



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING January 26, 2016 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 Committee met at 12:30 p.m.)

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Jason Dominguez, 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.

PUBLIC COMMENT

Speakers: Rebecca Bjork, City of Santa Barbara Public Works Director; Pete Dal Bello; Michael Baker, United Boys and Girls Clubs; Kenneth Loch; Tom Widroe, City Watch; Cy Madrone; Paul Kowalski; Anthony Prytz; Bob Hansen; Cruzito Cruz.

The title of the ordinance was read.

ITEM REMOVED FROM CONSENT CALENDAR

2. **Subject: Adoption Of Ordinance Regulating Cultivation Of Marijuana (640.09)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adding Section 28.87.300 to the Santa Barbara Municipal Code to Regulate Cannabis Cultivation.

2. (Cont'd)

Speakers:

- Paul Kowalski; Tom Widroe, City Watch.

Motion:

Councilmembers Rowse/Hotchkiss to approve the recommendation;
Ordinance No. 5733.

Vote:

Majority roll call vote (Noes: Councilmember Murillo).

CONSENT CALENDAR (Item Nos. 1 and 3 – 14)

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

Motion:

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

Vote:

Unanimous roll call vote.

CITY COUNCIL

1. Subject: Minutes

Recommendation: That Council waive further reading and approve the minutes of the regular meeting of December 8, 2015, and the cancelled regular meeting of January 19, 2016.

Action: Approved the recommendation.

3. Subject: Adoption Of Ordinance To Prohibit Parking Over 72 Hours In City-Owned Parking Lots (640.07)

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 Adding Section 10.44.153 Regarding Penalties for Vehicle Parking Over 72 Hours Upon Municipally-Owned Parking Lots, and Amending Section 10.44.152 Pertaining to Regulation of Parking Upon Municipally-Owned and/or -Operated Parking Lots.

Action: Approved the recommendation; Ordinance No. 5734.

4. Subject: Adoption Of Ordinance For The Grant Of Easements To The Santa Barbara County Flood Control District, Cota Bridge Replacement Project (330.03)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the Granting of Easements on City-Owned Properties Adjacent to Mission Creek to the County of Santa Barbara Flood Control and Water Conservation District for Flood Control and All Related Purposes, and Authorizing the City Administrator to Execute as Necessary the Easement Deeds in a Form Approved by the City Attorney.

Action: Approved the recommendation; Ordinance No. 5735.

5. Subject: Professional Services Agreement For Online Payment System For Utility Bills (210.01)

Recommendation: That Council:

- A. Approve and authorize the Finance Director to execute a professional services agreement with Invoice Cloud, Inc., for a term of three years with two optional two-year extensions, for electronic bill presentment and payment services for the City's Advanced Utility Systems CIS Infinity software and Infinity.Link online payment application; and
- B. Approve and authorize the Finance Director to execute the third party payment and credit card processing agreements and merchant agreements with Sage Payment Solutions for a term of three years with two optional two-year extensions.

Action: Approved the recommendations; Agreement Nos. 25,400 and 25,401 (January 26, 2016, report from the Finance Director).

6. Subject: Fiscal Year 2016 Interim Financial Statements For The Five Months Ended November 30, 2015 (250.02)

Recommendation: That Council accept the Fiscal Year 2016 Interim Financial Statements for the Five Months Ended November 30, 2015.

Action: Approved the recommendation (January 26, 2016, report from the Finance Director).

7. Subject: December 31, 2015, Investment Report And December 31, 2015, Fiscal Agent Report (260.02)

Recommendation: That Council:

- A. Accept the December 31, 2015, Investment Report; and
- B. Accept the December 31, 2015, Fiscal Agent Report.

(Cont'd)

7. (Cont'd)

Action: Approved the recommendations (January 26, 2016, report from the Finance Director).

8. Subject: Contract For Construction Of Chapala And Gutierrez Sewer Improvement Project (540.13)

Recommendation: That Council award a contract with J & H Engineering General Contractors, Inc., in their low bid amount of \$117,000, for construction of the Chapala and Gutierrez Sewer Improvement Project, Bid No. 3771; and authorize the Public Works Director to execute the contract and approve expenditures up to \$11,700 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. 25,402 (January 26, 2016, report from the Public Works Director).

9. Subject: Increase In Construction Funding For Elings Park Recycled Water Pump Station (540.13)

Recommendation: That Council:

- A. Approve a transfer of \$86,866 from the Water Drought Fund to the Water Capital Fund;
- B. Increase appropriations and estimated revenues by \$86,866 in the Water Capital Fund for the Elings Park Recycled Water Pump Station Project;
- C. Authorize an increase in the Public Works Director's change order authority to approve expenditures for extra work for the Elings Park Recycled Water Pump Station Contract No. 25,181, with Pacific Coast Excavation, Inc., in the amount of \$70,000, for a total project expenditure authority of \$455,264; and
- D. Authorize an increase in the Public Works Director's change order authority to approve expenditures for extra work for the Elings Park Recycled Water Pump Station, Contract No. 24,879, for design services with Stantec, in the amount of \$5,000, for a total project expenditure authority of \$59,800.

