



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING December 13, 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 met at 12:30 p.m. and Ordinance Committee 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 Deborah L. Applegate.

CEREMONIAL ITEMS

1. **Subject: Recognition And Remembrance Of Victims Of Gun Violence (120.04)**

Action: Mayor Schneider read the proclamation in recognition and remembrance of the victims of gun violence.

CHANGES TO THE AGENDA

Item Removed from Agenda

City Administrator Paul Casey stated that Item No. 18 was being pulled from the Consent Calendar and would be brought back to Council at a later date.

CHANGES TO THE AGENDA (CONT'D)

Item Removed from Agenda (Cont'd)

18. Subject: Agreement For Pet Licensing With PetData And Amendment To The Fee Schedule For Animal Control (520.05)

Recommendation: That Council:

- A. Authorize the Chief of Police to execute a professional services agreement with PetData, Inc., for pet licensing services in an amount not to exceed \$25,000 per year for three fiscal years, with options to renew for two additional 1-year periods, for a total possible term of five years with a value not to exceed \$125,000; and
- B. Adopt by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 16-044 to Adjust Animal Control Fees Related to Pet Licensing Effective December 6, 2016.

PUBLIC COMMENT

Speakers: Bryan Stephenson; Phil Walker; Elie Genadry; Peter Martin; Howard Green; Kenneth Loch; Daisy Mohrman; Anna Campbell.

Item Removed from the Consent Calendar

The title of the ordinance related to the item was read.

6. Subject: Adoption Of Ordinance For A Materials Delivery Commitment And Processing Services Agreement Between The County Of Santa Barbara And The City Of Santa Barbara For The Tajiguas Resource Recovery Project (630.06)

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 Administrator, or his or her designee, of the Tajiguas Resource Recovery Project Materials Delivery Commitment and Processing Services Agreement between the County of Santa Barbara and the City of Santa Barbara.

Documents:

- December 13, 2016, report from the Finance Director.
- December 13, 2016, letter from Marc Chytilo.

Speakers:

- Members of the Public: Edward Easton; Marc Chytilo; Greg Karpain; Phil McKenna, Gaviota Coast Conservancy; Derek Carlson, MarBorg; Mark Schleich; John Dewey, Mustang/MSB. (Cont'd)

6. (Cont'd)

Motion:

Councilmembers Hotchkiss/Rowse to approve the staff recommendation; Ordinance No. 5783; Agreement No. 25,749.

Vote:

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

CONSENT CALENDAR (Item Nos. 2 - 5, 7 - 17, 19 - 21)

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

Motion:

Councilmembers Hotchkiss/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 November 22, 2016, and the special meeting of December 5, 2016.

Action: Approved the recommendation.

3. Subject: Adoption Of Ordinance For Agreement To Use Recycled Water For Irrigation At The Cancer Foundation Of Santa Barbara (540.13)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the Agreement Between the City of Santa Barbara and the Cancer Foundation of Santa Barbara, for Purchase, Use, and Delivery of the City's Recycled Water.

Action: Approved the recommendation; Ordinance No. 5782; Agreement No. 25,748.

4. Subject: Fiscal Year 2017 Interim Financial Statements For The Four Months Ended October 31, 2016 (250.02)

Recommendation: That Council accept the Fiscal Year 2017 Interim Financial Statements for the Four Months Ended October 31, 2016.

Action: Approved the recommendation (December 13, 2016, report from the Finance Director).

5. Subject: Self Insured Workers' Compensation Program Annual Report (350.08)

Recommendation: That Council receive the Annual Self Insured Workers' Compensation Program Annual Report for the year ended June 30, 2016.

Action: Approved the recommendation (December 13, 2016, report from the Finance Director).

7. Subject: Fiscal Year 2016-2017 Agreement For Operation Of A County-Wide Library System (570.04)

Recommendation: That Council approve and authorize the City Administrator to execute an Agreement For Operation of County-wide Library System for Fiscal Year 2016-2017 between the County of Santa Barbara and the Cities of Santa Barbara, Santa Maria and Lompoc.

Speakers: Lindsey Baker, League of Women Voters.

Action: Approved the recommendation; Agreement No. 25,750 (December 13, 2016, report from the Library Director).

8. Subject: Agreement For Food Material Compost Services With California Wood Recycling, Inc., Doing Business As Agromin (630.06)

Recommendation: That Council:

- A. Award a contract to California Wood Recycling, Inc., Doing Business As Agromin, pursuant to Bid No. 5492 for composting services in its low bid amount of \$83.52 per ton of food material processed;
- B. Authorize the Finance Director to execute an agreement with Agromin for compost services, subject to review and approval of the form of agreement by the City Attorney, in an amount not to exceed \$820,000 and approve expenditures up to \$80,000 to cover any cost increases that may result from differences between estimated bid quantities and actual quantities measured for payment, for a term of up to two and one-half years commencing upon execution of the agreement and terminating on June 30, 2019 with an optional two-year extension as additional one year increments; and
- C. Authorize the appropriation of an additional \$50,000 from Solid Waste Fund reserves to cover the additional cost of composting food material from food-generating businesses located in the City of Santa Barbara for Fiscal Year 2017, representing the incremental difference between previous tipping fee that was built into Fiscal Year 2017 customer trash and recycling rates and the tipping fee stated in the winning bid.

