



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING May 19, 2015 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 12:00 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: Dale Francisco, Gregg Hart, Frank Hotchkiss, Cathy Murillo, Randy Rowse, Bendy White (2:05 p.m.), Mayor Schneider.

Councilmembers absent: None.

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

### PUBLIC COMMENT

Speakers: Matthew Kramer; Melody Baker; Candice Perez; Katia Barradas; Tom Widroe, CityWatch; Michael Montenegro.

### CONSENT CALENDAR (Item Nos. 1 – 19)

The titles of the ordinances and resolutions related to Consent Items were read.

Motion:

Councilmembers Rowse/Hotchkiss 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 special meetings of April 30, and May 4, 2015, the adjourned regular meeting of May 4, 2015, and the regular meeting of May 5, 2015.

Speakers:

Staff: City Administrator Paul Casey advised that the minutes of the regular meeting of May 5, 2015, were being removed from the agenda for correction and will be resubmitted on June 2, 2015.

Action: Approved the recommendation with the exception of the minutes of the regular meeting of May 5, 2015.

**2. Subject: April 2015 Investment Report (260.02)**

Recommendation: That Council accept the April 2015 Investment Report.

Action: Approved the recommendation (May 19, 2015, report from the Finance Director/Acting Assistant City Administrator).

**3. Subject: Receipt Of Donated Fire Equipment (520.03)**

Recommendation: That Council accept a donation of thermal imaging camera equipment for firefighting with a value of approximately \$6,000 from FLIR Systems, Inc.

Speakers:

- Staff: Fire Department Training Captain Tony Pighetti.
- Members of the Public: Bill Terre, Vice President/General Manager, FLIR Systems, Inc.

Action: Approved the recommendation (May 19, 2015, report from the Fire Chief).

**4. Subject: Mutual Aid Personnel Compensation (520.03)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing Portal to Portal Pay for Sworn Fire Employees Assigned to Mutual Aid Response.

Action: Approved the recommendation; Resolution No. 15-037 (May 19, 2015, report from the Fire Chief; proposed resolution).

**5. Subject: Ordinance Establishing Citation Authority For Community Service Officers (520.04)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 1.20 of Title 1 of the Santa Barbara Municipal Code by Adding and Adopting Section 1.20.060, Establishing the Citation Authority of the Community Service Officer Classification.

Action: Approved the recommendation (May 19, 2015, report from the Police Chief; proposed ordinance).

**6. Subject: Software Maintenance For Regional Law Enforcement Data Sharing System (520.04)**

Recommendation: That Council find it in the City's best interest to waive the bidding process as provided in Municipal Code 4.52.070(k) and authorize the General Services Manager to issue a purchase order to IBM for the estimated amount of \$106,296 for software maintenance and services for the Coplink system for Fiscal Year 2015.

Action: Approved the recommendation (May 19, 2015, report from the Police Chief).

**7. Subject: Acceptance of Federal Aviation Administration Airport Improvement Program Grant Offer For Santa Barbara Airport (560.01)**

Recommendation: That Council accept and authorize the Airport Director to execute, on behalf of the City, a Federal Aviation Administration Grant offer, No. 3-06-0235-49, in an amount not to exceed \$3,100,000 in Airport Improvement Program (AIP) funds, for the Airport Lighting and Safety Upgrade Improvement Project and North General Aviation Ramp Replacement Project.

Action: Approved the recommendation: Agreement No. 24,210 (May 19, 2015, report from the Airport Director).

**8. Subject: Westside Boys And Girls Club Property Lease (580.04)**

Recommendation: That Council authorize the Parks and Recreation Director to enter into a three-year lease agreement with the United Boys and Girls Club of Santa Barbara County for the Westside Boys and Girls Club located at 602 W. Anapamu Street, at one dollar a year.

Action: Approved the recommendation; Lease Agreement No. 24,197 (May 19, 2015, report from the Parks and Recreation Director).

