



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING March 24, 2015 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:01 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: Dale Francisco (2:15 p.m.), 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.

### PUBLIC COMMENT

Speakers: Mr. Burke; Phil Walker; Tom Widroe, Santa Barbara City Watch; Robert Johns.

### ITEM REMOVED FROM CONSENT CALENDAR

**2. Subject: Records Destruction For Parks And Recreation Department (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 Parks and Recreation Department in the Administration, Parks, and Recreation Divisions.

(Cont'd)

## 2. (Cont'd)

### Documents:

- March 24, 2015, report from the Parks and Recreation Director.
- Proposed resolution.

The title of the resolution was read.

### Speakers:

Staff: Parks and Recreation Director Nancy Rapp, City Attorney Ariel Calonne.

### Motion:

Councilmembers Murillo/Hart to approve the recommendation, adopting Resolution No. 15-014, but direct Staff to remove the records held by the Tennis Section from the proposed destruction.

### Substitute Motion:

Councilmembers Francisco/Rowse to approve the recommendation, adopting Resolution No. 15-014, but direct Staff to retain the records held by the Tennis Section for a maximum of 30 days.

### Vote on Substitute Motion:

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

## **CONSENT CALENDAR (Item Nos. 1 and 3 – 17)**

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

### Motion:

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

### Vote:

Unanimous roll call vote.

## 1. **Subject: Minutes**

Recommendation: That Council waive further reading and approve the minutes of the adjourned regular meeting of March 9, 2015, and the regular meeting of March 10, 2015.

Action: Approved the recommendation.

**3. Subject: Resolution For Grant Application For Las Positas Creek Restoration Project (540.14)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving the Application for a \$1,000,000 Urban Streams Restoration Program Grant and Determining the Appropriate Environmental Impact Document; Conditionally Accepting the Grant if Offered, Subject to City Council Approval of the Final Language of the Grant Contract; and Designating the Project Representative, Contract Manager, and Fiscal Agent.

Action: Approved the recommendation; Resolution No. 15-015 (March 24, 2015, report from the Parks and Recreation Director; proposed resolution).

**4. Subject: Adoption Of Resolutions Required For Drinking Water State Revolving Fund Loan Funding Of The Desalination Plant (540.10)**

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Pledging the Water Fund Net Revenue to Payment of the Drinking Water State Revolving Fund Financing Agreement; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Stating the City's Intent to Reimburse Expenditures Paid Prior to Either the Issuance of Obligations or the Approval by the State Water Resources Control Board of the Project Funds for Reactivating the Charles E. Meyer Desalination Plant.

Action: Approved the recommendations; Resolution Nos. 15-016 and 15-017 (March 24, 2015, report from the Public Works Director; proposed resolutions).

**5. Subject: Increase In Professional Services Contract Authority With Godbe Research For Polling Services (530.01)**

Recommendation: That Council increase the City Administrator's negotiating authority to execute a not-to-exceed \$41,000 contract for professional services with Godbe Research to conduct a comprehensive opinion poll related to a possible revenue generating ballot measure.

Speakers:

- Members of the Public: Tom Widroe, Santa Barbara City Watch; Bonnie Raisin.
- Staff: Assistant to the City Administrator Nina Johnson, City Administrator Paul Casey, City Attorney Ariel Calonne.

Action: Approved the recommendation (March 24, 2015, report from the City Administrator).

**6. Subject: February 2015 Investment Report (260.02)**

Recommendation: That Council accept the February 2015 Investment Report.

Action: Approved the recommendation (March 24, 2015, report from the Acting Assistant City Administrator/Finance Director).

**7. Subject: Fiscal Year 2015 Interim Financial Statements For The Seven Months Ended January 31, 2015 (250.02)**

Recommendation: That Council accept the Fiscal Year 2015 Interim Financial Statements for the Seven Months Ended January 31, 2015.

Action: Approved the recommendation (March 24, 2015, report from the Acting Assistant City Administrator/Finance Director).

**8. Subject: Appropriation Of Human Services Grant Funds For Youth Apprenticeship And Santa Barbara Arts Alliance Programs (570.06)**

Recommendation: That Council increase appropriations and estimated revenues in the Fiscal Year 2015 Parks and Recreation Department General Fund, in the amount of \$15,000, for two Human Services Grant awards.

