



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING December 8, 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 Ordinance Committee met at 12:30 p.m. The Finance Committee, which ordinarily meets 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: 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 December 31, 2015.

#### Documents:

December 8, 2015, report from the Administrative Services Director.

#### Speakers:

Staff: City Administrator Paul Casey, Award Recipient Human Resources Manager Susan Gonzalez and Engineering Technician II Patricia Vogel.

(Cont'd)

**1. (Cont'd)**

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

5-Year Pin

Jeannie Darbison, Accounting Assistant, Finance Department

Federico Hernandez, Custodian, Public Works Department

Margaret Heinrich, Water Reclamation/Cross Connection Specialist,  
Public Works Department

Ryan Quiroga, Water Treatment Plant Operator III, Public Works Department

Randall Rowse, Councilmember, Mayor & City Council

10-Year Pin

Anthony Boughman, Assistant Planner, Community Development Department

Blake Burgard, Police Officer, Police Department

Jose Cosio, Streets Maintenance Worker II, Public Works Department

Tina Diaz, Administrative Specialist, Public Works Department

Baldomero Garcia, Custodian, Public Works Department

15-Year Pin

Jose Rojas, Equipment Operator, Parks and Recreation Department

20-Year Pin

Jason Valenzuela, Custodial Supervisor, Public Works Department

25-Year Pin

Susan Gonzalez, Human Resources Manager, Administrative Services Department

Rodolfo Villanueva, Water Treatment Chief Operator, Public Works Department

Patricia Vogel, Engineering Technician II, Public Works Department

**PUBLIC COMMENT**

Speakers: Michael Baker, United Boys and Girls Clubs; Ken Bortolazzo; Laura Capps, No Kid Hungry; Howard Green; Rev. Alan Haynes; Tom Widroe, City Watch; Nancy McCradin; Bob Hansen; Richard Robinson; Courtney Caswell-Peyton.

**CONSENT CALENDAR (Items Nos. 2 – 16)**

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

Motion:

Councilmembers Murillo/Rowse 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 adjourned regular meeting of November 16, 2015, the regular meeting of November 17, 2015, and the regular meeting (cancelled) of December 1, 2015.

Action: Approved the recommendation.

**3. Subject: Introduction Of Ordinance For A Lease Agreement With Breakwater Restaurant (570.03)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Five-Year Lease Agreement with Two Five-Year Options Dated as of December 8, 2015, with Stephen and Sharon DeDecker, Doing Business As Breakwater Restaurant, at an Average Initial Base Rent of \$8,794.36 per Month, Allocated Seasonally, for the 4,053 Square-Foot Restaurant Located at 107 Harbor Way, Effective January 15, 2016.

Action: Approved the recommendation; (December 8, 2015, report from the Waterfront Director; proposed ordinance).

**4. Subject: Five-Year Office Lease Agreement With Harbor Fuel Dock Manager Bob Meyer (330.04)**

Recommendation: That Council approve a five-year lease agreement with Bob Meyer for a 218 square-foot office located on the second floor at 125 Harbor Way, #12, at a rate of \$538.85 per month, subject to annual Cost of Living increases.

Action: Approved the recommendation; Agreement No. 25,373 (December 8, 2015, report from the Waterfront Director).

**5. Subject: Five-Year Lease Agreement With Marine Services (330.04)**

Recommendation: That City Council approve a two-year lease agreement and three, one-year options with Marine Services for 490 square feet of commercial space at 117-G Harbor Way in the Santa Barbara Harbor at a rent of \$1,200 per month.

Action: Approved the recommendation; Agreement No. 25,374 (December 8, 2015, report from the Waterfront Director).

**6. Subject: Introduction Of Ordinance To Establish A Definition For "Vessel" For Craft Berthed, Moored Or Anchored In The Harbor District (330.04)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the Santa Barbara Municipal Code by Amending Section 17.04.010 and Adding Section 17.12.050 Establishing a Definition of "Vessel" for Craft Berthed, Moored or Anchored in the Harbor District.

Action: Approved the recommendation (December 8, 2015, report from the Waterfront Director; proposed ordinance).