**9. Subject: Integrated Pest Management 2014 Annual Report (330.01)**

Recommendation: That Council accept the Integrated Pest Management (IPM) 2014 Annual Report that addresses the use of pesticides and alternatives to control weeds or eliminate pests on City property.

Action: Approved the recommendation (May 19, 2015, report from the Parks and Recreation Director).

**10. Subject: Approval Of Parcel Map And Execution Of Agreements For 240 West Alamar Street (640.08)**

Recommendation: That Council approve and authorize the City Administrator to execute and record Parcel Map Number 20,814 and standard agreements relating to the approved subdivision at 240 West Alamar Street.

Action: Approved the recommendation; Agreement Nos. 24,198 – 24,200 (May 19, 2015, report from the Public Works Director).

**11. Subject: Acceptance Of Meter Easements For 1130 Punta Gorda Street (540.06)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting an Agreement for Access to Water Meters and Sub-Meters and Grant of Easement at 1130 Punta Gorda Street.

Action: Approved the recommendation; Resolution No. 15-038, Agreement No. 24,201 (May 19, 2015, report from the Public Works Director).

**12. Subject: Contract For Construction Of Influent Pump Station Improvements (540.13)**

Recommendation: That Council:

- A. Transfer \$242,605.69 from Wastewater Fund Reserves to the Wastewater Capital Fund;
- B. Increase appropriations by \$1,070,245 in the Wastewater Capital Fund for the Influent Pump Station Variable Frequency Drive and Programmable Logic Controller Replacement Project, funded from a \$242,605.69 transfer from Wastewater Capital reserves and the balance of \$827,639.31 funded from a reimbursement from the State Revolving Loan Fund approved by separate action;
- C. Award a contract with Taft Electric Company in their low bid amount of \$732,910 for construction of the Influent Pump Station Variable Frequency Drive and Programmable Logic Controller Replacement Project, Bid No. 3740; and authorize the Public Works Director to execute the contract and approve expenditures up to \$73,290 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; (Cont'd)

**12. (Cont')**

- D. Authorize the Public Works Director to execute a contract with Mimiaga Engineering Group in the amount of \$111,000 for construction management services, and approve expenditures of up to \$11,100 for extra services of Mimiaga Engineering Group that may result from necessary changes in the scope of work; and
- E. Authorize the Public Works Director to execute a contract with Brown & Caldwell in the amount of \$81,376 for construction support services, and approve expenditures of up to \$8,138 for extra services of Brown & Caldwell that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Contract Nos. 24,202 – 24,204 (May 19, 2015, report from the Public Works Director).

**13. Subject: Contract For Preliminary Design Of Las Positas Road Multiuse Path (530.04)**

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a City Professional Services contract with RRM Design Group in the amount of \$938,426 for preliminary design services of the Las Positas Road Multiuse Path Project, and authorize the Public Works Director to approve expenditures of up to \$93,843 for extra services of RRM Design Group that may result from necessary changes in the scope of work; and
- B. Increase appropriations and estimated revenues related to the Active Transportation Program Grant by \$1,018,000 in the Fiscal Year 2015 Streets Grant Fund for the Las Positas Multiuse Path Project.

Action: Approved the recommendations; Contract No. 24,205 (May 19, 2015, report from the Public Works Director).

**14. Subject: Introduction Of Ordinance For Curb Marking For Parking Regulations (550.01)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.48 of the Municipal Code by Amending Section 10.48.040, Curb Markings to Indicate Parking Regulations - Authority of the Transportation Engineer.

Action: Approved the recommendation (May 19, 2015, report from the Public Works Director; proposed ordinance).

**15. Subject: Introduction Of Ordinance For Prohibition Of Unauthorized Traffic Signs (530.05)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.12 of the Municipal Code by Amending Section 10.12.170, Displaying of Unauthorized Signs Prohibited - Nuisance.

Action: Approved the recommendation (May 19, 2015, report from the Public Works Director; proposed ordinance).

**16. Subject: Introduction Of Ordinance Establishing Bus Stop Zones (530.05)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.48 of the Municipal Code by Amending Section 10.48.090, Bus Zones to be Established.

