



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING June 7, 2016 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Pro Tempore Bendy White called the meeting to order at 2:03 p.m. (The Ordinance Committee met at 11:30 a.m., and the Finance Committee met at 12:30 p.m.)

PLEDGE OF ALLEGIANCE

Mayor Pro Tempore White.

ROLL CALL

Councilmembers present: Jason Dominguez, Gregg Hart, Frank Hotchkiss, Cathy Murillo, Randy Rowse, Mayor Pro Tempore Bendy White.

Councilmembers absent: Mayor Helene Schneider.

Staff present: City Administrator Paul Casey, City Attorney Ariel Pierre Calonne, City Clerk Services Manager Sarah Gorman.

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 June 30, 2016.

Documents:

June 7, 2016, report from the Administrative Services Director.

Speakers:

Staff: City Administrator Paul Casey.

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

1. (Cont'd)

5-Year Pin

Jason Esp, Carpenter, Public Works Department

10-Year Pin

Jay Benson, Police Officer, Police Department

Guadalupe "Lupe" Castillo, Custodian, Public Works Department

Linda Cherry, Library Technician, Library

Michael Epstein, Police Officer, Police Department

Alison Grube, Graphic Designer, Community Development Department

Peter Lawson, Associate Planner, Community Development Department

Matthew "Matt" Lombardi, Senior Wastewater Collection System Operator,
Public Works Department

Gerardo "Gary" Lopez, Senior Wastewater Treatment Plant Operator,
Public Works Department

Tom Mozako, Wastewater Compliance Specialist, Public Works Department

15-Year Pin

Richard Ames, Fire Engineer, Fire Department

Renee Brooke, City Planner, Community Development Department

Alejandro "Alex" Mayorga, Automotive Service Writer, Public Works Department

Olga Pascua, Grounds Maintenance Worker II, Parks and Recreation Department

Dana Versola, Senior Grounds Maintenance Worker,
Parks and Recreation Department

PUBLIC COMMENT

Speakers: Gene Tyburn; Sophie Van Hunnius, representing CALPIRG; Richard Paloca; Phil Walker.

ITEM REMOVED FROM CONSENT CALENDAR

Councilmember Rowse stated he would abstain from voting on the following item due to a conflict of interest related to his ownership of a business within the boundaries of the subject assessment district.

19. Subject: Parking And Business Improvement Area Annual Assessment Report For Fiscal Year 2017 - Intention To Levy (290.00)

Recommendation: That Council:

- A. Approve the Parking and Business Improvement Area Annual Assessment Report 2017; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring Council's Intention to Levy Parking and Business Improvement Area Assessment Rates for the 2017 Fiscal Year, at a Public Hearing to be Held on June 21, 2016, at 2:00 p.m.

Documents:

- June 7, 2016, report from the Public Works Director.
- Proposed resolution.

The title of the resolution was read.

Motion:

Councilmembers Murillo/Hart to approve the recommendations; Resolution No. 16-037.

Action:

Unanimous roll call vote (Abstention: Councilmember Rowse; Absent: Mayor Schneider).

CONSENT CALENDAR (Item Nos. 2 – 18, 20 and 21)

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

Motion:

Councilmembers Murillo/Hotchkiss to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote (Absent: Mayor Schneider).

2. Subject: Minutes

Recommendation: That Council waive further reading and approve the minutes of the regular meetings of April 12 and April 19, 2016.

Action: Approved the recommendation.

CONSENT CALENDAR (Item Nos. 2 – 18, 20 and 21) (CONT'D)

3. Subject: Award Of Agreement For Electronic Bidding And Reverse Auction System (340.02)

Recommendation: That Council award a contract in an amount not to exceed \$52,475 to PlanetBids for their proposal to provide and host an electronic bidding and reverse auction system.

Action: Approved the recommendation; Contract No. 25,572 (June 7, 2016, report from the Finance Director).

4. Subject: Records Destruction For City Administrator's Office (160.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the City Administrator's Office.

Action: Approved the recommendation; Resolution No. 16-035 (June 7, 2016, report from the City Administrator; proposed resolution).

5. Subject: Fiscal Year 2016 Agreement for Library Services, City Of Carpinteria (570.04)

Recommendation: That Council approve and authorize the City Administrator to execute an agreement with the City of Carpinteria to accept \$35,500 for the contribution for Library services for Fiscal Year 2015-2016.

Action: Approved the recommendation; Contract No. 25,573 (June 7, 2016, report from the Library Director).

6. Subject: Five Year License Agreement With Epic Cruises, Inc. (570.03)

Recommendation: That Council approve a five-year license agreement with Epic Cruises, Inc. for a water taxi service, shore boat service and limited charter service operating from Santa Barbara Harbor.

Action: Approved the recommendation; Contract No. 25,574 (June 7, 2016, report from the Waterfront Director).