Action: Approved the recommendations; Agreement Nos. 25,181.1 and 24,879.1 (January 26, 2016, report from the Public Works Director).

10. Subject: Approval Of HD Supply Waterworks, Ltd., As The Sole Source Vendor To Provide Large Diameter Water Meters (540.01)

Recommendation: That Council:

- A. Find it to be in the City's best interest to waive the formal bid process as authorized by Municipal Code Section 4.52.070(k), and approve HD Supply Waterworks, Ltd., as the sole source City vendor for large-diameter (four-inch and larger) ultrasonic water meters;
- B. Authorize the General Services Manager to issue a Purchase Order to HD Supply Waterworks, Ltd., for \$50,000 for the purchase of ultrasonic water meters for Fiscal Year 2016; and
- C. Find that it is in the best interest of the City, as permitted under Municipal Code Section 4.52.070(L), to authorize the General Service Manager to issue a Purchase Order to HD Supply Waterworks, Ltd., in subsequent fiscal years through Fiscal Year 2020, if required, in an annual amount not to exceed \$100,000 per fiscal year, and subject to appropriation.

Action: Approved the recommendations (January 26, 2016, report from the Public Works Director).

11. Subject: Compensation Survey For Treatment And Patrol Employees - New Classification (530.01)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 15-056, the Position and Salary Control Resolution for Fiscal Year 2016, Affecting the Public Works Department Effective January 26, 2016.

Speakers: Administrative Services Director Kristy Schmidt.

Action: Approved the recommendation; Resolution No. 16-004 (January 26, 2016, report from the Administrative Services Director; proposed resolution).

SUCCESSOR AGENCY

12. Subject: Adoption Of Ordinance For Transfer Of Calle Cesar Chavez Property To Successor Agency (620.03)

Recommendation: That Council Adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the Transfer of All Right, Title and Interest to the Real Property Commonly Known As the "Calle Cesar Chavez Properties," Owned by the City of Santa Barbara, a Municipal Corporation, and the Successor Agency to the Redevelopment Agency of the City of Santa Barbara, and Authorizing the City Administrator to Execute Such Documents as Necessary to Effectuate Such Transfer of Real Property Interests to the Successor Agency to the Redevelopment Agency of the City of Santa Barbara.

(Cont'd)

12. (Cont'd)

Action: Approved the recommendation; Ordinance No. 5736; Agreement No. 25,403; Deed No. 61-458.

NOTICES

13. The City Clerk has on Thursday, January 21, 2016, 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.
14. Receipt of communication advising of vacancies created on the Neighborhood Advisory Council with the resignation of Javier Limon and Community Development and Human Services Committee with the resignation of Yesenia Curiel. These vacancies will be part of the next recruitment.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Gregg Hart reported that the Committee met to hear a staff report regarding the December 31, 2015, Investment Report and December 31, 2015, Fiscal Agent Report. The proposed reports will be considered by the Council as Agenda Item No. 7.

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Randy Rowse reported that the Committee met to hear and discuss amendments to the City's Noise Ordinance (SBMC Chapter 9.16) that would rewrite the entire chapter, define noise disturbance and establish administrative citations to be issued for violations.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

POLICE DEPARTMENT

15. Subject: Police Department Update (520.04)

Recommendation: That Council receive an oral presentation from the Police Chief regarding the Santa Barbara Police Department.

Documents:

- January 26, 2016, report from the Police Department.
- PowerPoint presentation prepared and made by Staff.

15. (Cont'd)

Speakers:

- Staff: Police Chief Cam Sanchez; Police Lieutenant Todd Stoney; Police Captain William Marazita; Police Captain Alex Altavilla; Deputy Police Chief Frank Mannix.
- Members of the Public: Courtney Caswell Peyton.

Discussion:

Staff's presentation included: 1) Staffing and recruitment update; 2) Detective Bureau update; 3) patrol update; 4) current crime trends and strategies; and 5) current youth programs. Councilmembers' questions were answered.

MAYOR AND COUNCIL REPORTS

16. Subject: Advisory Groups Updates And Council Liaisons (130.01)

Recommendation: That Council consider the appointment of Council Liaisons to Advisory Groups and Members of Regional Agencies.

Documents:

- January 26, 2016, report form the City Administrator.

Motion:

Councilmembers Hotchkiss/Rowse to make the following appointments of Council liaisons to and members of Advisory Groups, Council Committees, City-Related Agencies, and Regional Agencies.

Vote:

Unanimous voice vote.

Advisory Groups

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|--|-----------------------------|
| Access Advisory Committee | Dominguez |
| Airport Commission..... (incl. Airport Noise Abatement Committee) | Hotchkiss |
| Architectural Board of Review..... | Hotchkiss |
| Arts Advisory Committee..... | Hotchkiss |
| Building and Fire Code Board of Appeals..... | Murillo |
| Civil Service Commissioners, Board of..... | White |
| Community Development and Human Services Committee..... | Dominguez |
| Community Events and Festivals Committee | Murillo |
| Creeks Advisory Committee..... | Hart; Alternate: Murillo |
| Downtown Parking Committee..... | Rowse; Alternate: Hotchkiss |
| Fire and Police Commissioners, Board of..... | Hart |
| Fire and Police Pension Commissioners, Board of | Murillo |
| Harbor Commissioners, Board of..... | Hotchkiss |
| Historic Landmarks Commission | Dominguez |

(Cont'd)

16. (Cont'd)

Advisory Groups (Cont'd)

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|--|--------------------------|
| Housing Authority Commission | Murillo |
| Library Board..... | Murillo |
| Living Wage Advisory Committee | Murillo |
| Neighborhood Advisory Council..... | Dominguez, Murillo |
| Parks and Recreation Commission..... | Hart |
| Planning Commission | White |
| Rental Housing Mediation Board | Murillo; Alternate: Hart |
| Santa Barbara Sister Cities Board | Schneider |
| Santa Barbara Youth Council | Murillo |
| Single Family Design Board..... | Dominguez |
| Transportation and Circulation Committee | Dominguez |
| Water Commissioners, Board of | White |

Council Committees

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|---|---|
| Committee on Legislation..... | Hart, Hotchkiss, White |
| Finance Committee | Dominguez, Hart (Chair), White; Alternate: Schneider |
| Infrastructure Subcommittee | Rowse, Schneider, White |
| Mayor Pro Tempore | White |
| New Zoning Ordinance Committee..... | Murillo, White |
| Ordinance Committee | Hotchkiss, Murillo, Rowse (Chair); Alternate: Schneider |
| Sign Ordinance Review Committee | Hart, Hotchkiss |
| Southern California Edison Committee..... | Rowse, Schneider, White |
| Sustainability Council Committee | Murillo, Rowse, Schneider |

City-Related Agencies

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|---|-------------------------------|
| Coast Village Road Business Association | Dominguez |
| Downtown Santa Barbara | Hart |
| Hospitality Santa Barbara | Rowse |
| Looking Good Santa Barbara Committee | Murillo |
| Milpas Action Task Force..... | Dominguez, Hotchkiss, Murillo |
| Presidio Joint Powers Committee | Rowse |
| Santa Barbara Beautiful | White |
| Santa Barbara Center for the Performing Arts..... | Schneider |
| Visit Santa Barbara | Hart |

Regional Agencies

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|---|---------------------------|
| Beach Erosion Authority for Clean Oceans and Nourishment (BEACON) | Hart |
| Cachuma Conservation Release Board..... | White; Alternate: Murillo |
| Cachuma Operation and Maintenance Board..... | White; Alternate: Murillo |
| Central Coast Collaborative on Homelessness | Murillo, Schneider |

(Cont'd)

16. (Cont'd)

Regional Agencies (Cont'd)

| | |
|--|------------------------------------|
| Central Coast Water Authority | White; Alternate: Murillo |
| City/County Affordable Housing Task Group | Hart, Murillo |
| City/County Solid Waste Task Group | Schneider, White; Alternate: Rowse |
| Coastal Rail Coordinating Council (appointed by SBCAG) | Schneider |
| Community Action Commission | Murillo (rep. by Comm. Dev. Staff) |
| Community Choice Energy | Hart, Murillo, White |
| Los Angeles-San Diego Rail Corridor Agency (LOSSAN) (appointed by SBCAG) | Alternate: Schneider |
| Santa Barbara County Air Pollution Control Dist. Bd. of Directors | Schneider; Alternate: White |
| Santa Barbara County Association of Governments (SBCAG) | Schneider; Alternate: White |
| Santa Barbara Metropolitan Transit District Board | Murillo; Alternate: Hart |
| Solid Waste Ad Hoc Committee..... | Rowse, Schneider, White |
| South Coast Gang Task Force Leadership Council | Schneider; Alternate: Murillo |

National and State Organizations

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|---|-----------|
| League of California Cities Board | Schneider |
| U.S. Conference of Mayors Hunger and Homelessness Task Group (Co-Chair) | Schneider |

NOTES

- The Committees on District Elections and Commuter Rail Exploration were ad-hoc committees and removed from the list due to completion of their assignments.