Action: Approved the recommendation (March 24, 2015, report from the Parks and Recreation Director).

**9. Subject: Purchase Order For City Hall Well Repair (540.10)**

Recommendation: That Council approve a maintenance and repair Purchase Order in the amount of \$102,164.56 to PCL Construction, Inc., for repairs made to the City Hall Well.

Action: Approved the recommendation (March 24, 2015, report from the Public Works Director).

**10. Subject: Contract For Construction Of The Westside Center Bathroom Renovation Project (320.01)**

Recommendation: That Council award a contract with Kinyon Construction, Inc., in their lowest acceptable bid amount of \$185,175 for construction of the Community Development Block Grant Westside Center Bathroom Renovation, Bid No. 3769, and authorize the Public Works Director to execute the contract and approve expenditures up to \$18,517.50 (10 percent) to cover any cost increases that may result from contract change orders for extra work.

Action: Approved the recommendation; Contract No. 25,121 (March 24, 2015, report from the Public Works Director).

**11. Subject: Contract Amendment For Construction Management And Inspection Services For The Gibraltar Conduit Hydroelectric Plant (540.01)**

Recommendation: That Council authorize an amendment to Contract No. 24,715 with Rockwell Construction Services, LLC, in an amount of \$10,960 for additional construction management and inspection services for recommissioning the Gibraltar Conduit Hydroelectric Plant, raising the overall contract amount to \$55,178.

Action: Approved the recommendation; Contract No. 24,715.1 (March 24, 2015, report from the Public Works Director).

**12. Subject: Amendment To Professional Services Agreement With Ruby Carrillo For Accounting Services (210.01)**

Recommendation: That Council approve and authorize the Finance Director to execute a First Amendment to Agreement No. 21400186, Professional Service Contract with Ruby Carrillo for Accounting Services, to increase the agreement by \$30,000 for a total of \$50,000.

Action: Approved the recommendation (March 24, 2015, report from the Acting Assistant City Administrator/Finance Director).

**13. Subject: Resolution Denying The Appeal Of The Single Family Design Board Decision Regarding 1912 Mission Ridge Road (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 the Single Family Design Board Granting Project Design Approval for Additions to the Residence at 1912 Mission Ridge Road.

Speakers:

Members of the Public: Trevor Martinson.

Action: Approved the recommendation; Resolution No. 15-018 (proposed resolution; March 24, 2015, letter from Trevor Martinson).

**14. Subject: Set A Date For Public Hearing Regarding Appeal Of Single Family Design Board Approvals For 2405 State Street**

Recommendation: That Council:

- A. Set the date of April 21, 2015, at 2:00 p.m. for hearing the appeal filed by Jim and Debbie Arnesen of the Single Family Design Board Project Design and Final Approvals for property owned by Dan Underwood and located at 2405 State Street, Assessor's Parcel No. 025-071-012, E-3 One-Family Residence Zone, General Plan Designation: Low Density Residential. The project proposes construction of a 2,101 square-foot, two-story single-family residence with an attached 505 square-foot, two-car garage along with other improvements, and it includes 318 cubic yards of cut and fill grading. The proposed total of 2,606 square feet on a vacant lot is 85% of the maximum floor-to-lot area ratio; and
- B. Set the date of April 20, 2015, at 1:30 p.m. for a site visit to the property located at 2405 State Street.

Action: Approved the recommendations (March 4, 2015, letter of appeal).

**NOTICES**

- 15. The City Clerk has on Thursday, March 19, 2015, 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.
- 16. Cancellation of the regular City Council meeting of March 31, 2015.
- 17. Receipt of communication advising of vacancy created on the Water Commission with the resignation of Russell Ruiz; the vacancy will be part of the next City Advisory Groups recruitment.

This concluded the Consent Calendar.

**CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

**CITY ADMINISTRATOR**

**18. Subject: Update On Downtown Electrical Infrastructure Reliability Issues From Southern California Edison (380.01)**

Recommendation: That Council receive a presentation from Southern California Edison on electrical infrastructure reliability issues in the Downtown Corridor area.

Documents:

March 24, 2015, report from the City Administrator.

