



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING June 2, 2015 COUNCIL CHAMBER, 735 ANACAPA STREET

---

---

### CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:00 p.m. (The Finance Committee and Ordinance Committees, 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 (2:07), Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator Paul Casey, City Attorney Ariel Pierre Calonne, Deputy City Clerk Deborah L. Applegate.

### CEREMONIAL ITEMS

#### 1. **Subject: Employee Recognition - Service Award Pins (410.01)**

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 June 30, 2015.

Documents:

June 2, 2015, report from the Administrative Services Director.

Speakers:

Staff: City Administrator Paul Casey, Award Recipient Senior Maintenance Worker Jose Calvillo.

1. (Cont'd)

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

5 Years

Gwendolyn Wagy, Senior Librarian, Youth Services, Library Department

10 Years

Linda Sumansky, Principal Engineer, Public Works Department

Brian Reed, Senior Airport Maintenance Worker, Airport Department

15 Years

Randy Fritz, Street Tree Supervisor, Parks and Recreation Department

25 Year Pin

Jesse Oliver, Police Records Specialist, Police Department

Todd Heldoorn, Wastewater Treatment Superintendent, Public Works Department

35 Year Pin

Jose Calvillo, Senior Maintenance Worker, Public Works Department

**PUBLIC COMMENT**

Speakers: Toni Wellen, Coalition Against Gun Violence; Danny Fitzibbens, Coalition Against Gun Violence; Steve Price; David Diaz; Amanda Pelch, League of Women Voters of Santa Barbara; Tom Widroe, City Watch; Geof Bard; Cruzito Herrera Cruz; Michael Baker, United Boys and Girls Club.

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

The titles of the ordinances related to the items were read.

3. **Subject: Adoption Of Recreational Vehicle Parking And Temporary Recreational Vehicle Ordinances (660.04)**

Recommendation: That Council adopt, by reading of title only, the following ordinances:

- A. An Ordinance of the Council of the City of Santa Barbara to Amend Section 10.44.205 of the Santa Barbara Municipal Code Pertaining to the Parking of Recreational Vehicles and the Definition of "Excessive" Numbers of Such Vehicles; and
- B. An Ordinance of the Council of the City of Santa Barbara to Amend Sections 15.16.060 and 15.16.080 of the Santa Barbara Municipal Code to Delete Temporary Recreational Vehicles from the Prohibition on Sleeping, Human Habitation or Camping in Recreational Vehicles in Certain Areas.

(Cont'd)

**3. (Cont'd)**

Speakers: Tom Widroe, City Watch.

Motion:

Councilmembers Hart/Hotchkiss to approve the recommendations, (Ordinance Nos. 5694 and 5695).

Vote:

Majority roll call vote. (Noes: Councilmember Murillo)

**CONSENT CALENDAR (Items 2, 4 – 16)**

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

Motion:

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

Vote:

Unanimous roll call vote.

**2. Subject: Minutes**

Recommendation: That Council waive further reading and approve the minutes of the regular meetings of May 5, and 12, 2015, the special meetings of May 11, 13, 18, and 20, 2015, and the regular meeting cancelled of May 26, 2015.

Action: Approved the recommendation.

**4. Subject: Adoption Of Ordinances For Proposal To Change The System For Assignment Of Mooring Permits In The East Beach Mooring Area From A Lottery System To A First-Come, First-Serve System (570.03)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the Municipal Code by Amending Section 17.20.255 C of Chapter 17.20 of Title 17 Pertaining to the Santa Barbara Mooring Area in the Waterfront.

Action: Approved the recommendation, Ordinance No. 5696.

**5. Subject: Adoption Of Ordinance For Prohibition Of Unauthorized Traffic Signs (530.05)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.12 of the Municipal Code by Amending Section 10.12.170, Displaying of Unauthorized Signs Prohibited - Nuisance. (Cont'd)

5. **(Cont'd)**

Action: Approved the recommendation, Ordinance No. 5697.

6. **Subject: Adoption Of Ordinance Bus Stop Changes (530.05)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.48 of the Municipal Code by Amending Section 10.48.090, Bus Zones to be Established.

