



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING May 3, 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.

### 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 May 31, 2016.

Documents:

May 3, 2016, report from the Administrative Services Director.

Speakers:

Staff: City Administrator Paul Casey, Award Recipient Ed Olsen.

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

(Cont'd)

1. (Cont'd)

5-Year Pin

Michael McNeil, Senior Electronics/Communication Technician,  
Public Works Department

Madeline Ward, Water Conservation Coordinator, Public Works Department

Carson Wollert, Project Engineer II, Public Works Department

10-Year Pin

Justin Berman, Parking Coordinator, Public Works Department

Graciela Reynoso, Human Resources Analyst II,  
Administrative Services Department

Johny Salas, Assistant Parking Coordinator, Public Works Department

Elizabeth Stotts, Community Development Program Specialist,  
Community Development Department

15-Year Pin

Bryan Jensen, Police Sergeant, Police Department

Christina Ortega, Police Officer, Police Department

Kevin Rhyne, Police Officer, Police Department

20-Year Pin

Susan Gantz, Planning Technician II, Community Development Department

Susan Gray, Community Development Business Manager,  
Community Development Department

25-Year Pin

Onalisa Hoodes, Police Services Coordinator, Police Department

Ed Olsen, Police Lieutenant, Police Department

Paul Rodriguez, Senior Airport Maintenance Worker, Airport Department

30-Year Pin

Steven Berman, Fire Captain, Fire Department

Michael Gordon, Water Distribution Operator Technician II,  
Public Works Department

Brian Porter, Fire Captain, Fire Department

**PUBLIC COMMENT**

Speakers: Kathy King, Community Environmental Council (CEC); Pete Dal Bello.

## **ITEM REMOVED FROM CONSENT CALENDAR**

### **10. Subject: Set A Date For Public Hearing Regarding Renewal Of Levy For Fiscal Year 2017 For The Wildland Fire Suppression Assessment (290.00)**

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 the Wildland Fire Suppression Assessment 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; Preliminarily Approving the Updated Engineer's Report; Stating Intention to Continue Assessments for Fiscal Year 2017; and Establishing a Time of 2:00 P.M. on Tuesday, May 17, 2016, in the City Council Chambers for a Public Hearing on the Wildland Fire Suppression Assessment.

Councilmembers Bendy White, Frank Hotchkiss and City Attorney Ariel Calonne stated they would recuse themselves from participating in this item due to conflicts of interest related to ownership of property within the district. They left the meeting at 2:23 p.m.

#### Documents:

- May 3, 2016, report from the Fire Chief.
- Proposed resolution.

The title of the resolution was read.

#### Speakers:

Members of the Public: Pete Dal Bello.

#### Motion:

Councilmembers Hart/Rowse to approve the recommendation; Resolution No. 16-024.

#### Vote:

Unanimous roll call vote (Absent: Councilmembers Hotchkiss, White)

Councilmembers Hotchkiss, White and City Attorney Calonne returned to the meeting at 2:26 p.m.

## **CONSENT CALENDAR (Item Nos. 2 - 9, 11 and 12)**

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

#### Motion:

Councilmembers Rowse/Murillo 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 meeting of April 5, 2016 (cancelled), and the special meeting of April 7, 2016.

Action: Approved the recommendation.

**3. Subject: Adoption of Ordinance to Amend the Water Supply Agreement between the Central Coast Water Authority and the City of Santa Barbara (540.10)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Authorizing the Approval and Execution by the City of the First Amendment to the Water Supply Agreement.

Action: Approved the recommendation; Ordinance No. 5746; Agreement No. 16,162.1.

**4. Subject: Adoption Of Ordinance Approving Sale Of Excess City Land At 536 Bath Street Related To The Cota Street 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 and Authorizing the City Administrator to Execute the Land Purchase Agreement, Escrow Instructions, and Grant Deed for the Sale of Certain City Excess Land Located at 536 Bath Street to NGC FUND 1, LLC, a Delaware limited liability company, in the amount of \$579,000.