7. Subject: Lease Agreement With Dollyia And John Adams, Doing Business As Madame Rosinka (330.04)

Recommendation: That Council approve a five-year lease agreement with Dollyia and John Adams, doing business as Madame Rosinka at 221-B Stearns Wharf, at an initial rent of \$797.30 per month.

Action: Approved the recommendation; Contract No. 25,575 (June 7, 2016, report from the Waterfront Director).

8. Subject: Introduction Of Ordinance For A Lease Agreement With Great Pacific Ice Cream (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 John K. Williams, Inc., a California Corporation, Doing Business as Great Pacific Ice Cream, at an Average Initial Base Rent of \$4,053 Per Month for the 395 Square Foot Restaurant Located at 219-A Stearns Wharf.

Action: Approved the recommendation (June 7, 2016, report from the Waterfront Director; proposed ordinance).

9. Subject: Introduction Of Ordinance For A Lease Agreement With Old Wharf Trading Company (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 Stearns Wharf, Inc., a California Corporation, Doing Business as Old Wharf Trading Company, at an Average Initial Base Rent of \$13,278 Per Month, Adjusted Seasonally, for the 2,369 Square Foot Space Located at 217 Stearns Wharf, Suites A, B, and D.

Action: Approved the recommendation (June 7, 2016, report from the Waterfront Director; proposed ordinance).

CONSENT CALENDAR (Item Nos. 2 – 18, 20 and 21) (CONT'D)

10. Subject: Introduction Of Ordinance For A Lease Agreement With Char West (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 John K. Williams, Inc., a California Corporation, Doing Business as Char West, at an Average Initial Base Rent of \$4,231 Per Month for the 1,069 Square Foot Space Located at 221 Stearns Wharf.

Action: Approved the recommendation (June 7, 2016, report from the Waterfront Director; proposed ordinance).

11. Subject: Introduction Of Ordinance For The Assignment Of Lease Agreement No. 24,741 - Shoreline Beach Café (330.04)

Recommendation: That City Council introduce and subsequently adopt, by reading of title only, An Ordinance of the City of Santa Barbara Approving a Consent to assignment of Lease for Agreement No. 24,741 from Steve Marsh, Kevin Boss, and Beachrok, Inc, a California Corporation, Doing Business as Shoreline Beach Café, to Beachrok, Inc.

Action: Approved the recommendation (June 7, 2016, report from the Waterfront Director; proposed ordinance).

12. Subject: Professional Services Agreement With Bildsten Architecture And Planning, Inc. For The Louise Lowry Davis Center Renovation Project (570.07)

Recommendation: That Council:

- A. Approve and authorize the Parks and Recreation Director to execute a professional services agreement with Bildsten Architecture and Planning, Inc. in the amount of \$59,510 to develop preliminary architectural, structural, mechanical, electrical, landscape, and civil engineering plans for the Louise Lowry Davis Center Renovation Project; and
- B. Authorize the Parks and Recreation Director to approve expenditures of up to \$6,000 to cover any cost increases that may result from necessary changes in the scope of work.

Speakers:

Staff: Parks Capital Projects Supervisor George Thomson.

Action: Approved the recommendations; Contract No. 25,576 (June 7, 2016, report from the Parks and Recreation Director).

CONSENT CALENDAR (Item Nos. 2 – 18, 20 and 21) (CONT'D)

- 13. Subject: Sole-Source Personal Services Contract With iSurf, A California Corporation, For Provision Of 2016 Youth Traveling And Adult Surf Camps (570.06)**

Recommendation: That Council authorize the Parks and Recreation Director to execute a personal services agreement with iSurf, a California Corporation, in an amount not to exceed \$45,000, for the provision of 2016 Youth Traveling and Adult Surf Camps.

Action: Approved the recommendation; Contract No. 25,577 (June 7, 2016, report from the Parks and Recreation Director).

- 14. Subject: Personal Services Contract With Jon Lee, An Individual, For Provision Of 2016 Beach Volleyball Camps (570.06)**

Recommendation: That Council authorize the Parks and Recreation Director to execute a personal services agreement with Jon Lee, an individual, in an amount not to exceed \$100,000, for the provision of 2016 Beach Volleyball Camps.

Action: Approved the recommendation; Contract No. 25,578 (June 7, 2016, report from the Parks and Recreation Director).

- 15. Subject: Approval Of Parcel Map For Direct Relief Project At 6100 Hollister Avenue (610.08)**

Recommendation: That Council approve and authorize the Mayor and City Administrator to execute and record Parcel Map Number 20,824 for the approved subdivision at 6100 Hollister Avenue.

Action: Approved the recommendation (June 7, 2016, report from the Public Works Director).

CONSENT CALENDAR (Item Nos. 2 – 18, 20 and 21) (CONT'D)

16. Subject: Approval Of Final Map And Execution Of Agreements For The Sandman At 3714-3744 State Street (640.08)

Recommendation: That Council approve and authorize the City Administrator to execute and record Final Map Number 20,812 and standard agreements relating to the approved subdivision at 3714-3744 State 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; Contract Nos. 25,579 – 25,582 (June 7, 2016, report from the Public Works Director).