Action: Approved the recommendation, Ordinance No. 5698.

7. **Subject: Adoption Of Ordinance For Curb Marking For Parking Regulations (550.01)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.48 of the Municipal Code by Amending Section 10.48.040, Curb Markings to Indicate Parking Regulations - Authority of the Transportation Engineer.

Action: Approved the recommendation, Ordinance No. 5699.

8. **Subject: Adoption Of Ordinance Establishing Citation Authority For Community Service Officers (520.04)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 1.20 of Title 1 of the Santa Barbara Municipal Code by Adding and Adopting Section 1.20.060, Establishing the Citation Authority of the Community Service Officer Classification.

Action: Approved the recommendation, Ordinance No. 5700.

9. **Subject: Resolution Adopting Findings Regarding An Appeal Of A Decision By The Single Family Design Board For A Project Located At 2405 State Street (640.07)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Denying the Appeal and Upholding the Decision of the Single Family Design Board to Grant Project Design Approval and Final Approval for a Proposed Single Family Residence at 2405 State Street.

Action: Approved the recommendation, Resolution No. 15-039 (proposed resolution).

**10. 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. 15-040 (June 2, 2015, report from the Chief of Police, proposed resolution).

**11. Subject: Records Destruction For City Administrator's Office (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 City Administrator's Office.

Action: Approved the recommendation, Resolution No. 15-041 (June 2, 2015, report from the City Administrator, proposed resolution).

**12. Subject: Animal Control Shelter Services Agreement With The County Of Santa Barbara (520.05)**

Recommendation: That Council authorize the Chief of Police or his designee to execute an agreement with the County of Santa Barbara to provide animal control shelter services from July 1, 2015 to June 30, 2016.

Action: Approved the recommendation, Agreement No. 25,211 (June 2, 2015, report from the Police Chief).

**13. Subject: Introduction Of Ordinance For Amendment To Airline Terminal Solar Photovoltaic Power Purchase Agreement For Solar Project At 500 Fowler Road (560.04)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Authorizing the Airport Director to Execute a First Amendment to the Power Purchase Agreement (City Agreement No. 24,975) Between the City of Santa Barbara and SunEdison Origination3, LLC, to Amend the Site Description, to Reduce the Expected Annual Output of the System and Reduce the Energy Purchase Rate for Energy Delivered.

Action: Approved the recommendation (June 2, 2015, report from the Airport Director, proposed ordinance).

**14. Subject: Agreement For Parking Citation Processing Services With Phoenix Information Systems Group (520.04)**

Recommendation: That Council approve a three-year Professional Services Agreement with Phoenix Information Systems Group for parking citation processing services beginning July 1, 2015 and ending June 30, 2018 with annual fees not to exceed \$100,000.

Action: Approved the recommendation; Agreement No. 25,212 (June 2, 2015, report from the Chief of Police).

**15. Subject: Contract For Construction Of Sewer Main Rehabilitation Fiscal Year 2015 (FY15) Project (540.13)**

Recommendation: That Council award a contract with Southwest Pipeline & Trenchless Corporation in their low bid amount of \$998,805.25 for construction of the Sewer Main Rehabilitation FY15 Project, Bid No. 3770; and authorize the Public Works Director to execute the contract and approve expenditures up to \$99,881 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, Agreement No. 25,213 (June 2, 2015, report from the Public Works Director).

**16. Subject: Contract For Construction Of 600 Block Laguna Street Lot Permeable Paver Project (550.05)**

Recommendation: That Council reject the bid protest of Shaw Contracting, Inc., and award a contract to Whitaker Construction Group, Inc., in the amount of \$1,091,119 for construction of the 600 Block Laguna Street Lot Permeable Paver Project, Bid No. 3744; and authorize the Public Works Director to execute the contract and approve expenditures up to \$109,112 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, Agreement No. 25,214 (June 2, 2015, report from the Public Works Director).

**NOTICES**

17. The City Clerk has on Thursday, May 28, 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.

This concluded the Consent Calendar.

## CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

### ADMINISTRATIVE SERVICES DEPARTMENT

#### **18. Potential Ballot Measure Regarding Even-Year Elections (110.03)**

Recommendation: That Council receive an oral presentation from the City Attorney regarding the status of even-year elections research and discuss a potential measure to be placed on the November ballot regarding even-year elections.

Documents:

- June 2, 2015, report from the City Attorney.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: City Attorney Ariel Calonne, City Clerk Services Manager Gwen Peirce.
- Members of the Public: Lucas Zucker, CAUSE; Daraka Larimore-Hall, Santa Barbara Democratic Party; Hillary Blackerby; Cruzito Herrera Cruz; Sebastian Aldana, Jr.; Bonnie Raisin; Susan Shank, League of Women Voters.

Motion:

Councilmembers White/Schneider to place item on ballot for calling for even-number election years whereby, 1) the first election for Districts 1, 2 & 3 would be conducted in November 2015; 2) a Charter amendment with one-time 5-year terms for Districts 1, 2, & 3 would be included; 3) Districts 4, 5, & 6 would be voted on in November 2017; 4) a Charter amendment with one-time 5-year terms for Districts 4, 5, & 6 up to 2022 would be included and; 5) The election for Mayor would be held in 2017 with a four-year term.

Vote:

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

Motion:

Councilmembers Hart/Murillo to direct the City Attorney to reach out to the Plaintiffs to inquire about supporting Option 2.

Vote:

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

## PUBLIC WORKS DEPARTMENT

### **19. Subject: Introduction Of Ordinance Approving A Joint Powers Agreement For Wastewater Treatment In The Mission Canyon Area (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 Approving the 2015 Joint Powers Agreement for Wastewater Collection, Treatment and Disposal for County Service Area 12 in the Mission Canyon Area Between the County of Santa Barbara and the City of Santa Barbara; and
- B. Authorize the City Administrator to execute a Joint Powers Agreement for Wastewater Collection, Treatment, and Disposal in the Mission Canyon Area with the County of Santa Barbara.

Documents:

- June 2, 2015, report from the Water Resources Manager.
- PowerPoint presentation prepared and made by Staff.
- Proposed Ordinance.

Speakers:

- Staff: Water Resources Manager Joshua Haggmark; Wastewater System Manager Chris Toth.
- County of Santa Barbara: Deputy Director of the Public Works Department Mark Schgleich, Utilities Manager or the Public Works Department Martin Wilder.

Motion:

Councilmembers House/White to approve the recommendations.

Vote:

Unanimous roll call vote.

## **PUBLIC HEARINGS**

Councilmembers Hotchkiss and White stated they would abstain from voting on the following item due to conflicts of interest related to their ownership of property located within the Wildland Fire Suppression Assessment District. City Attorney Calonne also indicated that he owned property located with the Wildland Fire Suppression Assessment District.

Councilmembers Hotchkiss, White, and City Attorney Calonne left the meeting at: 3:40 p.m.

(Cont'd)

## **PUBLIC HEARINGS (CONT'D)**

### **20. Subject: Renewal Of Levy For Fiscal Year 2016 For The Wildland Fire Suppression Assessment District (520.03)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring Its Intention to Continue Vegetation Road Clearance, Implementation of a Defensible Space Inspection and Assistance Program, and Implementation of a Vegetation Management Program Within the Foothill and Extreme Foothill Zones; Declaring the Work to be of More Than General or Ordinary Benefit and Describing the District to be Assessed to Pay the Costs and Expenses Thereof; Approving the Engineer's Report; Confirming Diagram and Assessment; and Ordering Continuation of the Wildland Fire Suppression Assessment District for Fiscal Year 2016.

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the 2015 Joint Powers Agreement for Wastewater Collection, Treatment and Disposal for County Service Area 12 in the Mission Canyon Area Between the County of Santa Barbara and the City of Santa Barbara; and
- B. Authorize the City Administrator to execute a Joint Powers Agreement for Wastewater Collection, Treatment, and Disposal in the Mission Canyon Area with the County of Santa Barbara.

Documents:

- June 2, 2015, report from the
- PowerPoint presentation prepared and made by Staff.
- Proposed Ordinance.

