



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING February 23, 2016 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 met at 12:30 p.m. The Ordinance Committee, which ordinarily meets at 12:30 p.m., did not meet on this date.)

### 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.

### CHANGES TO THE AGENDA

#### Item Removed from Agenda

City Administrator Casey stated that the following item was being removed from the Agenda:

**16. Subject: Reserve Management Policy Direction For The Fiscal Year 2017 Water Rate Study (540.11)**

Recommendation: That Council receive a presentation and provide direction on assumptions for the Fiscal Year 2017 Water Rate Study, specifically for the planned reserves management during continued drought conditions.

(Cont'd)

**16. (Cont'd)**

Motion:

Councilmembers Murillo/Rowse to remove Item No. 16 from the agenda and bring it back to Council at a future date.

Vote:

Unanimous voice vote.

**PUBLIC COMMENT**

Speakers: Matt Dies, VOW4MAL; Ryan Todey, VOW4MAL; Matt Moore, VOW4MAL; Bram Vandereist, VOW4MAL; Joyce Dudley, VOW4MAL; Don Goldberg, VOW4MAL; Officer Jonathan Gutierrez, California Highway Patrol; Tom Widroe, City Watch; Reverend Arthur Stevens; Judy Stevens; Jean Alexander; Pete Dal Bello; Melody Joy Baker; Dr. Anna Kokotovic; Phil Walker; Kenneth Loch; Robert Burke; Jennifer Bergguirt; Lizzie Rodriguez, Restorative Community Network.

**CONSENT CALENDAR (Item Nos. 1 – 12)**

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

Motion:

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

Vote:

Unanimous roll call vote.

**1. Subject: Minutes**

Recommendation: That Council waive further reading and approve the minutes of the regular meetings of January 26 and February 2, 2016, and the cancelled regular meeting of February 16, 2016.

Action: Approved the recommendation.

**2. Subject: Amendment To Legal Services Agreement With Best, Best & Krieger For Litigation Services In City of Santa Barbara v. Virginia Castagnola-Hunter, et al. (160.03)**

Recommendation: That Council authorize the City Attorney to execute the first amendment to the legal service agreement with Best, Best & Krieger, LLP, Contract No. 25,032, to increase the total not to exceed amount from \$200,000 to as much as \$450,000, for special legal services to the City on matters related to the Cabrillo Bridge Replacement Project. This matter has been settled, so we will be closing this agreement as soon as the final settlement-related actions are complete.

(Cont'd)

**2. (Cont'd)**

Action: Approved the recommendation; Agreement No. 25,032.1 (February 23, 2016, report from the City Attorney).

**3. Subject: January 2016 Investment Report (260.02)**

Recommendation: That Council accept the January 2016 Investment Report.

Action: Approved the recommendation (February 23, 2016, report from the Finance Director).

**4. Subject: Two-Year Lease Agreement With The Harbor Mail Center Located At 125 Harbor Way #6 (570.04)**

Recommendation: That City Council approve a two-year lease agreement with Jacque Bertrand and David Villazana, doing business as Harbor Mail Center, at an average initial base rent of \$468.75 per month for the 140 square foot lease space located at 125 Harbor Way #6.

Action: Approved the recommendation; Agreement No. 25,430 (February 23, 2016, report from the Waterfront Director).

**5. Subject: Ordinance Extending Lease Agreements With Santa Barbara Unified School District For Fire Station No. Five And Eastside Library (570.04)**

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 City Administrator to Execute Amendments Extending the Term of Lease Agreement No. 4,840, for Use and Maintenance of Fire Station No. 5 with the Santa Barbara Unified School District, and Lease Agreement No. 24,336 with the Santa Barbara Unified School District for its use of a portion of the Eastside Library and Franklin Center real property, both through April 30, 2018.

Action: Approved the recommendation (February 23, 2016, report from the Administrative Services Director; proposed ordinance).

**6. Subject: Donations For The Andrée Clark Bird Refuge Stretch Area Project (570.08)**

Recommendation: That Council increase appropriations and estimated revenues by \$20,000 in the Fiscal Year (FY) 2016 Parks and Recreation Capital Improvement Fund for the Andrée Clark Bird Refuge Stretch Area Project (Project) funded from two \$10,000 donations, one from the PARC Foundation and the second from Mr. and Mrs. McIntosh.

