



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING August 4, 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 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: Gregg Hart, Frank Hotchkiss, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: Dale Francisco.

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

### 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 August 31, 2015.

#### Documents:

August 4, 2015, report from the Administrative Services Director.

#### Speakers:

Staff: City Administrator Paul Casey.

(Cont'd)

**1. (Cont'd)**

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

5 Years

Simon Perez, Wastewater Collection System Operator II, Public Works Department  
Jerrold Holcomb, Custodian, Airport Department

10 Years

Catherine Chan, Police Technician, Police Department  
German Padilla, Parking Enforcement Officer, Police Department  
Steven Foley, Supervising Transportation Planner, Public Works Department  
Garrett Reynolds, Welder / