3.:

“To protect public and oblique views on the Cliff Drive side of the house: (a) Owner shall not install any structures or grow any vegetation more than five (5) feet above existing grade (as shown in the site plan) seaward of the patio area. The only exceptions to this condition will be one (1) single trunk Phoenix Palm and one (1) triple trunk Phoenix Palm to be sited as shown on the site plan; and (b) Owner will plant vegetation to soften and screen the back and the front of the block wall along Cliff Drive.”

Vote:

Unanimous voice vote.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Hotchkiss spoke regarding a recent Milpas Action Task Force meeting that he attended.
- Councilmember White reported on his attendance at 1) a Neighborhood Advisory Council meeting where the group reviewed the Community Development Block Grant capital projects and made recommendations; 2) the Central Coast Sustainability Summit; and 3) Infrastructure information meetings.
- Councilmember Murillo commented on her attendance at 1) the Central Coast Sustainability Summit; 2) a Milpas Action Task Force meeting; and 3) a Coalition for Sustainable Transportation (COAST) meeting.
- Councilmember Hart reported on his attendance at a recent COAST meeting and at the “Eastside Walks” event where the new street lighting was highlighted.
- Mayor Schneider congratulated Councilmember Murillo on receiving the Roses Award from the Santa Barbara Women's Political Committee. She also commented on her attendance at the Start-Up Santa Barbara Awards and a recent Habitat for Humanity ribbon-cutting ceremony.

Councilmember Hotchkiss left the meeting at 6:21 p.m.

RECESS

The Mayor recessed the meeting at 6:23 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 16, and she stated that no reportable action is anticipated.

CLOSED SESSIONS

16. Subject: Conference With City Attorney - Anticipated Litigation (160.03)

Recommendation: That Council hold a closed session to consider significant exposure to litigation (one potential case) pursuant to Government Code Sections 54956.9(d)(2) & (e)(1) and take appropriate action as needed.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

November 18, 2014, report from the City Attorney.

Time:

6:25 p.m. – 6:46 p.m. Councilmember Hotchkiss was absent.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 6:45 p.m. to Monday, November 24, 2014, at 1:30 p.m. at 3626 San Remo Drive.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST:

GWEN PEIRCE, CMC
CITY CLERK SERVICES MANAGER