**7. Subject: Amendment To Public Safety Dispatcher Recruitment Incentive Program (520.04)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution 15-089 Establishing a Public Safety Dispatcher Recruitment Incentive Program Providing Referral Incentives for City Employees and Hiring Incentives for New Public Safety Dispatchers.

Action: Approved the recommendation; Resolution No. 15-094 (December 8, 2015, report from the Chief of Police; proposed resolution).

**8. Subject: Agreements For Franceschi Park And Skofield Park Resident Caretakers (570.05)**

Recommendation: That Council:

- A. Authorize the Parks and Recreation Director to execute a Caretaker Rental Agreement for Franceschi Park with Charles Christman, commencing January 1, 2016, through December 31, 2016; and
- B. Authorize the Parks and Recreation Director to execute a Caretaker Rental Agreement for Skofield Park with James Rumbley, commencing January 1, 2016, through December 31, 2016.

Action: Approved the recommendations; Agreement Nos. 25,375 and 25,376 (December 8, 2015, report from the Acting Parks and Recreation Director).

**9. Subject: Authorization Of Increase Of State Revolving Fund Loan For Wastewater Plant Upgrades To \$35 Million (540.13)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara to Amend Resolution 13-009 Stating the City's Intent to Reimburse Expenditures Paid Prior to Either the Issuance of Obligations or the Approval by the State Water Resources Control Board of the Project Funds for the Secondary Treatment Process Improvements Project at the El Estero Wastewater Treatment Plant. (Cont'd)

**9. (Cont'd)**

Action: Approved the recommendation Resolution No. 15-095 (December 8, 2015, report from the Public Works Director; proposed resolution).

**10. Subject: City Of Santa Barbara And Santa Barbara City College Joint Use Agreement (150.05)**

Recommendation: That Council authorize the City Administrator to enter into a Joint Use Agreement with Santa Barbara City College for the shared use of facilities for recreational and educational purposes.

Action: Approved the recommendation; Agreement No. 25,377 (December 8, 2015, report from the Acting Parks and Recreation Director).

**11. Subject: Approval Of Parcel Map And Execution Of Agreements For 33 West Victoria Street (640.08)**

Recommendation: That Council approve and authorize the City Administrator to execute and record Parcel Map Number 20,810, and standard agreements relating to the approved subdivision at 33 West Victoria Street; and authorize the City Engineer to record, upon completion of any required public improvements, a recital document stating that the public improvements have been completed, and that the previously recorded Land Development Agreement may be removed from the title document.

Action: Approved the recommendation; Agreement Nos. 25,378, 25,379 and 25,380 (December 8, 2015, report from the Public Works Director).

**12. Subject: Memorandum Of Understanding With The Community Action Commission For The South Coast Youth Task Force On Youth Gangs (520.04)**

Recommendation: That Council authorize the City Administrator to execute a Memorandum of Understanding providing \$67,665 for the Community Action Commission for their work coordinating the South Coast Task Force on Youth Gangs for Fiscal Year 2016.

Speakers:

- Staff: Neighborhood & Outreach Services Senior Supervisor Mark Alvarado.
- Members of the Public: South Coast Task Force on Youth Gangs Coordinator Saul Serrano.

Action: Approved the recommendation; Agreement No. 25,381 (December 8, 2015, report from the Assistant City Administrator).

**13. Subject: Contract For Construction Of Santa Barbara High School Wellhead Project (540.10)**

Recommendation: That Council award a contract with Sansone Company, Inc., in their low bid amount of \$400,700 for construction of the Santa Barbara High School Wellhead Project, Bid No. 3772; and authorize the Public Works Director to execute the contract and approve expenditures up to \$40,070 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. 25,382 (December 8, 2015, report from the Public Works Director).

**14. Subject: Request To Initiate Expansion Of Residential Permit Parking Near Santa Barbara City College (550.01)**

Recommendation: That Council direct the Transportation Engineer to conduct a public hearing and undertake the surveys and studies necessary to prepare a report and recommendations to City Council regarding the expansion of Permit Parking Area M near Santa Barbara City College.