Action: Approved the recommendations; Agreement No. 25,751 (December 13, 2016, report from the Finance Director).

9. Subject: Amendment To Agreement For The Provision Of Library Services Between The City Of Goleta And The City Of Santa Barbara At The Goleta Valley Library (570.04)

Recommendation: That Council approve and authorize the City Administrator to execute an amendment of the agreement between the Cities of Goleta and Santa Barbara for the provision of library services for the period of January 1, 2017, through June 30, 2017.

Speakers: Lindsey Baker, League of Women Voters.

Action: Approved the recommendation; Agreement No. 24,734.1 (December 13, 2016, report from the Library Director).

10. Subject: Airport Master Plan Contract Amendment For Additional Biological Study (560.09)

Recommendation: That Council:

- A. Approve and authorize the Airport Director to execute an Amendment to Contract 23,903 with Coffman Associates for Preparation of additional biological resource analysis for the Airport Master Plan in an amount not to exceed \$48,871 for a total contract amount of \$1,235,075; and
- B. Increase appropriations and revenue by \$48,871 in the Airport Capital Fund for the Airport Master Plan, to be funded by a transfer of \$48,871 from existing appropriations in the Airport Operating Fund to the Airport Capital Fund.

Action: Approved the recommendations; Agreement No. 23,903.4 (December 13, 2016, report from the Airport Director).

11. Subject: Contract For Construction Of Central Library South Entrance Americans With Disabilities Act Accessibility Improvements (570.04)

Recommendation: That Council award a contract with Diani Building Corporation in the lowest acceptable bid amount of \$406,292 for construction of the Central Library South Entrance Americans with Disabilities Act Improvements Project, Bid No. 3823; and authorize the Public Works Director to execute the contract and approve expenditures up to \$40,629 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. 25,752 (December 13, 2016, report from the Library Director).

12. Subject: Rejection Of The Corporate Yard Diesel Tank And Repaving Project Bids (530.01)

Recommendation: That Council reject all bids for construction of the Corporate Yard Diesel Tank and Repaving Project, and direct staff to re-bid the project.

Action: Approved the recommendation (December 13, 2016, report from the Public Works Director).

13. Subject: Approval Of Parcel Map And Execution Of Agreements For 350 Hitchcock Way (640.08)

Recommendation: That Council approve and authorize the City Administrator to execute and record Parcel Map Number 20,822, and standard agreements relating to the approved subdivision at 350 Hitchcock Way, 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; Agreement Nos. 25,753, 25,754, 25,755 (December 13, 2016, report from the Public Works Director).

14. Subject: Agreements For Franceschi Park, Skofield Park, And Hilda McIntyre Ray Park Resident Caretakers (570.08)

Recommendation: That Council:

- A. Authorize the Parks and Recreation Director to execute a Caretaker Rental Agreement for Franceschi Park with Charles Christman, commencing January 1, 2017, through December 31, 2017;
- B: Authorize the Parks and Recreation Director to execute a Caretaker Rental Agreement for Skofield Park with James Rumbley, commencing January 1, 2017, through December 31, 2017; and
- C. Authorize the Parks and Recreation Director to execute a Caretaker Rental Agreement for Hilda McIntyre Ray Park with Robert Cerda, commencing January 1, 2017, through December 31, 2017.

Action: Approved the recommendations; Agreement Nos. 25,756, 25,757, 25,758 (December 13, 2016, report from the Community Development Director).

15. Subject: Management Position Changes At Police Department (520.04)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City Of Santa Barbara Amending Resolution No. 16-045, The Position And Salary Control Resolution For Fiscal Year 2017, to eliminate the Deputy Police Chief position and add a Police Public Engagement Manager position, effective December 13, 2016. (Cont'd)

15. (Cont'd)

Action: Approved the recommendation; Resolution No. 16-174 (December 13, 2016, report from the Police Chief).

16. Subject: Sole Source Purchase Order With Metropolitan Transit District For Cruise Ship Shuttles (570.03)

Recommendation: That Council waive the formal bid procedure as authorized by Municipal Code Section 4.52.070 (k), and authorize the General Services Manager to issue a sole source purchase order in the amount of \$120,000 to Metropolitan Transit District for Cruise Ship Shuttle Service.