6. (Cont'd)

Action: Approved the recommendation (February 23, 2016, report from the Parks and Recreation Director).

7. **Subject: Professional Services Agreement With Van Sande Structural Consultants, Inc., For The Kids World Renovation Project (570.05)**

Recommendation: That Council:

- A. Authorize the Parks and Recreation Director to execute a professional services agreement with Van Sande Structural Consultants, Inc. in the amount of \$86,150.88 to complete Schematic Design, Design Development and Construction Documents for the permitting and repair of the Kids World Renovation Project; and
- B. Authorize the Parks and Recreation Director to approve additional expenditures up to \$8,615 to cover any cost increases that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Agreement No. 25,431 (February 23, 2016, report from the Parks and Recreation Director).

8. **Subject: Resolution Authorizing Agreement With California Department Of Transportation For The Lower State Street Railroad Crossing Improvement Project (700.05)**

Recommendation: That Council:

- A. Accept Section 130 Program grant funding in the amount of \$526,500 for the Lower State Street Railroad Crossing Improvement Project;
- B. Authorize an increase in appropriations and estimated revenues related to the Section 130 Program grant funding in the Fiscal Year 2016 Streets Grant Fund; and
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Public Works Director to Execute Service Contract No. 75LX287, and Any Other Related Agreements or Amendments, Subject to Approval as to Form by the City Attorney, with the California Department of Transportation for the Lower State Street Railroad Crossing Improvement Project.

Action: Approved the recommendations; Resolution No. 16-007; Agreement No. 25,432 (February 23, 2016, report from the Public Works Director; proposed resolution).

**9. Subject: Introduction Of An Ordinance For A Lease Agreement With Chandlery On The Breakwater, Inc. (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 One Five-Year Option with Chandlery on the Breakwater, Inc., at an Average Initial Base Rent of \$1,541.15 per Month, For the Premises Located at 125 Harbor Way, Suites #3, 4, and 5, Effective April 1, 2016.

Action: Approved the recommendation (February 23, 2016, report from the Waterfront Director; proposed ordinance).

**10. Subject: Contract For El Estero Work Order Management System Replacement (540.13)**

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a City Professional Services Contract with Maintenance Connection, Inc., in the amount of \$166,879.94 to replace the Computerized Maintenance Management System at El Estero Wastewater Treatment Plant; and
- B. Authorize the General Services Manager to issue subsequent annual Purchase Orders to Maintenance Connection, Inc., for software support and maintenance, through Fiscal Year 2020 in an annual amount not to exceed \$11,396.94 per fiscal year, subject to budget appropriation.

Action: Approved the recommendations; Agreement No. 25,433 (February 23, 2016, report from the Public Works Director).

**11. Subject: Library Positions And Salary Control Fiscal Year 2016 Resolution (570.04)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Establishing the Number of Full and Part Time Library Department Positions and Salary Control for Fiscal Year 2016, Effective July 14, 2015, and Rescinding Resolution No. 15-056.

Action: Approved the recommendation; Resolution No. 16-008 (February 23, 2016, report from the Library Director; proposed resolution).

**NOTICES**

12. The City Clerk has on Thursday, February 18, 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.

This concluded the Consent Calendar.

## **REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Gregg Hart reported that the Committee met to hear: 1) the loan restatement request on property located at 1018-1028 Castillo Street; and 2) the Fiscal Year 2016 Mid-Year Review. Staff will make a presentation regarding the Fiscal Year 2016 Mid-Year Review to the full Council as part of Agenda Item No. 14.

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

### COMMUNITY DEVELOPMENT DEPARTMENT

#### **13. Subject: El Nino Homeless Day Center Funding Request (660.04)**

Recommendation: That the City Council allocate \$30,000 from the General Fund appropriated reserves to the Community Development Department to reimburse the County of Santa Barbara for one-half of the costs associated with the provision of El Nino Homeless Day Center services between February 1 and April 30, 2016.

Documents:

- February 23, 2016, report from the Community Development Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Community Development Business Manager Sue Gray.
- Members of the Public: Reverend Julia Hamilton, Unitarian Society; Tom Widroe, Santa Barbara City Watch.

Motion:

Councilmembers Murillo/Hart to approve the recommendation.

Vote:

Unanimous voice vote.

