



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING March 8, 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 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: 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 Susan Tschech.

### CHANGES TO THE AGENDA

#### Item Removed from Agenda

City Administrator Casey advised that the following item was being removed from the agenda, as the closed session is no longer needed.

#### **13. Subject: Conference With City Attorney - Anticipated Litigation (160.03)**

Recommendation: That Council hold a closed session to decide whether to authorize the initiation of litigation (one potential case) pursuant to Government Code sections 54956.9(d)(4) and take appropriate action as needed.

Scheduling: Duration, 15 minutes; anytime

Report: None

## **PUBLIC COMMENT**

Speakers: Bob Mayo; Isaac Eaves, Santa Barbara City College Student Senate; Emily Gribble; Anna Campbell and Bernard Unterman, Safer on Sola; David Williams; Stephen Meade; Phil Walker; Luz Reyes-Martin; Pete Dal Bello; Scott Wenz, Cars Are Basic; John Day; Tom Widroe, City Watch; John Campbell.

Councilmember Hotchkiss left the meeting at 2:37 p.m.

## **CONSENT CALENDAR (Item Nos. 1 – 9)**

The title of the ordinance related to Item No. 2 was read.

Motion:

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

Vote:

Unanimous roll call vote (Absent: Councilmember Hotchkiss).

### **1. Subject: Minutes**

Recommendation: That Council waive further reading and approve the minutes of the special meeting of February 17, 2016.

Action: Approved the recommendation.

### **2. Subject: Introduction Of Ordinance For Lease Agreement With Allied Voyage, LLC, Doing Business As Ocean Aire Marine Electronics - Located At 125 Harbor Way, #7 (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 Approving a Five-Year Lease Agreement with One Five-Year Option with Allied Voyage, LLC, Doing Business As Ocean Aire, at an Average Initial Base Rent of \$1,200 Per Month, for the 339 Square-Foot Office Space Located at 125 Harbor Way, Suite #7, Effective April 15, 2016.

Action: Approved the recommendation (March 8, 2016, report from the Waterfront Director; proposed ordinance).

### **3. Subject: Agreement To Use Recycled Water For Irrigation At 706 East Haley (540.13)**

Recommendation: That Council approve an Agreement to Use Recycled Water between the City of Santa Barbara and Santa Barbara Land Co., LLC, a California Limited Liability Corporation, for purchase, use, and delivery of the City's recycled water to 706 East Haley.

(Cont'd)

**3. (Cont'd)**

Action: Approved the recommendation; Agreement No. 25,435 (March 8, 2016, report from the Public Works Director).

**4. Subject: Five-Year Lease Agreement With The Blue Water Hunter Dive Shop Located At 117-D Harbor Way (330.04)**

Recommendation: That Council approve a five-year lease agreement with Andrew M. Taylor, a Sole Proprietor, doing business as The Blue Water Hunter, at an initial base rent of \$2,430.50 per month, for the 878 square-foot lease space located at 117-D Harbor Way.

Action: Approved the recommendation; Agreement No. 25,436 (March 8, 2016, report from the Waterfront Director).

**5. Subject: Contract For Construction Of The Americans With Disabilities Act Ramp At Oak Park Pool Project (570.05)**

Recommendation: That Council award a contract to Arroyo Seco Construction in their low bid amount of \$65,400 for construction of the Americans with Disabilities Act (ADA) Ramp at Oak Park Pool Project, Bid No. 3813, and authorize the Parks and Recreation Director to execute the contract and approve expenditures up to \$6,540 for any unanticipated work.

Action: Approved the recommendation; Contract No. 25,437 (March 8, 2016, report from the Parks and Recreation Director).

**6. Subject: Extension Of The Professional Services Agreement With Garden State Fireworks For July Fourth And Parade Of Lights Fireworks Displays (570.03)**

Recommendation: That Council authorize the Waterfront Director to exercise the renewal terms on the Professional Services Agreement with Garden State Fireworks for the 2016-2019 July Fourth and Parade of Lights Fireworks Displays.

Action: Approved the recommendation (March 8, 2016, report from the Waterfront Director).

**7. Subject: Preferential Parking Along The South Side Of Cabrillo Boulevard For Land And Sea Tours (Land Shark) (550.08)**

Recommendation: That Council approve an application for preferential parking by Land and Sea Tours until such time that Council terminates the privilege, or the applicant no longer meets the requirements of Santa Barbara Municipal Code Section 10.44.250, or Santa Barbara Municipal Code Section 10.44.250 is updated.

(Cont'd)

**7. (Cont'd)**

Action: Approved the recommendation (March 8, 2016, report from the Public Works Director).

