



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING March 10, 2015 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 (2:05 p.m.), Gregg Hart, Frank Hotchkiss, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: None.

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

### PUBLIC COMMENT

Speakers: Robert Johns; Robert Burke; Melody Joy Baker; Michael Baker, United Boys and Girls Clubs; Kenneth Loch; Phil Walker; Tom Widroe, City Watch.

### CONSENT CALENDAR (Item Nos. 1 – 4)

Motion:

Councilmembers Murillo/Hart to approve the Consent Calendar as recommended.

Vote:

Unanimous voice vote.

1. **Subject: Children's And Main Library Furniture Sole Source Agreements (570.04)**

Recommendation: That Council:

- A. Authorize the Library Director to execute a sole source award of a purchase order in the amount of \$93,085, with \$9,309 available for extra services, to Yamada Enterprises for a custom furniture purchase for the Children's Library and main floor at 40 E. Anapamu Street;
- B. Authorize the Library Director to execute a sole source award of a purchase order in the amount of \$60,666, with \$6,066 available for extra services, to K.I. for a custom furniture purchase for the Children's Library and main floor at 40 E. Anapamu Street; and
- C. Increase appropriations and estimated revenues in the General Fund Capital Outlay Fund by \$169,126 funded from a \$101,607 transfer from the Santa Barbara Public Library Foundation for Children's Library furniture, and \$67,519 from the Peggy Maximus Trust for main floor furniture and extra services that may result from necessary changes.

Speaker:

Staff: Library Services Manager Margaret Esther.

Action: Approved the recommendations (March 10, 2015, report from the Library Director).

2. **Subject: Authorize Payment Of Attorney Fees To The Firm Of Cappello & Noël, LLP Relating To *Banales, et al., v. City of Santa Barbara* (110.03)**

Recommendation: That Council:

- A. Authorize the payment of \$599,500 to the law firm of Cappello & Noël, LLP for the cost of attorneys' fees relating to *Banales, et al., v. City of Santa Barbara*; and
- B. Increase appropriations from General Fund reserves to the City Attorney's Office in the amount of \$500,000 to partially cover the settlement costs, with the remaining \$100,000 to be funded from the balance of appropriations established in the City Attorney's Office for litigation costs in the *Banales* case.

Action: Approved the recommendations (March 10, 2015, report from the City Attorney).

## NOTICES

3. The City Clerk has on Thursday, March 5, 2015, 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.
4. Receipt of communication advising of vacancy created on the Police and Fire Commission with the resignation of Diego Torres-Santos; the vacancy will be part of the next City Advisory Groups recruitment.

This concluded the Consent Calendar.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### PUBLIC WORKS DEPARTMENT

#### **5. Subject: Stage Two Drought Update (540.05)**

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

#### Documents:

- March 10, 2015, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

#### Speakers:

- Staff: Water Resources Manager Joshua Haggmark, Acting Water Conservation Coordinator Madeline Ward, Acting Water Resources Supervisor Kelley Dyer.
- Members of the Public: Ally Arganbright.

#### Discussion:

Staff's presentation included current rainfall totals and the outlook for continued drought conditions, the community's response to the need for conservation, the outlook for water supplies, including State and supplemental water supplies, drought response capital projects, and features of the City's Water Conservation Program. Councilmembers' questions were answered.

## **PUBLIC HEARINGS**

### **6. Subject: Public Hearing Regarding Proposed Water Rate Increases For Fiscal Year 2016 (540.01)**

Recommendation: That Council:

- A. Hold a public hearing, as required by State law, regarding proposed rate increases for water services for Fiscal Year 2016; and
- B. Provide direction to staff regarding any changes to the proposed Fiscal Year 2016 water rates.