### FINANCE DEPARTMENT

#### **14. Subject: Fiscal Year 2016 Mid-Year Review (230.05)**

Recommendation: That Council:

- A. Hear a report from staff on the status of revenues and expenditures in relation to budget for the six months ended December 31, 2015;
- B. Accept the Fiscal Year 2016 Interim Financial Statements for the Six Months Ended December 31, 2015; and

- C. Approve the proposed mid-year adjustments to Fiscal Year 2016 appropriations and estimated revenues as detailed in the attached schedule of Proposed Mid-Year Adjustments.

(Cont'd)

**14. (Cont'd)**

Documents:

- February 23, 2016, report from the Finance Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Treasury Manager Julie Nemes; Accounting Manager Jennifer Tomaszewski.

Motion:

Councilmembers Hotchkiss/Hart to approve recommendations B and C.

Vote:

Unanimous voice vote.

**PUBLIC WORKS DEPARTMENT**

**15. Subject: Stage Three Drought Update (540.05)**

Recommendation: The Council receive an update on the status of the current drought, drought-response capital projects, and continuing conservation efforts.

Documents:

- February 23, 2016, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Water Resources Manager Joshua Haggmark, Water Conservation Specialist Madeline Ward.

Councilmembers heard the report and their questions were answered.

**PUBLIC HEARING**

**17. Subject: Public Hearing For The 2016 Downtown And Old Town Business Improvement Districts Assessments (290.00)**

Recommendation: That Council:

- A. Conduct a public hearing and consider appropriate protests to the renewal of the Downtown and Old Town Business Improvement Districts Assessments for 2016, as required under the California Parking and Business Improvement Area Law of 1989; and

- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Confirming the Fiscal Year 2016 Downtown and Old Town Business Improvement District Annual Assessment Report and Renewing the Downtown Business Improvement District and Old Town Business Improvement District Assessments for 2016. (Cont'd)

**17. (Cont'd)**

Documents:

- February 23, 2016, report from the City Administrator.
- Proposed Resolution.
- PowerPoint presentation prepared and made by Staff.
- Affidavit of Publication.

The title of the proposed resolution was read.

Councilmembers Randy Rowse and Frank Hotchkiss stated they would recuse themselves from participating in this item due to conflicts of interest related to owning or operating a business located within the districts.

Councilmembers Rowse and Hotchkiss left the meeting at 4:18 p.m.

Public Comment Opened:

4:19 p.m.

Speakers:

Staff: Assistant to the City Administrator Nina Johnson.

Public Comment Closed:

4:23 p.m.

Motion:

Councilmembers Hart/Murillo to approve the recommendation; Resolution No. 16-009.

Vote:

Unanimous roll call vote.

Councilmembers Rowse and Hotchkiss returned to the meeting at 4:24 p.m.

**COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

Information:

- Mayor Schneider acknowledged the passing of George Gaynes, father of former Santa Barbara Councilwoman Iya Falcone, and the passing of former Santa Barbara Councilman Harold "Rusty" Fairly.
- Councilmember Murillo reported on her attendance at: 1) the Westside Community Group Meeting where she acknowledged the afterschool program



“AOK”; 2) the ribbon cutting ceremony for the Cota Street Bridge; and 3) Robert Scheer’s lecture entitled “War, Peace, Truth and the Media”.

(Cont’d)

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS (CONT’D)**

Information (Cont’d):

- Councilmember White commented that the current managers of the Cachuma Operation and Maintenance Board and Central Coast Water Authority have announced their retirement or intent to retire.
- Councilmember Dominguez reported on his attendance at the following meetings: 1) Access Advisory Committee; 2) Neighborhood Advisory Council; 3) Single Family Design Board; and 4) Coast Village Road Association.

## **RECESS**

4:25 p.m. – 6:00 p.m.

Mayor Schneider presiding.

Councilmembers present: Dominguez, 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.

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

### PUBLIC WORKS DEPARTMENT

#### **18. Subject: Adoption Of The 2016 Santa Barbara Bicycle Master Plan (670.04)**

Recommendation: That Council:

- A. Adopt by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the 2016 Santa Barbara Bicycle Master Plan, with the Exception of the Chino Bicycle Boulevard, and Direct the City Administrator to Seek Grant Funding Opportunities to Implement the Bicycle Master Plan; and
- B. Adopt by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending the 2016 Santa Barbara Bicycle Master Plan to Include the Chino Bicycle Boulevard as a Project.