Action: Approved the recommendation (December 13, 2016, report from the Waterfront Director).

17. Subject: Receipt Of California Youth Gang Reduction 2017 Grant Funds (520.04)

Recommendation: That Council:

- A. Increase Fiscal Year 2017 estimated revenues and appropriations in the Miscellaneous Grants Fund by \$246,852; and
- B. Authorize the City Administrator to extend the current agreements by one year and accept and distribute the CalGRIP calendar year 2017 grant funds.

Action: Approved the recommendations; Agreement No. 25,086.2 (December 13, 2016, report from the Assistant Parks and Recreation Director).

19. Subject: Certification Of The Election Results For The Special Municipal Election Of November 8, 2016 And Approval Of Election Costs (110.03)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Certifying the Election Results of the Official Canvass for the Special Municipal Election held in the City on November 8, 2016;
- B. Authorize the Administrative Services Director to release payment to the County of Santa Barbara for the City's share of election costs for the Special Municipal Election Of November 8, 2016 in an amount not to exceed \$107,500; and
- C. Appropriate \$112,500 from General Fund Reserves to the Fiscal Year 2017 City Clerk's Office operating budget to cover anticipated costs associated with the Special Election.

Action: Approved the recommendations; Resolution No. 16-175 (December 13, 2016, report from the Administrative Services Director).

NOTICES

20. The City Clerk has on Thursday, December 8, 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.
21. A City Council site visit is scheduled for Monday, January 9, 2016, at 1:30 p.m. to the property located at 129 E. Anapamu Street; 129 E. Anapamu Street is the subject of an appeal hearing set for January 10, 2016, at 2:00 p.m.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Hart reported that the Committee met to review the Comprehensive Annual Financial Report for the Fiscal Year ended June 30, 2016, which was approved by the full Council as part of this agenda's Consent Calendar (Item No. 23).

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

22. **Subject: Designation Of The Rattlesnake Canyon Bridge, The Santa Barbara County National Bank, And The George Edwards House As City Landmarks (640.06)**

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating The Rattlesnake Canyon Bridge at 1819 Las Canoas Road as a City Landmark;
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating The Santa Barbara County National Bank at 1000 State Street as a City Landmark; and
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating The George Edwards House at 1721 Santa Barbara Street as a City Landmark.

Documents:

- December 13, 2016, report from the Community Development Director.
- Proposed resolutions.
- Affidavit of publication.
- PowerPoint presentation prepared and made by Staff.

The title of the resolutions were read.

(Cont'd)

22. **(Cont'd)**

Speakers:

- Staff: Associate Planner Nicole Hernandez.
- Historic Landmarks Commission: Fermina Murray.

Motion:

Councilmembers White/Dominguez to approve the recommendations; Resolution No. 16-176; Resolution No. 16-177; and Resolution No.16-178.

Vote:

Unanimous roll call vote.

Mayor Schneider presented proclamations to: 1) Brian D'Amour for the designation of Rattlesnake Canyon Bridge at 1819 Las Canoas Road as a City Landmark; 2) Tracy Tate, on behalf of the Towbes Foundation, for the designation of the Santa Barbara County National Bank at 1000 State Street as a City Landmark; and 3) Fermina Murray for designation of the George Edwards House at 1721 Santa Barbara Street as a City Landmark.

FINANCE DEPARTMENT

23. **Subject: Comprehensive Annual Financial Report For The Fiscal Year Ended June 30, 2016 (250.02)**

Recommendation: That Council:

- A. Receive a report from staff on the Comprehensive Annual Financial Report For The Fiscal Year Ended June 30, 2016; and
- B. Accept the Comprehensive Annual Financial Report For The Fiscal Year Ended June 30, 2016.

Documents:

- December 13, 2016, report from the Finance Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Finance Director Bob Samario; Accounting Manager Jennifer Tomaszewski.

Motion:

Councilmembers Murillo/Rowse to approve the recommendations.

Vote:

Unanimous voice vote.

COMMUNITY DEVELOPMENT DEPARTMENT

24. Subject: Work Program For The Average Unit-Size Density Incentive Program (640.01)

Recommendation: That Council:

- A. Confirm a work program for items related to implementation of the Average Unit-Size Density Incentive Program;
- B. Initiate amendments to Title 28 of the Santa Barbara Municipal Code related to the Average Unit-Size Density Incentive Program; and
- C. Provide direction to staff regarding the membership, objectives, and expected duration of a Housing Task Force.

Documents:

- December 13, 2016, report from the Community Development Director.
- PowerPoint presentation prepared and made by Staff.
- December 9, 2016, letter from Santa Barbara Association of Realtors SBAOR, Alec Bruce.
- December 12, 2016, letter from Allied Neighborhoods Association.
- December 13, 2016, letter from League of Women Voters of Santa Barbara.
- December 13, 2016, letter from Bungalow Haven Neighborhood Association, Citizens for a Livable Neighborhood and Oak Park.
- December 13, 2016, map from Sheila Lodge.