17. Subject: Purchase Order For Replacement Of Braemar Lift Station Valves (540.13)

Recommendation: That Council waive the formal bid procedure as authorized by Municipal Code Section 4.52.070 (L) and authorize the General Services Manager to issue a Purchase Order to Stanek Constructors, Inc., in their bid amount of \$120,000, for replacement of the Braemar Lift Station operational valves, Bid No. 5447; and authorize the General Services Manager to execute Purchase Order Change Orders up to \$12,000 for extra services that may result from change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment.

Action: Approved the recommendation (June 7, 2016, report from the Public Works Director).

18. Subject: Local Coastal Program Planning Grant Application Resolution (650.04)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Supporting a Grant Application to Update the City of Santa Barbara Local Coastal Program to Complete a Comprehensive Update to the Land Use Plan, Prepare a Sea Level Rise Adaptation Plan, and Address Lower-Cost Visitor-Serving Accommodations.

Speakers:

Staff: City Administrator Paul Casey.

Action: Approved the recommendation; Resolution No. 16-036 (June 7, 2016, report from the Community Development Director; proposed resolution).

CONSENT CALENDAR (Item Nos. 2 – 18, 20 and 21) (CONT'D)

20. Subject: A Resolution Denying The Appeal And Upholding The Decision Of Architectural Board of Review To Grant Project Design Approval For A Proposed New Seven-Unit Apartment Building at 1818 Castillo Street (640.07)

Recommendation: That Council adopt, by reading of title only, A Resolution Of The Council Of The City Of Santa Barbara Denying The Appeal And Upholding The Decision Of Architectural Board of Review To Grant Project Design Approval For A Proposed New Seven-Unit Apartment Building at 1818 Castillo Street pursuant to Council's direction of March 8, 2016.

Action: Approved the recommendation; Resolution No. 16-038 (June 7, 2016, report from the City Attorney; proposed resolution).

21. Subject: Adoption Of Ordinance For Lease Agreement With Mulligan's Café Inc. At Santa Barbara Golf Club (330.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Parks and Recreation Director to Execute a Ten-Year Concession Lease Agreement dated as of May 24, 2016, with Mario and Elena Medina, Doing Business As Mulligan's Café Inc., a California Corporation, at an Initial Base Rent of \$130,000 Per Year, for the 3,480 Square Foot Restaurant Located at Santa Barbara Golf Club, 3500 McCaw Avenue, Effective July 1, 2016.

Action: Approved the recommendation; Ordinance No. 5754.

NOTICES

The City Clerk has on Thursday, June 2, 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 and discussed alternatives to increase funding for streets capital and heard staff proposals to shift costs from the Streets Fund to General and Enterprise Funds. The Committee discussed the topic, but did not take final action. Staff will be returning to the Committee for two additional meetings to discuss additional sources of streets funding.

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Randy Rowse reported that the Committee met and continued a discussion of proposed forms of amendments to the Recreational Vehicle Parking Ordinance.

The Committee approved one version of the amended ordinance as proposed by staff, with refinements. The committee will also, in the future, initiate discussions with both public liaisons and the Access Advisory Committee regarding issues surrounding recreational vehicle parking.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

22. Subject: Stage Three Drought Update (540.05)

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

Speakers:

Staff: Water Resources Manager Joshua Haggmark, Water Conservation Coordinator Madeline Ward

Discussion: Staff presented information regarding conservation information, April water numbers, water use, project supply strategy, the desalination plant, and a water conservation publicity contest. Councilmembers' questions were answered.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

Councilmember Frank Hotchkiss reported that he, Mayor Schneider, and Councilmember Cathy Murillo attended the reception at the Airport for the first flight from Dallas.

RECESS

The Mayor Pro Tempore recessed the meeting at 3:07 p.m. in order for the Council to reconvene in closed session for Agenda Items 23 and 24. He stated that no reportable action is anticipated.

CLOSED SESSIONS

23. Subject: Conference With City Attorney - Pending Litigation (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (d)(1) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is *Rolland Jacks, et al., v. City Of Santa Barbara*; Supreme Court Case No. S225589.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

June 7, 2016, report from the City Attorney.

Time:

3:10 p.m. – 3:34 p.m.

No report made.

24. Subject: Conference With City Attorney - Anticipated Litigation (160.03)

Recommendation: That Council hold a closed session to consider anticipated litigation pursuant to subsections 54956.9(d)(2)&(3) of the Government Code. Significant exposure to litigation arising out of claims by Kendra L. Feshbach.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

June 7, 2016, report from the City Attorney.

Time:

3:35 p.m. – 4:40 p.m.

No report made.

ADJOURNMENT

Mayor Pro Tempore White adjourned the meeting at 4:40 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

BENDY WHITE
MAYOR PRO TEMPORE

ATTEST: _____
SARAH GORMAN, CMC
CITY CLERK SERVICES
MANAGER