Action: Approved the recommendation (May 19, 2015, report from the Public Works Director; proposed ordinance).

**17. Subject: Set A Date For Public Hearing Regarding Appeal Of Parks And Recreation Commission Denial For 3740 Pescadero Drive (570.08)**

Recommendation: That Council:

- A. Set the date of June 16, 2015, at 2:00 p.m. for hearing the appeal filed by Carey Ludford, of the Parks and Recreation Commission denial of an application for the removal of one (1) Schinus terebinthifolius, Brazilian Pepper, located at 3740 Pescadero Drive; and
- B. Set the date of June 15, 2015, at 1:00 p.m. for a site visit to the property located at 3740 Pescadero Drive.

Action: Approved the recommendations (April 28, 2015, letter of appeal).

**NOTICES**

- 18. The City Clerk has on Thursday, May 14, 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.
- 19. Receipt of communication advising of vacancy created on the Santa Barbara Youth Council with the resignation of Katie Carrillo-Castro; the vacancy will be part of the current City Advisory Groups recruitment.

This concluded the Consent Calendar.

## REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dale Francisco reported that the Committee met to consider the Proposed Two-Year Financial Plan for Fiscal Year 2016, which included a pension update, a status report on the Employee Mortgage Loan Assistance Program (EMLAP), and staff-proposed adjustments to the Fiscal Year 2016 recommended budget. Staff will make a presentation regarding the Fiscal Year 2015 Third Quarter Review to the full Council as part of Agenda Item No. 20.

## CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

### FINANCE DEPARTMENT

#### **20. Subject: Fiscal Year 2015 Third Quarter Review (210.01)**

Recommendation: That Council:

- A. Hear a report from staff on the status of revenues and expenditures in relation to budget for the nine months ended March 31, 2015;
- B. Accept the Fiscal Year 2015 Interim Financial Statements for the Nine Months Ended March 31, 2015; and
- C. Approve the proposed third quarter adjustments to Fiscal Year 2015 appropriations and estimated revenues as detailed in the schedule of Proposed Third Quarter Adjustments.

Documents:

- May 19, 2015, report from the Finance Director/Acting Assistant City Administrator.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Treasury Manager Julie Nemes.
- Members of the Public: Tom Widroe, CityWatch.

Councilmember Francisco left the meeting at 2:26 p.m.

Motion:

Councilmembers Hart/Hotchkiss to approve the recommendations.

Vote:

Unanimous voice vote (Absent: Councilmember Francisco).

Councilmember Francisco returned to the meeting at 2:34 p.m.

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

### **PUBLIC WORKS DEPARTMENT**

#### **21. Subject: Introduction Of Ordinance Approving A Joint Powers Agreement For Wastewater Treatment In The Mission Canyon Area (540.13)**

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the 2015 Joint Powers Agreement for Wastewater Collection, Treatment and Disposal for County Service Area 12 in the Mission Canyon Area Between the County of Santa Barbara and the City of Santa Barbara; and
- B. Authorize the City Administrator to execute a Joint Powers Agreement for Wastewater Collection, Treatment, and Disposal in the Mission Canyon Area with the County of Santa Barbara.

Documents:

- May 19, 2015, report from the Public Works Director.
- Proposed ordinance.
- PowerPoint presentation prepared and made by Staff.

The title of the ordinance was read.

Speakers:

Staff: Wastewater Systems Manager Chris Toth, Public Works Director Rebecca Bjork, Assistant City Attorney Scott Vincent.

Motion:

Councilmembers Rowse/Murillo to continue this item to the June 2, 2015, City Council meeting to include more detailed information on the implications of the proposed recommendations.

Vote:

Unanimous voice vote.

### **CITY ADMINISTRATOR**

#### **22. Subject: Community Polling Results On Unfunded Infrastructure Needs (530.01)**

Recommendation: That Council:

- A. Receive a report on community polling results on the City's unfunded infrastructure needs and possible funding options related to streets, parks and facilities; and
- B. Direct staff to initiate procedural steps to place a sales tax measure on the November 2015 ballot.