(Cont'd)

## 18. (Cont'd)

### Speakers:

- Staff: Facilities and Energy Manager James Dewey.
- Southern California Edison: Rondi Guthrie, Local Public Affairs Region Manager; Alicia Pillado, Santa Barbara Service Center District Manager; Chris Peck, Public Involvement and Education.
- Members of the Public: Tom Widroe, Santa Barbara City Watch; Maggie Campbell, Downtown Santa Barbara; Phil Walker; Richard Yates.

Councilmember Francisco left the meeting at 3:09 p.m. and returned at 3:22 p.m.

### Discussion:

Representatives of Southern California Edison presented information regarding the utility's local infrastructure, unplanned outages by cause, planned maintenance outages, a program to improve reliability, a public communication strategy, and capital projects. Councilmembers' questions were answered.

## RECESS

3:29 p.m. – 3:36 p.m.

## PUBLIC HEARINGS

### 19. **Subject: Appeal Of Planning Commission Approval Of Santa Barbara Museum Of Natural History Conditional Use Permit Amendment (640.07)**

Recommendation: That Council deny the appeal of Mark and Lauren Carey, upholding the Planning Commission's approval of the Conditional Use Permit Amendment and Parking Modification for the Santa Barbara Museum of Natural History (2559 Puesta del Sol); and direct staff to return with Decision and Findings, including revised conditions of approval.

### Documents:

- March 24, 2015, report from the Community Development Director.
- PowerPoint presentation prepared and made by Staff.
- Affidavit of Publication.
- Correspondence from the Appellant:
  - o March 16, 2015, letter with attachments.
  - o Supplemental handout submitted during the public hearing.
  - o Brochures for Santa Barbara Museum of Art and California Science Center, submitted by Richard Solomon during the public hearing.

(Cont'd)

## 19. (Cont'd)

### Documents (Cont'd)

- Correspondence from the Applicant:
  - o January 26 and March 3, 2015, letters from Suzanne Elledge, Planning & Permitting Services, Inc.
  - o March 17, 2015, letter from the Santa Barbara Museum of Natural History Board; March 17, 2015, e-mail from Christopher Knowlton, Museum Trustee.
  - o March 19, 2015, letter from Beth Collins-Burgard, Attorney, Brownstein Hyatt Farber Schreck.
  - o Undated letter from the Museum's Quasars to Sea Stars.
- Correspondence from the Public:
  - o March 6, 2015, e-mail from Raymond Smith.
  - o March 9, 2015, e-mail from Lawrence Davanzo.
  - o March 10, 2015, e-mails from Barbara, Ken, Joaquin, Miguel and Santiago Greenberg; Laura Pomerantz; Joie McKay; Meg Miller and Dean Dawson.
  - o March 11, 2015, letter from Ani, Monico and Nico Casillas.
  - o March 13, 2015, letter from the Santa Barbara Maritime Museum.
  - o March 13, 2015, e-mails from Geoff Alexander; Hiroko Benko; Annmarie Rogers, Santa Barbara Chamber of Commerce Visitor Center; Kathy Janega-Dykes, Visit Santa Barbara; Richard Appelbaum.
  - o March 15, 2015, letters from Laurie Guitteau; Steve Windhager, Santa Barbara Botanic Garden.
  - o March 16, 2015, letters from Gwen Stauffer, Ganna Walska Lotusland; Alastair Winn; Dennis Power.
  - o March 16, 2015, e-mails from Wm. Howard Wittausch; George Relles; Chuck McPartlin; Joe Doyle; Bruce Murdock; Tim Crawford.
  - o March 17, 2015, e-mails from Bill Clausen; Tim Crawford; Andrew Allen; Erin O'Connor; Yvonne DeGraw.
  - o March 24, 2015, letters from Larry Jon Friesen; Carole Daneri; Bobbie Kinnear; Sue Adams.

### Public Comment Opened:

3:38 p.m.

### Speakers:

- Staff: Project Planner Daniel Gullett, City Attorney Ariel Calonne.
- Planning Commission: Commissioner Mike Jordan.
- Appellant: Lauren Carey, Richard Solomon.
- Applicant: Suzanne Elledge, Planner; Luke Swetland, Santa Barbara Museum of Natural History President; Mike Huff, Dudek.