**8. Subject: Contract For Construction Of The Quarantina Street Permeable Pavers Project (530.04)**

Recommendation: That Council:

- A. Award a contract with Brough Construction, Inc., waiving minor irregularities, in their low bid amount of \$1,491,943 for construction of the Low Impact Development Demonstration Streets, Sidewalks, and Alleys Project - Phase II, Bid No. 3783; and authorize the Public Works Director to execute the contract and approve expenditures up to \$149,194 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;
- B. Approve a transfer of reserves in the amount of \$461,473 from the Creeks Operating Fund to the Creeks Capital Fund; and
- C. Increase appropriations and estimated revenues by \$461,473 in the Creeks Capital Fund to cover the cost of the City's matching requirement for the Proposition 84 Grant that will be used to fund the Project.

Action: Approved the recommendations; Contract No. 25,438 (March 8, 2016, report from the Public Works and Parks and Recreation Directors).

**NOTICES**

- 9. The City Clerk has on Thursday, March 3, 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.

Councilmember Hotchkiss returned to the meeting at 2:40 p.m.

**CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

**CITY ATTORNEY**

**10. Subject: Reintroduction Of Noise Ordinance Amendments (630.09)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 9.16 of the Santa Barbara Municipal Code in its Entirety Pertaining to Noise.

(Cont'd)

**10. (Cont'd)**

Documents:

- March 8, 2015, report from the City Attorney.
- Proposed Ordinance.

The title of the ordinance was read.

Speakers:

- Staff: City Attorney Ariel Calonne.
- Members of the Public: Brad Hardison; Tom Widroe, City Watch.

Motion:

Councilmembers Murillo/White to approve the recommendation.

Vote:

Unanimous voice vote.

**PUBLIC WORKS DEPARTMENT**

**11. Subject: 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.

Documents:

- March 8, 2016, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Water Supply Manager Kelley Dyer, Finance Director Robert Samario, Water Resources Manager Joshua Haggmark, City Administrator Paul Casey.
- Members of the Public: Tom Widroe, City Watch.

Motion:

Councilmembers White/Hart to approve Scenario 1 (outlined in Council Agenda Report) for planned reserves management during continued drought conditions.

Vote:

Unanimous voice vote.

**RECESS**

3:42 p.m. – 3:51 p.m.

## **PUBLIC HEARINGS**

### **QUASI-JUDICIAL HEARING RULES APPLY TO THE FOLLOWING AGENDA ITEM**

#### **12. Subject: Appeal Of Architectural Board Of Review Project Design Approval Of A New Seven-Unit Apartment Building At 1818 Castillo Street (640.07)**

Recommendation: That Council:

- A. Deny the appeal of Eric and Elenor Wernicke of the Architectural Board of Review's decision to grant Project Design Approval for the proposed new seven-unit apartment building; and
- B. Direct Staff to return to Council with Decision and Findings reflecting the outcome of the appeal.

Documents:

- March 8, 2016, report from the Community Development Director.
- PowerPoint presentation prepared and made by Staff.
- March 4, 2016, letter from RRM Design Group, representing the Applicant.
- PowerPoint presentation prepared and made by the Appellant.
- PowerPoint presentation prepared and made by the Applicant.
- Graph and table of lot sizes in immediate neighborhood of the subject property, submitted by Rick Lang.

Public Comment Opened:  
3:52 p.m.

Speakers:

- Staff: Project Planner Irma Unzueta, Principal Transportation Planner Rob Dayton, City Attorney Ariel Calonne, City Administrator Paul Casey.
- Appellant: Eric Wernicke.
- Applicant: Detlev Peikert and Lisa Plowman, representing RRM Design Group.
- Architectural Board of Review: Member Courtney Jane Miller.
- Members of the Public: Suzanne Smith, Kay Hoffman, Eric Baizer, Pamela Lasker, Rick Lang.

Public Comment Closed:  
5:21 p.m.

Motion:

Councilmembers Hotchkiss/Rowse to approve the recommendations, but direct Staff to conduct a red curb survey of the neighborhood for a potential increase in the supply of on-street parking.

Vote:

Majority roll call vote (Noes: Councilmembers Dominguez, White).

## COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

### Information:

- Councilmember White reported that the Cachuma Operation and Maintenance Board had approved the moving of the barge in Cachuma Lake.
- Councilmember Murillo spoke about her attendance at recent meetings of the Santa Barbara Youth Council, Housing Authority Commission, and the Community Action Commission; she also expressed appreciation for the benefit concert held for the Alano Club.
- Councilmember Hart mentioned that he and Councilmember Rowse had attended a presentation regarding a project to build a student dorm in the Mesa area.
- Councilmember Dominguez noted the passing of two prominent Eastside business owners, Gene Bantilan of Santa Barbara Plumbing Supplies, and Jim Dixon of Tri-County Produce.
- Mayor Schneider reported on Opening Day for both the Sailing and Yacht Clubs, and she commended the Waterfront Department for its work with the Army Corps of Engineers to make the Harbor ready for these events. She also commented on a new documentary by local filmmakers entitled "West of the West," regarding the Channel Islands.

## ADJOURNMENT

Mayor Schneider adjourned the meeting at 6:10 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

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

ATTEST:

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SUSAN TSCHECH, CMC  
DEPUTY CITY CLERK