Documents:

- March 10, 2015, report from the Public Works Director.
- PowerPoint Presentation prepared and made by Staff.
- Letters opposing the water rate increases:
  - January 23, 2015, from S. LA Pointe Brookes.
  - January 25, 2015, from Forrest Wilde.
  - January 26, 2015, from Elaine Gurrola.
  - January 27, 2015, from Tom Thomas.
  - January 27, 2015, petition from Dorothy Littlejohn.
  - January 29, 2015, from Casey J. Crawford.
  - January 31, 2015, from Elvira Maxwell.
  - February 4, 2015, from Brian Lindner.
  - February 7, 2015, from George and Susan Larson, Douglas Furse.
  - February 11, 2015, from Dr. Kiumarss Nasser.
  - February 18, 2015, from Carol J. Knox.
  - February 19, 2015, from Robert Mangus and Steven Little, Westwood Hills Avocado Alliance.
  - February 21, 2015, from Chris and Susan Dahlstrom.
  - February 23, 2015, from Harry Sherwood, Robert Welby, Ritz Brunello, Bruce T. Hayashi, Peter Kornbluth, D.L. Beeks, William Bertka, Randall Wade, Carmelo Tasca, William Stoltz, William Chapin, Mitch Telson, Maria C. DiMaggio, Steven Little, Michael Silva, Philip and Jeanette Condon, Joseph and Elaine Webster, Jimmie and Elizabeth Bray, Kandace Illgen, Bret Stone.
  - February 24, 2015, from Miriam Michaelis.
  - March 1, 2015, from Nancy Rikalo and Steven Kent.
  - March 3, 2015, from Richard Lamb.
  - March 4, 2015, from Nigel and Christine Bennett.
  - March 5, 2015, from Barry Semler, Rancho Primavera; Aaron T. Semler, Sycamore Creek Estates; Assad Mora.
  - March 6, 2015, from Peter R. Preiswerk.
  - March 9, 2015, from Tim Owens.
  - March 10, 2015, from James Dyer, George and Elaine Kitagawa, Don Galloway, Jerry Shalhoob, Harriett Sharp.

(Cont'd)

**6. (Cont'd)**

Public Comment Opened:  
2:45 p.m.

Speakers:

- Staff: Water Resources Manager Joshua Haggmark, Acting Water Resources Supervisor Kelley Dyer, City Attorney Ariel Calonne, Public Works Director Rebecca Bjork.
- Members of the Public: Julia Bennett; Dorothy Dent; Steve Little, Westwood Hills Avocado Association; Tom Widroe, City Watch; Randy Wade; Brad Smith; Tom Bellamore, California Avocado Commission; Ken Melban, California Avocado Commission; Bob Mangus, California Avocado Growers; Barry Semler, California Avocado Growers; Ally Arganbright; Kira Redmond, Santa Barbara Channelkeeper; Lindsey.

Public Comment Closed:  
3:41 p.m.

Discussion:

Acting Water Resources Supervisor Kelley Dyer provided information on the rate study and the potential costs for the desalination plant, as well as an overview of the proposed new rate structure. Public Works Director Rebecca Bjork provided background on the history of Council priorities in regards to water rates, specifically relating to agricultural rates. Councilmembers' questions were answered.

**RECESS**

3:59 p.m. – 4:08 p.m.

**7. Subject: Appeal Of Single Family Design Board Approval Of Additions To Residence At 1912 Mission Ridge Road (640.07)**

Recommendation: That Council deny the appeal of Susan M. Basham of Price, Postel & Parma, LLP, agent for various neighbors, and uphold the Single Family Design Board decision to grant Project Design Approval for additions to an existing single-family residence.

Documents:

- March 10, 2015, report from the Community Development Director.
- PowerPoint Presentation prepared and made by Staff.
- PowerPoint Presentation prepared and made by Jeff Shelton, Architect for the Applicant.
- March 10, 2015, letters from Trevor Martinson and the Riviera Association.

(Cont'd)

## 7. (Cont'd)

Public Comment Opened:  
4:09 p.m.

### Speakers:

- Staff: Senior Planner II Jaime Limon, City Attorney Ariel Calonne, Assistant City Attorney Scott Vincent.
- Single Family Design Board: Chair Fred Sweeney.
- Appellants: Susan Basham, Price, Postel & Parma, LLP; Christopher Price, Price, Postel & Parma, LLP; Rinaldo Brutoco; Roger Bacon.
- Applicant: Jeff Shelton, Architect; Craig and Jane Morrison.
- Members of the Public: Jeannine Daniel, Tiffany Doré, Patrick McKenna, Robert Fulmer, Ken Saxon, Trevor Martinson, Pat Fulmer, Randy Mudge, Tom Jennings.