Speakers:

Staff: Transportation Manager Browning Allan.

Action: Approved the recommendation (December 8, 2015, report from the Public Works Director).

**15. Subject: Contract For Downtown Parking Video Camera Installation And Video Storage Project (550.01)**

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Metro Video Systems, Inc., in the amount of \$326,955 for the Downtown Parking Video Camera Installation And Video Storage Project, and approve expenditures of up to \$32,695 for extra services that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Agreement No. 25,383 (December 8, 2015, report from the Public Works Director).

**NOTICES**

- 16.** The City Clerk has on Thursday, December 3, 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.

## REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Randy Rowse stated that the Ordinance Committee met to review draft amendments to the Regulation of Parking Upon Municipally Owned and/or Operated Parking Lots Ordinance and the Taxicab Stands – Curb Markings and Parking Ordinance. The proposed ordinances will be presented to Council in the future.

## MAYOR AND COUNCIL REPORTS

### 17. Subject: Appointments To City Advisory Groups (140.05)

Recommendation: That Council make appointments to the City's advisory groups.

Documents:

December 8, 2015, report from the Administrative Services Director.

Access Advisory Committee:

Motion:

Councilmembers Francisco/Hotchkiss to appoint James R. Marston.

Vote:

Unanimous voice vote.

Appointment:

James R. Marston was appointed as Architectural/Engineering/Building Community representative for a term expiring December 31, 2017.

Architectural Board of Review:

Motion:

Councilmembers Hotchkiss/Hart to re-appoint Kirk B. Gradin and appoint Kevin Moore.

Vote:

Unanimous voice vote.

Appointment:

Kirk B. Gradin was re-appointed for a term expiring December 31, 2019.  
Kevin Moore was appointed as for a term expiring December 31, 2019.

Arts Advisory Committee:

Nominees:

William Smithers, Nathan Vonk, Margie Yahyavi, Thea A. Palencia, Darian Bleacher, Nancy Lewis.

(Cont'd)

**17. (Cont'd)**

Vote:

- For Smithers: Councilmembers Francisco, Hotchkiss, Murillo, Rowse, White.
- For Vonk: Councilmembers Francisco, Hart, Hotchkiss, Murillo, Rowse, White, Mayor Schneider.
- For Yahyavi: Councilmembers Hart, Murillo, Rowse, Mayor Schneider.
- For Palencia: Councilmember Hotchkiss.
- For Bleacher: Councilmembers Hart, Mayor Schneider.
- For Gifford: Councilmember White.

Appointment:

William Smithers, Nathan Vonk, and Margie Yahyavi were appointed for terms expiring December 31, 2019.

Civil Service Commission:

Motion:

Councilmembers Murillo/Rowse to re-appoint Alan T. Kasehagen and Donna Lewis.

Vote:

Unanimous voice vote.

Appointment:

Alan T. Kasehagen and Donna Lewis were re-appointed for terms expiring December 31, 2019.

Community Development and Human Services Committee:

Motion:

Councilmembers Murillo/White to appoint Veronica Loza and Nicolas M. Crisosto and re-appoint Doedy Orchowski.

Vote:

Unanimous voice vote.

Appointment:

Veronica Loza was appointed as the Human Services Agencies representative for a term expiring December 31, 2018; Nicolas M. Crisosto was appointed as the Eastside Neighborhood representative for a term expiring December 31, 2019; and Doedy Orchowski was re-appointed as the Senior Community representative for a term expiring December 31, 2019.

17. (Cont'd)

Community Events and Festivals Committee:

Motion:

Councilmembers Murillo/Rowse to re-appoint Katrina Carl, Barry Dorsey, Brad Nack and appoint Antoinette Chartier.

Vote:

Unanimous voice vote.

Appointment:

Katrina Carl was re-appointed as the Business/Lodging/Retail Industry representative for a term expiring December 31, 2019. Antoinette Chartier was appointed as the Business/Lodging/Retail Industry representative for a term ending December 31, 2019. Barry Dorsey was re-appointed as the Business/Lodging/Retail Industry representative for a term ending December 31, 2019. Brad Nack was re-appointed as the Cultural Arts representative for a term expiring December 31, 2019.