Speakers:

- Staff: City Planner Renee Brooks; Principal Transportation Planner Rob Dayton; Assistant City Attorney Scott Vincent; Community Development Director George Buell.
- Members of the Public: Lindsey Baker, League of Women Voters; Mickey Flacks; Anna Marie Gott, Citizens for a Livable Neighborhood, Oak Park Mesa Protection Alliance; Sheila Lodge; Mark Sheridan; Alex Pujo; Bob Hart, Santa Barbara Association of Realtors.
- Historic Landmarks Commission: Commissioner Anthony Grumbine.
- Architectural Board of Review: Board Member Scott Hopkins.
- Coastal Housing Collation: Lisa Plowman; Ellen Bildsten.
- Planning Commission: Commissioner John Campanella.

Motion:

Councilmembers Dominguez/Hotchkiss to direct staff to come back to Council with a Citywide pause/moratorium for all new applications for building permits for a period of six months.

(Cont'd)

24. (Cont'd)

Amendment Motion:

Councilmembers Dominguez/Hotchkiss to direct staff to come back to Council with a proposal for a temporary Citywide AUD pause/moratorium for new applications for building permits for a period of six months.

Vote on Amendment Motion:

Majority voice vote (Noes: Councilmembers Hart and Murillo).

Motion:

Councilmembers Murillo/Rowse to form a Housing Task Force which would consist of three City Council members (Murillo/Dominguez/White); three Planning Commission members, to be chosen among themselves, and one member of the City of Santa Barbara Housing Authority, to be chosen among themselves.

Vote:

Unanimous voice vote.

Motion:

Councilmembers White/Hotchkiss to incorporate into the proposed Infill Design Guidelines, currently being formalized by City design review bodies, the following items: 1) story poles to be required for projects of five units or more; 2) for all projects of five units or more to be sent to the Planning Commission for comments; and 3) for all three bedroom units to have a requirement of two parking spots.

Councilmember White withdrew his motion.

Substitute Motion:

Councilmembers White/Hotchkiss for Staff to bring to the Planning Commission's consideration of the following items to be included in the proposed Infill Design Guidelines: 1) the maximum of two bathrooms per unit; 2) projects of five units or more to be sent to the Planning Commission for comments; and 3) three bedroom units to have a requirement of two parking spaces.

Vote on Substitute Motion:

Majority voice vote (Noes: Councilmembers Hart and Murillo).

Motion:

Councilmembers White/Hotchkiss to require story poles for all AUD projects of five units or greater.

Councilmember Hotchkiss withdrew his second.

Motion failed for lack of a second.

(Cont'd)

24. (Cont'd)

Motion:

Councilmembers White/Rowse for Staff to bring back a recommendation in February on a policy to require story poles for certain AUD projects.

Vote:

Majority voice vote (Noes: Councilmembers Hart and Murillo).

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Hart reported his attendance at the Airport Commission and shared recent passenger counts which are up thirteen percent for the month of November.
- Councilmember Dominguez reported his attendance at the Milpas Holiday Parade and the City of Santa Barbara Parade of Lights.
- Councilmember White reported his attendance at the recent Cachuma Operation and Maintenance Board where the board issued its response to the State Water Rights Order.
- Councilmember Murillo reported her attendance at the following events: 1) the Rental Housing and Mediation Board meeting; 2) the Housing Authority Commission meeting; 3) the TVSB Christmas party; 4) a Westside, "Walk In the Dark" community event; and 5) the Oversize Vehicle Ad Hoc Committee meeting.
- Mayor Schneider reported her attendance at the Milpas Holiday Parade and the City of Santa Barbara Parade of Lights.

RECESS

The Mayor recessed the meeting at 6:25 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 25, and she stated that no reportable action is anticipated. She also adjourned the meeting in memory and honor of Mike Mosas, a former City of Santa Barbara Fire Captain who worked for the City for twenty-eight years.

CLOSED SESSIONS

25. 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 *Santa Barbara Channelkeeper v. City of Santa Barbara*, USDC Case No. CV-1103624 JHN (AGRx).

Scheduling: Duration, 15 minutes; anytime.

Report: None anticipated.

(Cont'd)

25. (Cont'd)

Documents:

December 13, 2016, report from the City Attorney.

Time:

6:25 p.m. – 6:37 p.m.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 6:37 p.m. to 1:30 p.m. to Monday, January 9, 2016, at 1:30 p.m. at 129 East Anapamu Street.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST: _____
DEBORAH L. APPLGATE
DEPUTY CITY CLERK