Action: Approved the recommendation; Ordinance No. 5747; Agreement No. 25,555; Deed No. 61-464.

**5. Subject: Increase In Appropriations In The Self-Insurance Fund To Cover Increased Workers' Compensation Costs (350.08)**

Recommendation: That Council approve an increase in appropriations in the amount of \$700,000 in the Self-Insurance Fund from reserves to cover the cost of workers' compensation claims in the current fiscal year.

Action: Approved the recommendation (May 3, 2016, report from the Finance Director).

**6. Subject: Donation Of Equipment For The Police Department (330.05)**

Recommendation: That Council accept a donation of three covered shields with upgraded ballistic plates valued at \$4,600 from the Santa Barbara Police Foundation for placement in the three Police Department marked supervisor patrol vehicles.

Speakers:

Santa Barbara Police Foundation: Greg Hons

Action: Approved the recommendation (May 3, 2016, report from the Chief of Police).

**7. Subject: Introduction Of Ordinance For Rayne Santa Barbara, Inc., Brine Discharge Agreement (540.13)**

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 Ten-Year Agreement with Two Consecutive Five-Year Options with Rayne Santa Barbara, Inc., for Salt Brine Conveyance at the El Estero Wastewater Treatment Plant, Effective June 9, 2016.

Action: Approved the recommendation (May 3, 2016, report from the Public Works Director; proposed ordinance).

**8. Subject: Approval Of Emergency Purchase Order For Eastside Lighting Repairs (530.04)**

Recommendation: That Council approve an Emergency Purchase Order, pursuant to Santa Barbara Municipal Code Section 4.52.080, to Imperial Electric Co. in the amount of \$55,000.00 for emergency repairs to a failed high-voltage street light system on Lou Dillon Lane.

Action: Approved the recommendation (May 3, 2016, report from the Public Works Director).

**9. Subject: Contract For Installation Of Radio Equipment On University Of California, Santa Barbara Property, To Serve City Beach Areas (520.02)**

Recommendation: That Council authorize the City Administrator to enter into a four-year license agreement with the Regents of the University of California, Santa Barbara, for the installation and operation of radio equipment on University of California, Santa Barbara, property.

Action: Approved the recommendation; Agreement No. 25,556 (May 3, 2016, report from the Public Works Director).

## NOTICES

11. The City Clerk has on Thursday, April 28, 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.
12. City Council site visits are scheduled for Monday, May 9, 2016, at 1:30 p.m. to the properties located in the 300 block of Grove Lane and at 118 N. Milpas Street; these properties are the subjects of appeal hearings set for May 10, 2016, at 2:00 p.m. and 4:00 p.m., respectively.

This concluded the Consent Calendar.

## **REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Gregg Hart reported that the Committee met to hear a report from staff regarding General Fund non-departmental revenues and assumptions contained in the Fiscal Year 2017 Recommended Budget, and an updated multi-year financial forecast of the General Fund.

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

### CITY ADMINISTRATOR

**13. Subject: Presentation From Santa Barbara County Association Of Governments On Rail Safety Education (150.04)**

Recommendation: That Council receive a presentation from the Santa Barbara County Association of Governments (SBCAG) on Rail Safety education.

Documents:

- May 3, 2016, report from the City Administrator.
- PowerPoint presentation prepared and made by Operation Lifesaver California.

Speakers:

Members of the Public: Scott Spaulding, Santa Barbara County Association of Governments (SBCAG); Nancy Sheehan-McCulloch, State Coordinator for Operation Lifesaver California.

Councilmembers heard the presentation and their questions were answered.

## PUBLIC HEARINGS

The title of the resolution and ordinance related to this item was read.