(Cont'd)

## 19. (Cont'd)

### Speakers (Cont'd):

- Members of the Public: Steve Windhager, Santa Barbara Botanic Garden; Jose Martin Meza; Chuck McPartlin; Arthur Harris; Nancy Martz; John Kay; Don Olson; Alastair Winn; Larry Friesen; Fred Sweeney, Upper East Association; Hebe Bartz; Bobbie Kinnear; Palmer Jackson; Elijah Queti; Peter Schuyler; Gwen Stauffer, Ganna Walska Lotusland; Greg Gorga, Santa Barbara Maritime Museum; Virginia Guess; Dean Noble, Santa Barbara Zoo; Dennis Allen; Sue Adams; Krissie Cook; Tom Jacobs; Arielle Moorman.

### Public Comment Closed:

6:14 p.m.

### Motion:

Councilmember Murillo to disallow a public address system as a component of the Conditional Use Permit.

The motion died for lack of a second.

### Motion:

Councilmembers Hart/Rowse to deny the appeal and uphold the Planning Commission's approval of the project, directing Staff to incorporate the following conditions into the Decision and Findings to be submitted for Council approval:

- The required ending time of the monthly star parties is to be extended to 10:30 p.m.
- The high attendance events condition is to be clarified to limit the number of event days to seven, plus two event-related receptions.
- Relocation of trash dumpsters and construction of a trash enclosure in the southwest portion of the parking lot.
- The western trail connector is to be left in place.
- The public address system must be tested and, prior to establishing regular use, must meet the criterion that noise at any property boundary not exceed two decibels above ambient level.

### Vote:

Majority voice vote (Noes: Councilmember Murillo).

## RECESS

6:42 p.m. – 7:04 p.m.

Mayor Schneider presiding.

Councilmembers present: Francisco, Hart, Hotchkiss, Murillo, Rowse, White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator Casey, City Attorney Calonne, Deputy City Clerk Tschech.

## **PUBLIC COMMENT**

No one wished to speak.

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

### ADMINISTRATIVE SERVICES DEPARTMENT

#### **20. Subject: Setting Geographic Boundaries For District Elections (110.03)**

Recommendation: That Council:

- A. Receive a report from Doug Johnson, President of National Demographics Corporation, regarding the results of the City public outreach efforts related to district elections and drawing geographic boundaries for electoral districts;
- B. Hold a public hearing pursuant to California Elections Code Section 10010 to consider a proposal to establish district boundaries;
- C. Provide direction to the City Attorney and the City Administrator on establishing electoral district boundaries; and
- D. Consider adoption of A Resolution of the Council of the City of Santa Barbara Establishing Single Member Districts for the Election of Councilmembers.

Documents:

- March 24, 2015, report from the Administrative Services Director.
- Santa Barbara Public Forums Summary Report, prepared by National Demographics Corporation.
- Draft and public plans for dividing the City into six election districts.
- Affidavit of Publication.

Public Comment Opened (continued from March 18, 2015):  
7:05 p.m.

Speakers:

- Staff: Administrative Services Director Kristine Schmidt, City Attorney Ariel Calonne.
- National Demographics Corporation (Consultant to City): Douglas Johnson.
- Members of the Public: Barry Cappello, Attorney, representing the plaintiffs in the district elections lawsuit; David Ely, representing Mr. Cappello's office; Robert Johns; Lucas Zucker, CAUSE; Rosemary Munoz; Gregory Freeland; Mickey Flacks; Lindsey Baker, League of Women Voters; Richard Flacks, Santa Barbara County Action Network; Daniel McCarter, Friends of Arroyo Burro; Tony Vassallo; Cruzito Herrera Cruz, La Comunidad; Hillary Blackerby; Dora Perez, CAUSE; Nancy Cabrera.

(Cont'd)

**20. (Cont'd)**

Public Comment Closed:  
8:47 p.m.

Discussion:

Councilmembers commented on the various draft and public plans for dividing the City into six election districts and stated their preferences for drawing the boundaries between districts. It was agreed that staff from Mr. Johnson's and Mr. Cappello's offices would confer in order to prepare three versions of a final district map, which will be presented at a special meeting of the City Council scheduled for March 30, 2015, at 4:00 p.m. At that time the Council will approve one map for submission to the court which will rule on the district elections lawsuit.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 9:12 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

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

ATTEST: \_\_\_\_\_  
SUSAN TSCHECH, CMC  
DEPUTY CITY CLERK