



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING April 8, 2014 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: Gregg Hart, Frank Hotchkiss, Cathy Murillo, Randy Rowse, Mayor Schneider.

Councilmembers absent: Dale Francisco, Bendy White.

Staff present: City Administrator James L. Armstrong, City Attorney Ariel Pierre Calonne, Deputy City Clerk Susan Tschech.

### 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 April 30, 2014.

#### Documents:

April 8, 2014, report from the Acting Administrative Services Director.

#### Speakers:

Staff: City Administrator James Armstrong.

(Cont'd)

**1. (Cont'd)**

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

5-Year Pin

Luke Pico, Wastewater Collection Systems Operator I, Public Works Department  
Benjamin Spencer, Water Treatment Plant Operator, Public Works Department

10-Year Pin

Paul Lopez, Streets Maintenance Worker I, Public Works Department

15-Year Pin

Kathleen Goo, Commission Secretary, Community Development Department  
Melinda Jackson, Administrative Specialist, Public Works Department  
Kimberly Thaler-Strange, Administrative Specialist, Public Works Department  
Jill Zachary, Assistant Parks & Recreation Director, Parks & Recreation Department

30-Year Pin

Alex Altavilla, Police Captain, Police Department

Councilmember Francisco arrived at 2:03 p.m., and Councilmember White arrived at 2:05 p.m.

**2. Subject: Proclamation Declaring April 2014 As Fair Housing Month (120.04)**

Action: Proclamation presented to City Community Development Programs Specialist Elizabeth Stotts.

**PUBLIC COMMENT**

Speakers: Abby Hardin; Clint Orr; Adam Walters; Kenneth Loch; Steve Reynolds; Phil Walker; Luis Gomez, Council on Alcoholism and Drug Abuse; Jenny Castro.

**ITEM REMOVED FROM CONSENT CALENDAR**

**5. Subject: Adoption Of Municipal Code Amendments Regarding Fences, Screens, Walls And Hedges (640.02)**

Recommendation: That Council:

- A. Adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Sections 28.87.170 and 28.90.050 of the Santa Barbara Municipal Code Relating to Fences, Screens, Walls and Hedges; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara to Approve Fences, Screens, Walls and Hedges Guidelines Consistent with Santa Barbara Municipal Code Section 28.87.170.

(Cont'd)

**5. (Cont'd)**

Documents:

Proposed ordinance and resolution, revised pursuant to Council action of March 25, 2014.

Speakers:

Members of the Public: Phil Walker.

Motion:

Councilmembers Francisco/Hotchkiss to approve the recommendations; Ordinance No. 5650; Resolution No. 14-016.

Vote:

Majority roll call vote (Noes: Councilmember Rowse).

**CONSENT CALENDAR (Item Nos. 3, 4, and 6 – 18)**

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

Motion:

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

Vote:

Unanimous roll call vote.

**3. Subject: Minutes**

Recommendation: That Council waive further reading and approve the minutes of the regular meeting of March 18, 2014.

Action: Approved the recommendation.

**4. Subject: Adoption Of Ordinance For Municipal Code Title 17 Amendments Related To Waterfront Parking (550.08)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the Municipal Code by Amending Chapter 17.36 of Title 17 Pertaining to Parking in the Waterfront Parking Lots.

Action: Approved the recommendation; Ordinance No. 5649.

**6. Subject: Authorization For The Allocation Of Transportation Development Act Funds (670.05)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Filing of a Claim with the Santa Barbara County Association of Governments for Allocation of \$69,742 in Transportation Development Act Funds for Fiscal Year 2015.

Action: Approved the recommendation; Resolution No. 14-017 (April 8, 2014, report from the Public Works Director; proposed resolution).

**7. Subject: Fiscal Year 2014 Interim Financial Statements For The Seven Months Ended January 31, 2014 (250.02)**

Recommendation: That Council accept the Fiscal Year 2014 Interim Financial Statements for the Seven Months Ended January 31, 2014.

Action: Approved the recommendation (April 8, 2014, report from the Finance Director).

**8. Subject: Contracts For Design For On-Call Engineering Services For Groundwater Well Development (540.10)**

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a City Professional Services contract with Pueblo Water Resources, Inc., in the amount of \$250,000 for on-call hydrogeologic engineering design services for various groundwater well development projects, and authorize the Public Works Director to approve expenditures of up to \$25,000 for extra services that may result from necessary changes in the scope of work; and
- B. Authorize the Public Works Director to execute a City Professional Services contract with Kear Groundwater in the amount of \$250,000 for on-call hydrogeologic engineering design services for various groundwater well development projects, and authorize the Public Works Director to approve expenditures of up to \$25,000 for extra services that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Contract Nos. 24,803 and 24,804 (April 8, 2014, report from the Public Works Director).

**9. Subject: Approval Of License Agreement With Santa Barbara Certified Farmers Market, Inc. (180.02)**

Recommendation: That Council approve and authorize the City Administrator to execute a new License Agreement with the Santa Barbara Certified Farmers Market, Inc., for the operation of the Downtown Farmers Market located in the Cota Commuter Parking Lot at 119 East Cota Street, the Old Town Farmers Market located in the 500-600 Blocks of State Street, and the Coast Village Road Farmers Market located in the 1100-1200 Blocks of Coast Village Road.

Action: Approved the recommendation; Agreement No. 24,805 (April 8, 2014, report from the Public Works Director).

**10. Subject: Execution Of A License Agreement For Parking Purposes At The Granada Garage (550.05)**

Recommendation: That Council authorize the Public Works Director to execute a License Agreement with the Trustees of the Lesley J. Alexander Trust for use of three parking spaces within the Granada Garage for five years.

Speakers:

Staff: Transportation Manager Browning Allen.

Action: Approved the recommendation; Agreement No. 24,806 (April 8, 2014, report from the Public Works Director).

**11. Subject: Rejection Of The Safe Routes To School Cleveland Project Bids (530.04)**

Recommendation: That Council reject all bids for construction of the Safe Routes to School Cleveland Project and direct staff to re-bid the Project.

Action: Approved the recommendation (April 8, 2014, report from the Public Works Director).

**12. Subject: Police Department Explorer Program Funds (520.04)**

Recommendation: That Council increase appropriations and estimated revenues in the Police Department Explorer Program by \$5,666.

Action: Approved the recommendation (April 8, 2014, report from the Chief of Police).

**13. Subject: Sole Source Purchase Order For Versaterm, Inc., Computer Aided Dispatch Paging Module Software (520.03)**

Recommendation: That Council find it in the City's best interest to waive the formal bid procedure as authorized by Municipal Code Section 4.52.070(k), and authorize the General Services Manager to issue a purchase order to Versaterm, Inc., for a Versadex CAD 7.3 Paging module in an amount not to exceed \$35,000.

Action: Approved the recommendation (April 8, 2014, report from the Fire Chief).

**14. Subject: Bulletproof Vest Partnership Award (520.04)**

Recommendation: That Council:

- A. Accept \$17,731 from the U.S. Department of Justice's 2013 Bulletproof Vest Partnership grant; and
- B. Increase appropriations and estimated revenues by \$17,731 in the Police Miscellaneous Grants Fund for the purchase of forty-six (46) bulletproof vests.

Action: Approved the recommendations (April 8, 2014, report from the Chief of Police).

**15. Subject: Proposed Lease Agreement With Santa Barbara Arts Collaborative For Community Arts Workshop At 631 Garden Street (180.02)**

Recommendation: That Council approve a five-year lease agreement with the Santa Barbara Arts Collaborative for the development and use of City-owned property at 631 Garden Street as a Community Arts Workshop.

Action: Approved the recommendation; Agreement No. 24,807 (April 8, 2014, report from the City Administrator).

**NOTICES**

16. The City Clerk has on Thursday, April 3, 2014, 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.

17. Recruitment For City Advisory Groups

- A. The City Clerk's Office will accept applications through Monday, May 5, 2014, at 5:30 p.m. to fill scheduled vacancies on various City Advisory Groups and the unscheduled vacancies resulting from resignations received in the City Clerk's Office through Wednesday, April 16, 2014;

(Cont'd)

17. (Cont'd)

- B. The City Council will conduct interviews of applicants for vacancies on various City Advisory Groups on Tuesday, May 20, 2014, at 4:00 p.m. (Estimated Time), Tuesday, June 3, 2014, at 4:00 p.m. (Estimated Time), and Tuesday, June 10, 2014, at 6:00 p.m.; and
- C. The City Council will make appointments to fill vacancies on various City Advisory Groups on Tuesday, June 24, 2014.

18. Receipt of communications advising of vacancies created on the Community Development and Human Services Committee with the resignations of Rocky Jacobson and Michael Just, the Community Events and Festivals Committee with the resignation of Rebekah Altman, and the Harbor Commission with the resignation of Frank Kelly. The vacancies will be part of the current City Advisory Groups Semiannual Recruitment.

This concluded the Consent Calendar.

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

### **PARKS AND RECREATION DEPARTMENT**

#### **19. Subject: Urban Forest Management Plan (570.05)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the Urban Forest Management Plan.

Documents:

- April 8, 2014, report from the Parks and Recreation Director.
- Proposed Resolution.
- PowerPoint presentation prepared and made by Staff.

The title of the resolution was read.

Councilmember Francisco left the meeting at 2:36 p.m. and returned at 2:47 p.m.

Speakers:

- Staff: Assistant Parks and Recreation Director Jill Zachary.
- Members of the Public: Tracy Fernandez; Bill Marks, Santa Barbara League of Women Voters; Lee Moldaver, Santa Barbara Audubon Society; Lesley Wiscomb; Duke McPherson; Sheila Lodge.

Motion:

Councilmembers Rowse/Hotchkiss to approve the recommendation; Resolution No. 14-018.

Vote:

Unanimous roll call vote.

## **PUBLIC HEARINGS**

### **20. Subject: Ordinance To Establish Air Quality Design Standards For Development Near Highway 101 (630.05)**

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Title 22 of the Santa Barbara Municipal Code by Adding Chapter 22.65 Establishing Air Quality Design Standards for New Development Near Highway 101 to Implement Policy ER7 of the 2011 General Plan; and
- B. Repeal City Council Resolution No. 12-013 upon the effective date of the Ordinance Adopting Chapter 22.65 of the Santa Barbara Municipal Code.