The title of the ordinance was read.

Speakers:

- Staff: Fire Marshall Joseph Poire; Fire Services Specialist Christopher Braden.

Motion:

Councilmembers Hotchkiss/Rowse to approve staff recommendation.

Vote:

Majority roll call vote (Abstentions: Councilmembers Hotchkiss, White).

Councilmember Hotchkiss, White, City Attorney Calonne returned to the meeting at 3:56 p.m.

**21. Subject: Request For Designation Of Proposed Development At 350 Hitchcock Way As A Community Benefit Project (610.04)**

Recommendation: That Council designate the proposed project at 350 Hitchcock Way as a Community Benefit Project pursuant to Santa Barbara Municipal Code Subsection 28.85.020.A.3 and reserve 39,000 square feet of nonresidential floor area to the project from the Nonresidential Growth Management Program's Community Benefit Category.

Documents:

- June 2, 2015, report from the
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Project Planner Daniel Gullett.

Motion:

Councilmembers Francisco/Rowse to approve the recommendation.

Vote:

Unanimous voice vote.

**COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

Information:

- Mayor Schneider mentioned the Very Much Appreciated Awards (VMA) where Susan Young was recognized for her 15 years of service to local youth.
- Councilmember Murillo reported on her attendance at: 1) the VMA Awards, 2) Housing Authority's walk through of the Westside Community, and 3) Sweet Water Collaborative meeting where they recognized homes in the Westside that have transitioned from lawns to water efficient plantings.
- Councilmember Rowse spoke about his participation in the Donate Life celebration where the group recognized Scott Burns who recently received a new kidney.
- Councilmember Hotchkiss spoke about his attendance at the recent Airport Commission and Harbor Commission meetings. He also mentioned the Waterfront Department's "clean sweep" operations which removed debris from the harbor.
- Councilmember White spoke about his attendance at the Bren School of Environmental Science & Management roundtable discussion where they discussed the increasing acceptance of direct potable reuse as a drinking water source.

## CLOSED SESSIONS

### 22. Subject: Conference With City Attorney - Pending Litigation (160.01)

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 *Luke Brost as Trustee for the Luke Brost Living Trust, et al., v. City of Santa Barbara*, SBSC Case No. 1342979/Court of Appeal Case No. B246153.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

Documents:

June 2, 2015, report from the City Attorney.

Time:

4:10 p.m. – 4:15 p.m.

No report made.

## RECESS

4:15 p.m. – 6:00 p.m.

Mayor Schneider presiding.

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

Staff present: City Administrator Casey, City Attorney Calonne, Deputy City Clerk Applegate.

## PUBLIC COMMENT

No one indicated a desire to speak.

## MAYOR AND COUNCIL REPORTS

### 23. 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 June 9, 2015.

(Estimated Time: 4:00 p.m.; Continued from May 19, 2105, Item No. 24)

Documents:

May 19, 2015, report from the Administrative Services Director.

(Cont'd)

**23. (Cont'd)**

Speakers:

The following applicants were interviewed:

Access Advisory Committee:

Jacob Lesner-Buxton

Community Development and Human Services Committee:

Alejandra Gutierrez

Amy Winslow

Zahra Nahar-Moore

Community Events & Festivals Committee:

Barry Dorsey

Fire and Police Commission:

Alejandra Gutierrez

Robert Mercado

Housing Authority Commission:

Brian So

Living Wage Advisory Committee:

Anna Koktovic

Neighborhood Advisory Council:

Amy I. Dunphy

Parks and Recreation Commission:

Ed Cavazos

Rental Housing Mediation Task Force:

Brian So

Santa Barbara Youth Council:

Areli Lopez

Charlie Thrift

Calvin Thrift

Amanda Hagen

Kadin Donohoe

Sister Cities Board:

Beatriz Molina

Water Commission:

Robert Mercado

By consensus, the Council continued the interviews to June 9, 2015, at 4:00 p.m.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 7:03 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

ATTEST:

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

\_\_\_\_\_  
DEBORAH L. APPLGATE  
DEPUTY CITY CLERK