Creeks Advisory Committee:

Motion:

Councilmembers Hotchkiss/Rowse to re-appoint James Hawkins, Lee Moldaver, Kathleen "Betsy" Weber.

Vote:

Unanimous voice vote.

Appointment:

James Hawkins, Lee Molaver, and Kathleen "Betsy" Weber were re-appointed for terms expiring December 31, 2019.

Downtown Parking Committee:

Motion:

Councilmembers Murillo/Hotchkiss to re-appoint Ed France.

Vote:

Unanimous voice vote.

Appointment:

Ed France was re-appointed for a term expiring December 31, 2019.

Fire and Police Commission:

Motion:

Councilmembers White/Rowse to re-appoint Jennifer Christensen and John J. Torell. (Cont'd)

17. (Cont'd)

Vote:

Unanimous voice vote.

Appointment:

Jennifer Christensen and John J. Torell were re-appointed for terms expiring December 31, 2019.

Fire and Police Pension Commission:

Motion:

Councilmembers Hart/Murillo to re-appoint Scott Tracy.

Vote:

Unanimous voice vote.

Appointment"

Scott Tracy was re-appointed for a term expiring December 31, 2018.

Harbor Commission:

Motion:

Councilmembers Hart/Hotchkiss to re-appoint Stephen MacIntosh.

Vote:

Unanimous voice vote.

Appointment:

Stephen MacIntosh was re-appointed for a term expiring December 31, 2019.

Historic Landmarks Commission:

Motion:

Councilmembers Rowse/Hart to re-appoint Michael Drury and appoint Anthony Grumbine as the Public at Large representatives.

Vote:

Unanimous voice vote.

Appointment:

Michael Drury was re-appointed and Anthony Grumbine was appointed for terms expiring December 31, 2019.

County of Santa Barbara Library Advisory Committee, City of Santa Barbara Representative:

Motion:

Councilmembers White/Hart to appoint Patricia Saley.

(Cont'd)

**17. (Cont'd)**

Vote:

Unanimous voice vote.

Appointment:

Patricia Saley was appointed for a term expiring June 30, 2016.

Parks and Recreation Commission:

Motion:

Councilmembers Murillo/Hart to re-appoint LeeAnne French.

Vote:

Unanimous voice vote.

Appointment:

LeeAnne French was re-appointed for a term expiring December 31, 2019.

Planning Commission:

Motion:

Councilmembers Hart/Hotchkiss to re-appoint John P. Campanella and Addison Thompson.

Vote:

Unanimous voice vote.

Appointment:

John P. Campanella and Addison Thompson were re-appointed for terms expiring December 31, 2019.

Rental Housing Mediation Board:

Motion:

Councilmembers Murillo/White to re-appoint Lynn E. Goebel as Tenant, City representative.

Vote:

Unanimous voice vote.

Appointment:

Lynn E. Goebel was re-appointed as Tenant, City representative for a term expiring December 31, 2019.

(Cont'd)

**17. (Cont'd)**

Single Family Design Board:

Motion:

Councilmembers Francisco/Murillo to re-appoint Fred Sweeney as the Licensed Architect representative and Lisa E. James as the Professional Qualifications representative.

Vote:

Unanimous voice vote.

Appointment:

Fred Sweeney and Lisa E. James were re-appointed for terms expiring June 30, 2019.

Water Commission:

Motion:

Councilmembers Hotchkiss/White to re-appoint Megan Birney and Barry Keller.

Vote:

Unanimous voice vote.

Appointment:

Megan Birney and Barry Keller were re-appointed for terms expiring December 31, 2019.

**CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

COMMUNITY DEVELOPMENT DEPARTMENT

**18. Subject: Possible Short-Term Home Sharing Rental Ordinance (640.09)**

Recommendation: That Council:

- A. Receive an update on the proposal to define, permit, regulate and tax short-term home sharing rentals in the City; and
- B. Provide direction to staff regarding the development of a short-term home sharing rental ordinance.