Documents:

- February 23, 2016, report from the Public Works Director.

- Proposed resolutions.
- PowerPoint presentation prepared and made by Staff.
- February 17, 2016, letter from Terrie A. Furukawa.
- February 18, 2016, email from Eve Sanford.
- February 18, 2016, email from Ed France.

(Cont'd)

**19. (Cont'd)**

Documents (Cont'd):

- February 18, 2016, email from Sigrid Wright.
- February 18, 2016, email from John Day and Ann Marie Konn.
- February 19, 2016, email from John Day and Ann Marie Konn (2).
- February 19, 2016, letter from SABOR.
- February 22, 2016, email from Kristen Santiago.
- February 22, 2016, email from Peter & Marsha Campiglio.
- February 22, 2016, email from Tim Mahoney.
- February 22, 2016, email from Catherine Bastug Vincenti.
- February 22, 2016, email from Catherine Bastug Vincenti (2).
- February 22, 2016, email from Judy Cota.
- February 22, 2016, email from Donn Longstreet.
- February 22, 2016, email from Holly Starley.
- February 22, 2016, email from Stella Larson.
- February 22, 2016, email from Sebastian Aldana, Jr.
- February 22, 2016, email from Jack Ucciferri.
- February 22, 2016, email from Jenna Stadler.
- February 22, 2016, email from Acacia Benton.
- February 22, 2016, email from Adamariz Rios.
- February 23, 2016, email from Aylin Casas.
- February 23, 2016, email from Luis Aguirre-Banos.
- February 23, 2016, email from James Padden-Rubin.
- February 23, 2016, email from Juvy Olsen.
- February 23, 2016, email from James Hurst.
- February 23, 2016, letter from Jeff Havlik.
- February 23, 2016, flier from James Hurst.
- February 23, 2016, letter and email from Nancy Gottlieb.
- February 23, 2016, email from Donald and Bonnie Vincent.
- February 23, 2016, email from Maggie Campbell.
- February 23, 2016, letter from Yvonne Ashton.
- February 23, 2016, letter from Elizabeth Moiso.
- February 23, 2016, letter from Scott Wenz.
- February 23, 2016, letter from Scott Wenz (2).
- February 23, 2016, letter from Anna Campbell.
- February 23, 2016, letter from Greg Hawkins.
- February 23, 2016, letter from John Campbell.
- February 23, 2016, letter from Sharon Wilson.
- February 23, 2016, letter from Mel Sahyon.
- February 23, 2016, letter from Irene Saltule.

- February 23, 2016, letter from Dora Anne Little.
- February 23, 2016, letter from Heather Campbell.
- February 23, 2016, letter from Bernard Terman.
- February 23, 2016, letter from Elizabeth Moiso (2).

(Cont'd)

**18. (Cont'd)**

The titles of the proposed resolutions were read.

Mayor Schneider stated she would recuse herself from participating in the portion of the discussion relating to Chino Street and Cabrillo Boulevard Projects due to conflicts of interest related to her ownership of a residence located on Chino Street.

Councilmember Murillo stated she would recuse herself from participating in the portion of the discussion relating to Chino Street and Cabrillo Boulevard Projects due to conflicts of interest related to her residence at a property located within 500 feet from Chino Street.

Discussion of the Bicycle Master Plan began with the Chino Street project excluded.

**Speakers:**

- Staff: Principal Transportation Planner Rob Dayton, Supervising Transportation Engineer Derek Bailey.
- Planning Commission: Commissioners Adison Thompson, John Campanella.
- Transportation and Circulation Committee: Members Cynthia Boche, Hillary Blackerby.
- Members of the Public: Tom Widroe, City Watch; Ed France; Matthew Bailey; Catherine Brozowski; Dr. Daniel Fishbein; Mike Suding; Pete Dal Bello; Robert Burke; Tom Becker; Virginia Milhoan; John Milhoan; Mark Christman; Nancy Gottlib; Terrie Furukawa; Gabrielle Johnson; Walter Larsen; Bernard Unterman; Camaron Clark; Amy Steinfeld; Steven Botts; Joe DeFirn; Brett Stone; Betsy Spaulding; Douglas Beard; Donn Longstreet; Dean Stewart; Bonnie Raisin; Katie Davis, Sierra Club; Carol Sipper; Alexander Rush Favacho; Jennifer Larsen; Leslie Sanderson; Cameron Gray, Community Environmental Council; Laurel Hall; Ben Ellenberger; Tom Reed, Unity Shoppe; Karen Mora, Accountability Plus; Jose Arturo Gallegos; Todd Amspoker, Micheltorena Neighborhood Association.