(Cont'd)

## 22. (Cont'd)

### Documents:

- May 19, 2015, report from the City Administrator.
- PowerPoint presentations prepared and made by Staff and the Consultant.

### Speakers:

- Staff: Assistant to the City Administrator Nina Johnson.
- Godbe Research (Consultant to the City): President Bryan Godbe.
- Members of the Public: Tom Widroe, CityWatch; Lanny Ebenstein; Bonnie Raisin; Lesley Wiscomb; Maggie Campbell, Downtown Santa Barbara; Scott Burns; Ethan Shenkman.

### Motion:

Councilmembers White/Rowse to direct staff to initiate procedural steps to place a sales tax measure on the November 2015 ballot.

### Vote:

Majority voice vote (Noes: Councilmembers Hart, Hotchkiss).

## RECESS

4:34 p.m. – 4:44 p.m.

## CHANGES TO THE AGENDA

### Item Continued to Future Meeting

Mayor Schneider announced that staff is requesting to continue the following item to the June 2, 2015, City Council meeting. Councilmembers Hotchkiss and White stated they would abstain from voting on the continuance due to a conflict of interest related to their residence being located within the boundaries of the subject assessment district.

## 25. **Subject: Renewal Of Levy For Fiscal Year 2016 For The Wildland Fire Suppression Assessment District (520.03)**

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 Vegetation Road Clearance, Implementation of a Defensible Space Inspection and Assistance Program, and Implementation of a Vegetation Management Program 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; Approving the Engineer's Report; Confirming Diagram and Assessment; and Ordering Continuation of the Wildland Fire Suppression Assessment District for Fiscal Year 2016.

### Motion:

Councilmembers Francisco/Rowse to continue this item to the June 2, 2015, City Council meeting.

### Vote:

Unanimous voice vote (Abstentions: Councilmembers Hotchkiss, White).

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

### ADMINISTRATIVE SERVICES DEPARTMENT

#### **23. Subject: Vote-By-Mail General Municipal Election, Agreement For Election Services And Direction Regarding Potential Ballot Measures (110.03)**

Recommendation: That Council:

- A. Authorize the City Clerk to conduct the November 3, 2015 General Municipal Election as a Vote-By-Mail Election;
- B. Authorize the Administrative Services Director to execute a \$135,000 professional services agreement with Martin & Chapman Company for election services necessary concerning the City's November 2015 General Election, and to approve expenditures of up to \$20,250 for extra services that may result from necessary changes in the scope of work; and
- C. Direct staff and the City Attorney to return to Council to discuss other potential matters to be placed on the November ballot.

Documents:

- May 19, 2015, report from the Administrative Services Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Members of the Public: Lucas Zucker, CAUSE; Charles Clouse, Democratic Service Club; Dick Flacks; Bonnie Raisin; Daraka Larimore-Hall.

(Cont'd)

The Mayor announced that the following item will be heard prior to the conclusion of Item No. 23.

### **MAYOR AND COUNCIL REPORTS**

#### **24. Subject: Interviews For City Advisory Groups (140.05)**

Recommendation: That Council:

- A. Hold interviews of applicants to various City Advisory Groups; and
- B. Continue interviews of applicants to June 2, 2015, and June 9, 2015.  
(Estimated Time: 4:00 p.m.)

Documents:

May 19, 2015, report from the Administrative Services Director.

Speakers:

The following applicants were interviewed:

Fire and Police Commission:  
Jeanine Daniel

(Cont'd)

**24. (Cont'd)**

Speakers (Cont'd):

Housing Authority Commission:  
David Hughes

Library Board:  
Will Tomlinson

Santa Barbara Youth Council:  
Kendra Dayton  
Ryan Daniel  
Wilson Sherman  
Layla Landeros  
Ava Castanha  
Jensen Steady  
Amanda Roberts  
Manny Rea

Transportation and Circulation Committee:  
Howard Green

Water Commission:  
John Jostes  
Dave Davis  
David Landecker  
Ken Goodenough

By consensus, the Council continued the interviews to June 2, 2015, at 6:00 p.m.