### 14. **Subject: Appeal Of Planning Commission Approval And Introduction Of An Ordinance And Adoption Of Resolution For 251 S. Hope Avenue Project (640.07)**

Recommendation: That Council:

- A. Deny the appeal of Santa Barbara Urban Creeks Council of the application of RRM Design Group, architect for the Housing Authority of the City of Santa Barbara, and uphold the Planning Commission's approval of the project and Zoning Modifications, with the proposed revised condition;
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 28.12 (Zone Map) of Title 28 of the Municipal Code Pertaining to Assessor's Parcel Number 051-240-008;
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting an Amendment to Specific Plan No. 4 (Rancho Arroyo), for Specific Plan Area A-2, Assessor's Parcel Number 051-240-008, Subject to Environmental Findings and Findings of Consistency with the General Plan;
- D. Determine that the project is exempt from further environmental review pursuant to CEQA Guidelines Section 15183 (Projects Consistent with the General Plan); and
- E. Direct Staff to return to Council with Decision and Findings reflecting the outcome of the appeal.

Documents:

- May 3, 2016, report from the Community Development Director.
- Proposed resolution.
- Proposed ordinance.
- PowerPoint presentation prepared and made by Staff.
- April 22, 2016, Email from Eddie Harris, Santa Barbara Urban Creeks Council.
- April 26, 2016, Email from Samara Canfield.
- April 28, 2016, Letter from John Fowler, Peoples' Self-Help Housing.
- April 28, 2016, Email from Carlos Jimenex, Peoples' Self-Help Housing.
- April 28, 2016, Email from Vijaya Jammalamadaka.
- April 29, 2016, Email from Eddie Harris, Santa Barbara Urban Creeks Council (SBUCC).
- April 29, 2016, Email from Dr. Scott D. Cooper, University of California Santa Barbara.
- May 2, 2016, Letter from Michael Towbes, The Towbes Group, Inc.
- May 2, 2016, Email from Robert Pearson, Housing Authority of the City of Santa Barbara.

(Cont'd)

#### 14. (Cont'd)

The titles of the ordinance and resolution were read.

#### Ex-Parte Communications:

- Councilmember Hart reported that on March 26, 2016, he had a meeting with Rick Frickman, Eddie Harris, Kathy Rodriguez and Dan McCarter from the Urban Creeks Council where they talked about the project, specifically their concerns regarding the creek setback issues and potential alternatives. On April 28, 2016, he had a phone conversation with Robert Pearson from the City of Santa Barbara Housing Authority where they discussed the same issue.
- Councilmember Murillo reported that as the staff liaison to the Housing Authority Commission she has attended several meetings where this project has been the topic of conversation. She also reported a short phone conversation with Mr. Harris from the Urban Creeks Council where they generally talked about the watershed.
- Councilmember White reported that he ran into Mark Chytilo who advocated for the appellant, at a party. The conversation was brief, about two sentences.
- Councilmember Hotchkiss reported that he had several emails on this topic.
- Mayor Schneider reported that: 1) on April 6, 2016, she had a conversation with Rick Frickman and Dan McCarter from the Urban Creeks Council regarding the 50' setback and their experiences with Allen Road; 2) she has had some conversations with Robert Pearson from the City of Santa Barbara Housing Authority regarding a 25' vs. 50' setback, the conservation easement and the issuance of and the funding for road changes; 3) she had a conversation with Skip Szymanski, Santa Barbara Housing Authority, regarding timing of the tax credit deadline as it relates to this project; and 4) she had a meeting with Eddie Harris from the Urban Creeks Council where they discussed the long-term flood control easement issues.

#### Public Comment Opened:

2:46 p.m.

#### Speakers:

- Staff: Associate Planner Kathleen Kennedy, Supervising Transportation Engineer Derrick Bailey, Creeks Restoration and Clean Water Manager Cameron Benson, Assistant City Attorney Scott Vincent.
- Planning Commission: Commissioner June Pujo, Commissioner Deborah Schwartz.
- Appellant: Rick Frickman, Urban Creeks Council.
- Applicant: Robert Pearson, City of Santa Barbara Housing Authority; Lisa Pickard.

(Cont'd)

## 15. (Cont'd)

### Speakers (Cont'd):

- Members of the Public: Marjorie Shore; Sean Donovan; Elizabeth Twright; Nancy Cook; Mickey Flacks; Eddie Harris, Santa Barbara Urban Creeks Council; Jacob Lesner-Buxton, Independent Learning Resource Center; Petra Lowen, Independent Learning Resource Center; Dan McCarter, Friends of Arroyo Burro Clean Water, Clean Creeks; Lesley Wilson, New Beginnings Counseling Center; Chris Skiff; Kathleen Rodriguez, Arroyo Burro Creek Study Group; Lee Moldaver.

Public Comment Closed:

4:58 p.m.

## RECESS

4:58 p.m. – 5:02 p.m.

### Motion:

Councilmembers White/Hotchkiss to approve recommendations B and C that the resolution not take effect until 30 days from date of approval; Resolution No. 16-025.

### Vote:

Unanimous roll call vote.

### Motion:

Councilmembers Hart/Hotchkiss to approve recommendations A, D, and E and to add the following conditions: 1) the addition of the Conservation Easement; 2) a change in project design to provide a 50-foot setback from the top of the creek bank to the parking area; and 3) to have the parking area redesigned to eliminate those parking spaces that intrude into the 50-foot creek setback area.

### Amended Motion:

Councilmembers Hart/Hotchkiss to approve recommendations A, D, and E, noting that under recommendation E staff is provided flexibility, and to add the following conditions: 1) the addition of the Conservation Easement; 2) a change in project design to provide a 50-foot setback from the top of the creek bank to the parking area; 3) to have the parking area redesigned to eliminate those parking spaces that intrude into the 50-foot creek setback area; and 4) requirement that the applicant construct and maintain the public trail referred to in added Condition 12 of the amended Planning Commission recommendation.

### Vote on Amended Motion:

Majority voice vote (Noes: Councilmembers Murillo, White).

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

### Information:

- Councilmember Murillo reported on her attendance at: 1) the City Sustainability Committee meeting; 2) a meeting at Social Ventures Partners Santa Barbara; 3) the Affordable Housing Task Group meeting; 4) Central Coast Water Authority meeting; 5) a fund-raiser for Freedom4Youth; and 6) the Reader's Embassy and State of the Library events at the Santa Barbara Library.
- Councilmember Hart reported on his attendance at the: 1) State of the Zoo Event; 2) Fire and Police Commission meeting; 3) Transportation and Circulation Committee meeting; 4) Santa Barbara Police Activities League, "Putting Kids First" Gala; and 5) a speech event at Santa Barbara City College.
- Councilmember White mentioned his attendance at the Central Coast Water Authority meeting.
- Mayor Schneider reported on her attendance at the Jewish Festival and the California League of Cities conference in Sacramento with Councilmember White.
- Councilmember Hotchkiss reported on his attendance at the State of the Zoo event, and he shared a video with Council of one of the zoo's newest members.

## **PUBLIC COMMENT**

No one indicated a desire to speak.

## **CHANGES TO THE AGENDA**

### Item Removed From Agenda

#### **15. Subject: Conference With Labor Negotiator (440.05)**

Recommendation: That Council hold a closed session pursuant to the authority of Government Code Section 54957.6 to consider instructions to City negotiators Kristine Schmidt, Administrative Services Director, and Bruce Barsook, Liebert Cassidy Whitmore, regarding negotiations with the General Bargaining Unit, Firefighters Association, and Police Officers Association.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 6:04 p.m. to Monday, May 9, 2016, at 1:30 p.m. to the properties located in the 300 block of Grove Lane and at 118 N. Milpas Street.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

ATTEST:

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HELENE SCHNEIDER  
MAYOR

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