Recess: 8:44 p.m. – 9:55 p.m.

**Speakers (Cont'd):**

- David Hodges; Grace Wilde; Woody Wilde; Scott Wenz, Cars Are Basic; Jamey Wagner; Robert Price; Kalon Kelley; Marvin Luzum; David Singh; Barry Remis; Catherine Mullin; Robert Bernstein; Martha Sadler, Sierra Club; Holly Starley; Laura Almengor, Dons Net Café and SBici; Erika
- (Cont'd)

**18. (Cont'd)**

Speakers (Cont'd):

- Lindemann; Cade Harris; Je Goolsby; Jeff Rawlings; John Day, Micheltorena Neighborhood Organization; Heather Rose; Ken Yamamoto, Santa Barbara Bicycle Coalition; Robin Elander, SB Open Streets; David Campbell, Santa Barbara Bicycle Coalition; Eve Senford, Santa Barbara Bicycle Coalition; Jim Cadenhead; David Nordahl; Vern McCascin; Howard Green; Riley Hubbell, Loatree; Sergio Garcia; Alan Kuhn; Kim Stanley; James Biega, Alliance SB, Inc.; Glenn Fisher; Simon Kiefer; Michael Kwan; Crystal Carlson; Tom Mitchell, Coronel Court Homeowners; John Holehouse, Micheltorena Neighborhood Association; Joey Juhasz-Lukoski; Gayle Nagy; Yvonne P. Ashton, Micheltorena Neighborhood Association.

Motion:

Councilmembers Murillo/White to direct staff to: 1) move forward with the Micheltorena component of the Bicycle Master Plan; 2) bring back to Council, at a future date, an analysis of legal issues and supporting documentation necessary to implement the Micheltorena component of the Bicycle Master Plan; 3) conduct additional analysis of the Bicycle Master Plan as requested by Council; and 4) refer parking mitigation measures, including on-demand parking apps, and additional bicycle parking to the Neighborhood Advisory Council (NAC), and to bring back the NAC's recommendations to Council.

Vote:

Majority voice vote (Noes: Councilmembers Hotchkiss, Rowse).

Motion:

Councilmembers White/Dominguez to direct staff to: 1) move forward with approval of the Bicycle Master Plan, without Chino Street and Cabrillo Boulevard; and 2) bring back to Council, at a future date, an analysis of legal issues and supporting documentation necessary to take action to implement the Bicycle Master Plan, without Chino Street and Cabrillo Boulevard.

Vote:

Majority voice vote (Noes: Councilmember Rowse).

Recess: 11:22 p.m. – 11:27 p.m. Mayor Schneider and Councilmember Murillo were absent when the Council reconvened. Mayor Pro Tempore White presided for the remainder of the meeting.

Discussion of the Bicycle Master Plan continued with the Chino Street project included.

(Cont'd)

**18. (Cont'd)**

Speakers (Cont'd):

- Lily Bastug Vincenti; Jose Arturo Gallegos; Mary Lynn Schlomkowitz; Ed France.

Motion:

Councilmembers Hart/Dominguez to direct staff to: 1) move forward with approval of the Bicycle Master Plan, including Chino Street; and 2) bring back to Council, at a future date, an analysis of legal issues and supporting documentation necessary to take action to implement the Bicycle Master Plan, including Chino Street.

Vote:

Unanimous voice vote.

This item was adjourned to March 15, 2016, at 2:00 p.m.

**ADJOURNMENT**

Mayor Pro Tempore adjourned the meeting at 11:36 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

\_\_\_\_\_ ATTEST: \_\_\_\_\_  
 HELENE SCHNEIDER DEBORAH L. APPLGATE  
 MAYOR DEPUTY CITY CLERK

\_\_\_\_\_ ATTEST: \_\_\_\_\_  
 HARWOOD WHITE MATTHEW FORE  
 MAYOR PRO TEMPORE ACTING CITY CLERK SERVICES  
 MANAGER