Documents:

- April 8, 2014, report from the Acting Community Development Director/ City Planner.
- Proposed Ordinance.
- Affidavit of Publication.
- PowerPoint presentation prepared and made by Staff.
- Comments made by Tracy Fernandez during the public hearing.

The title of the ordinance was read.

Public Comment Opened:  
3:30 p.m.

Speakers:

- Staff: Project Planner/Environmental Analyst Barbara Shelton, Acting Community Development Director/City Planner Bettie Weiss, City Attorney Ariel Calonne.
- Members of the Public: Tracy Fernandez, Hyla Fetler, Steven Johnson.

Public Comment Closed:  
4:14 p.m.

Motion:

Councilmembers White/Hart to approve the recommendations.

Vote:

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

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)**

### COMMUNITY DEVELOPMENT DEPARTMENT

#### **21. Subject: Appointment Of Council Members To The New Zoning Ordinance (NZO) Joint Council And Planning Commission Committee (640.09)**

Recommendation: That Council consider the appointment of two members to the New Zoning Ordinance Joint Council and Planning Commission Committee.

Documents:

April 8, 2014, report from the Acting Community Development Director/  
City Planner.

Speakers:

Staff: Acting Community Development Director/City Planner Bettie Weiss.

Motion:

Councilmembers Hart/Rowse to appoint Councilmembers Murillo and White to the New Zoning Ordinance Committee.

Vote:

Unanimous voice vote.

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

Information:

- Councilmember Murillo commented on her attendance at an event to celebrate the opening of the Franklin Service Center and at the recent meeting of the Housing Authority Commission, where residents of Santa Fe Court thanked Housing Authority Staff for renovations made to their housing.
- Councilmember White reported on his attendance at a meeting of the Council Subcommittee on Infrastructure, where the scope of an effort to make outreach to and receive feedback from stakeholders was discussed.
- Councilmember Hotchkiss remarked upon a fundraising effort for Wounded Warriors conducted by a disabled Marine veteran named Rob Jones.
- Mayor Schneider reported on her attendance at a benefit concert given by the Rockshop Academy for a young heart transplant candidate.

## **RECESS**

Mayor Schneider recessed the meeting at 4:25 p.m. in order for the Council to reconvene in closed session for Item Nos. 22 – 25. She stated that no reportable action was anticipated.

## CLOSED SESSIONS

### 22. Subject: Conference With Legal Counsel - Pending Litigation (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9(d)(1) of the Government Code and take appropriate action as needed. Pending litigation considered is a workers' compensation claim: ***Guy Robles v. City of Santa Barbara, WCAB case number ADJ7188245.***

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

Documents:

April 8, 2014, report from the Finance Director.

Time:

4:27 p.m. – 4:30 p.m. All Councilmembers were present.

No report made.

### 23. Subject: Conference With Legal Counsel - Potential Litigation (160.03)

Recommendation: That Council hold a closed session to consider potential litigation pursuant to section 54956.9 (d)(2) and (e)(2) of the Government Code arising out of a contract dispute with Continental Casualty, and take appropriate action as needed.

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

Documents:

April 8, 2014, report from the Finance Director.

Time:

4:30 p.m. – 4:36 p.m. All Councilmembers were present.

No report made.

### 25. Subject: Conference With Labor Negotiator (440.05)

Recommendation: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristine Schmidt, Acting Administrative Services Director, regarding negotiations with the Treatment and Patrol Bargaining Units, Hourly Bargaining Unit, Police Management Association, and Firefighters Association, and regarding salaries and fringe benefits for certain unrepresented management and confidential employees.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

**25. (Cont'd)**

Documents:

April 8, 2014, report from the Acting Administrative Services Director.

Time:

4:38 p.m. – 4:42 p.m. All Councilmembers were present.

No report made.

**24. Subject: Conference With Real Property Negotiators (330.03)**

**Recommendation:** That Council hold a closed session pursuant to Government Code Section 54956.8 to consider a possible long-term lease to the Montecito Water District of a portion of the Charles Meyer Desalination Plant owned by the City of Santa Barbara and located on real property owned by the City of Santa Barbara.

**Real Property:** A portion of the Charles Meyer Desalination Plant located at 525 East Yanonali Street (Assessor's Parcel No.: 017-540-007) in the City of Santa Barbara.

**City Negotiators:** James Armstrong, City Administrator; Joshua Haggmark, Acting Water Resources Manager; Ariel Calonne, City Attorney; Sarah Knecht, Assistant City Attorney.

**Negotiating Parties:** Montecito Water District, Darlene Bierig, Board President.

**Under Negotiation:** Instructions to negotiators concerning the price and terms of payment of a possible ground lease of a portion of the Charles Meyer Desalination Plant by the Montecito Water District.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

Documents:

April 8, 2014, report from the City Attorney.

Time:

4:44 p.m. – 5:10 p.m. Councilmember White was absent.

No report made.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 5:10 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