Public Comment Closed:  
5:47 p.m.

### Motion:

Councilmembers White/Hotchkiss to deny the appeal of Susan M. Basham of Price, Postel & Parma, LLP, representing Roger and Stefanie Bacon and Rinaldo and Lalla Brutoco, and uphold the Single Family Design Board decision to grant Project Design Approval for additions to an existing single-family residence, with the additional conditions that the Single Family Design Board review the privacy issues on the north elevation and west elevation of the proposed project, specifically review the use of translucent glass, consider reductions in window size, and on the west elevation, consider alterations to the balcony to maximize privacy for the neighbors to the west.

### Vote:

Majority voice vote (Noes: Mayor Schneider).

## RECESS

Mayor Schneider recessed the meeting at 6:15 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 8. She stated no reportable action is anticipated.

## **CLOSED SESSIONS**

### **8. 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 Kristine Schmidt, Administrative Services Director, regarding negotiations with the Fire Management Association, Supervisors Association, General Bargaining Unit, and regarding salaries and fringe benefits for certain unrepresented management and confidential employees.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

Documents:

March 10, 2015, report from the Administrative Services Director.

Time:

6:15 p.m. – 6:30 p.m.

No report made.

## **RECESS**

6:30 p.m. – 6:39 p.m.

Mayor Schneider presiding.

Councilmembers present: Francisco, Hart, Hotchkiss, Murillo, Rowse, White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator Casey, City Attorney Calonne, City Clerk Services Manager Peirce.

## **PUBLIC COMMENT**

Speakers: Karin van Hock, Las Positas Tennis Group.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)**

### **PARKS AND RECREATION DEPARTMENT**

### **9. Subject: Options To Improve Golf Course Financial Sustainability (570.02)**

Recommendation: That Council:

- A. Approve a proposal for the General Fund to refinance \$1,169,651 of Golf Fund debt at three percent interest over a 20-year term;
- B. Confirm prior Council direction to continue with the same golf course operating model using City employee maintenance; and

(Cont'd)

**9. (Cont'd)**

- C. Direct staff to enhance golf marketing efforts and proceed with securing pro shop and restaurant concession agreements which would be in effect July 1, 2016.

Documents:

- March 10, 2015, report from the Parks and Recreation Director.
- PowerPoint Presentation prepared and made by Staff.
- March 10, 2015, letter from Bryant Henson.

Speakers:

- Staff: Parks and Recreation Director Nancy Rapp, Parks and Recreation Business Analyst Mark Sewell, Acting Assistant City Administrator/ Finance Director Bob Samario.
- Parks and Recreation Commission: Chair Lesley Wiscomb.
- Members of the Public: Tom Widroe, City Watch; Gretchen Ostergren; Maureen Masson; Jeff Hewes; Tony Vassallo; Beebe Longstreet; David Niles; Cynthia Goena, Service Employees International Union (SEIU) Local 620; Bonnie Raisin; Joe Rution; Craig Kessler, Southern California Golf Association; Clay Cole; Marilyn Freeman; Patricia Watkins.

Motion:

Councilmembers Hart/Murillo to approve Recommendations A, B and C.

Vote:

Failed to carry by voice vote (Ayes: Councilmembers Hart, Murillo, Mayor Schneider; Noes: Councilmembers Francisco, Hotchkiss, Rowse, White).

Motion:

Mayor Schneider/Councilmember Rowse to approve Recommendations A and C.

Vote:

Unanimous voice vote.

Motion:

Councilmembers Francisco/Rowse to direct staff to pursue contracting for golf course maintenance services, following living wage requirements.

Vote:

Majority voice vote (Noes: Councilmembers Hart, Murillo, Mayor Schneider).

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 8:29 p.m. in memory of Santa Barbara City Firefighter Daniel Corrigan.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

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