Documents:

- December 8, 2015, report from the Community Development Director.
- December 8, 2015, PowerPoint presentation prepared and made by Staff.
- November 24, 2015, letter from Stephen and Diane Pearson.
- November 24, 2015, letter from Dorothy Wallstein.
- December 1, 2015, letter from Ken Bortolazzo.
- December 2, 2015, email from Ernie Salomon.

(Cont'd)

18. (Cont'd)

Documents (Cont'd):

- December 3, 2015, email from Anna Marie Gott.
- December 6, 2015, email from Sybil Rosen.
- December 7, 2015, email from Sally Sphar.
- December 7, 2015, email from Allan Hendrix.
- December 7, 2015, letter from Jack Ucciferri.
- December 8, 2015, comments from Todd Jacobs.
- December 8, 2015, copies of Home-Share Journal from Denise and Sheridan.
- December 8, 2015, letter from the Boudreaux Family.
- December 8, 2015, email from Mike Conaway.
- December 8, 2015, packet from Erica – Turnkey Management Services.

Speakers:

- Staff: Project Planner Elizabeth Limon, City Planner Renee Brooke, Finance Director Bob Samario.
- Members of the Public: Todd Jacobs; Tiffany Haller, Village Properties and Santa Barbara Association of Realtors; John; Lena; Denise; Willie Quinn; Joel S. Crosby, Esq.; Nena Quiros, Airbnb Host; Tom Widroe, City Watch; Bradley Roberts, Home Sharers Democratic Club; Dorothy Wallstein; Deborah Pentland; Reyne Stapelmann, Santa Barbara Association of Realtors; Donna Bayet; Mike Conaway; Mickey Flacks; Steve Pearson; Diane Pearson; Anna Marie Gott; Lee Moldauer; Bob Hart, Santa Barbara Association of Realtors; Theo Kracke; Kathy Hay; Sandy Campbell; Courtney Caswell-Deyton; Brian Kenny; Bill Dinklage; Brad Bennett.

Motion:

Councilmembers Rowse/White to direct staff to analyze and explain the process of conversion to vacation rentals in R4 Zones and report back to Council.

Amended Motion:

Councilmembers Rowse/White to direct staff to report back to Council in the form of a memo the process of conversion to vacation rentals in R4 Zones and applicable commercial zones.

Vote:

Unanimous voice vote.

## COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

### Information:

- Councilmember Murillo mentioned her attendance at the following events: 1) meeting at the Zoning Ordinance Subcommittee; 2) Independent's Local Heroes Luncheon; and 3) two community workshops discussing the proposed student dormitory plan for the Mesa and Bicycle Master Plan.
- Councilmember Francisco commented on his attendance at the Fall Convention of the Association of California Water Agencies in Palm Desert.
- Councilmember Rowse mentioned his attendance at the Zoning Ordinance Subcommittee meeting.
- Councilmember Hotchkiss reported on his attendance of the Milpas Community Association event where they lit the twenty-five feet Christmas tree.
- Mayor Schneider acknowledged the Santa Barbara Downtown Association for their organization of the Holiday Parade and the Waterfront Department for the Parade of Lights.

### RECESS

The Mayor recessed the meeting at 4:58 p.m. in order for the Council to reconvene in closed session for Item No. 19. She stated that no reportable action is anticipated.

### CLOSED SESSIONS

#### 19. Subject: Conference with City Attorney - Anticipated Litigation (160.01)

Recommendation: That Council hold a closed session to consider anticipated litigation pursuant to subsections 54956.9(d)(2) & (e)(2) of the Government Code and take appropriate action as needed. Significant exposure to litigation arising out of the Carpinteria Valley Water District's demand related to laboratory costs at the Cater Water Treatment Plant (Facts known to Plaintiff).

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

#### Documents:

December 8, 2015, report from the City Attorney.

#### Time:

4:58 p.m. – 5:17 p.m.

No report was made.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 5:58 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

ATTEST:

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HELENE SCHNEIDER  
MAYOR

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