RECESS

4:02 p.m. – 4:10 p.m.

PUBLIC HEARINGS

17. **Subject: Appeal Of Historic Landmarks Commission Listing Of Building Located At 29-37 E. Victoria Street On The Potential Historic Resource List (640.07)**

Recommendation: That Council deny the appeal of Virginia Rehling and uphold the Historic Landmarks Commission's (HLC) decision to place the building at 29-37 E. Victoria Street on the City's Potential Historic Resources List.

Councilmembers Hotchkiss and White disclosed that they had brief, non-substantial ex-parte communications with the Applicant. Councilmember Rowse reported he had brief, non-substantial ex-parte communications with Michael Fauver.

Documents:

- January 26, 2016, report from the Community Development Director.
- PowerPoint presentation prepared and made by Staff.
- Affidavit of Publication.

(Cont'd)

17. (Cont'd)

Public Comment Opened:
4:10 p.m.

Speakers:

- Staff: Senior Planner Jaime Limon; Urban Historian Nicole Hernandez.
- Historic Landmarks Commission: Fermina B. Murray.
- Appellant: Will Rehling on behalf of Virginia Rehling.
- Members of the Public: Olivia Marr, representing Ca'Dario Restaurant.

Public Comment Closed:
4:56 p.m.

Motion:

Councilmembers Hart/Hotchkiss to deny the appeal of Virginia Rehling, and uphold the decision of the Historic Landmarks Commission to place the building at 29-37 E. Victoria Street on the City's Potential Historic Resources List.

Vote:

Majority voice vote (Noes: Councilmember Dominguez).

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Hotchkiss reported on his attendance at the Arts Advisory Committee where the committee met at the Amtrak Station to view the permanent location of the "Crescent Crossing" statute.
- Councilmember Rowse reported on his attendance at the Downtown Parking Committee meeting where potential development, use and circulation of the funk zone was discussed.
- Councilmember Hart spoke about his attendance at the Beach Erosion Authority for Clean Oceans and Nourishment meeting where he heard a presentation on the Sea-Level Rise Vulnerability Study and the potential effects for the coastline. He also reported on his attendance at the annual meeting of the Santa Barbara Trust for Historical Preservation in which David Bolton was recognized as volunteer of the year.
- Councilmember Murillo reported on her attendance at: 1) a transportation planning community workshop where they discussed the Los Positas Pathway; 2) a ribbon cutting ceremony for the new and improved Nectar Eatery and Lounge at the Natural History Museum; and 3) a Santa Barbara Youth Council meeting where the council is planning an upcoming event which focuses on how to prevent Cyber-Bullying.

(Cont'd)

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS (Cont'd)

Information (Cont'd):

- Councilmember White reported on his attendance at: 1) the Santa Barbara County Association of Governments (SBCAG) meeting where they discussed the widening of the US 101 Corridor through Carpinteria; 2) the recent Air Pollution Control District meeting; and 3) the Cachuma Operation and Maintenance Board (COMB) monthly meeting.
- Mayor Schneider commented on her attendance at the U.S. Conference of Mayors Winter Meeting in Washington D.C. and commented on the City of Santa Barbara receiving the Small City Leadership In The Arts Award.
- Councilmember Dominguez reported on his attendance at the California League of Cities and his attendance at the Neighborhood Advisory Committee.

RECESS

Mayor Schneider recessed the meeting at 5:40 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 18 and 19. She stated that no reportable action is anticipated.

CLOSED SESSIONS

18. Subject: Conference With Real Property Negotiators - Santa Barbara High School (330.03)

Recommendation: That Council hold a closed session pursuant to the authority of Government Code Section 54956.8 to consider direction regarding price and terms of payment related to real property negotiations between the City and the Santa Barbara Unified School District.

Negotiators: City Administrator's Office and City Attorney's Office

Negotiating Party: Superintendent of Schools' Office, Santa Barbara Unified School District

Under Negotiation: Vacation of Street Easements and Fee Title Transfer of Underlying Property

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

January 26, 2016, report from the Public Works Director.

Time:

5:40 p.m. – 6:00 p.m.

No report was made.

19. Subject: Conference With Labor Negotiator (440.03)

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 General Bargaining Unit, Firefighters Association, Supervisors Association, and Police Officers Association.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

Documents:

January 26, 2016, report from the Administrative Services Director.

Time:

6:00 p.m. – 6:30 p.m. Councilmember Dominguez left the meeting at 6:25 p.m.

No report was made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 6:30 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST: _____
DEBORAH L. APPLGATE
DEPUTY CITY CLERK