The Mayor announced that Item No. 23 would resume at this time.

**23. (Cont'd)**

Speakers (Cont'd):

- Staff: City Clerk Services Manager Gwen Peirce, City Attorney Ariel Calonne.

Motion:

Councilmembers Rowse/Hotchkiss to approve Recommendations A and B, authorizing the City Clerk to conduct a Vote-By-Mail Election and authorizing a professional services agreement with Martin & Chapman Company for election services; Agreement No. 24,206.

Vote:

Unanimous voice vote.

(Cont'd)

**23. (Cont'd)**

Motion:

Councilmembers Hart/Murillo to direct staff to return to the City Council with options for a potential ballot measure regarding even-year elections.

Vote:

Failed to carry by voice vote (Ayes: Councilmembers Hart, Murillo, Rowse; Noes: Councilmembers Francisco, Hotchkiss, White and Mayor Schneider).

Motion:

Councilmembers White/Hotchkiss to direct staff and the City Attorney to return to the City Council with a potential ballot measure regarding even-year elections to be structured as follows:

- If the ballot measure approving even-year elections passes in November 2015, then the Councilmembers elected in the 2015 Election (Districts 1, 2, 3) would serve three years; in the 2017 Election, the Mayor and Councilmembers elected (Districts 4, 5, 6) would serve three years; and the first even-year election would occur in 2018 for Districts 1, 2, and 3 and the next even-year election would occur in 2020 for the Mayor and Districts 4, 5 and 6.

Vote:

Failed to carry by voice vote (Ayes: Councilmembers Hotchkiss, White, Mayor Schneider; Noes: Councilmembers Francisco, Hart, Murillo, Rowse).

Motion:

Councilmember Hart to direct staff and the City Attorney to return to the City Council with three options for even-year elections.

The motion died for a lack of second.

Motion:

Councilmembers Murillo/Hart to direct the City Attorney to speak with the plaintiffs on the options for even-year elections and return to the City Council at the June 2, 2015, meeting.

Vote:

Majority voice vote (Noes: Councilmember Francisco).

**COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

Information:

- Councilmember Hotchkiss reported on his attendance at the Riviera Association Semiannual meeting and at a ribbon-cutting ceremony for art-covered trash cans on Milpas Street.

(Cont'd)

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS (CONT'D)**

Information (Cont'd):

- Councilmember Murillo reported on her attendance at the following events and meetings: 1) Coalition Against Gun Violence 20<sup>th</sup> Anniversary; 2) Fireman's Ball; 3) Animal Shelter Assistance Program (ASAP) event; 4) Westside Bicycle Master Plan meeting; 5) Pro-Youth movement meeting; 6) Pancake Breakfast at the Westside Boys and Girls Club; and 7) Access Advisory Committee meeting.

### **CLOSED SESSIONS**

The Mayor recessed the meeting at 5:57 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 26 and 27. She stated that no reportable action is anticipated.

#### **27. 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, Administrative Services Director, regarding negotiations with the Fire Management Association, Supervisors Association, and regarding salaries and fringe benefits for unrepresented management.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

Documents:

May 19, 2015, report from the Administrative Services Director.

Time:

6:00 p.m. – 6:15 p.m. Councilmember Hart was absent.

No report made.

#### **26. Subject: Public Employee Performance Evaluation - Government Code Section 54957 (160.01)**

Recommendation: That Council hold a closed session for a Public Employee Performance Evaluation per Government Code Section 54957.

Title: City Attorney

Scheduling: Duration, 40 minutes; anytime

Report: None anticipated

Documents:

May 19, 2015, report from the City Administrator.

Time:

6:15 p.m. – 7:00 p.m. Councilmember Hart was absent.

No report made.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 7:00 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

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

ATTEST:

\_\_\_\_\_  
GWEN PEIRCE, CMC  
CITY CLERK SERVICES MANAGER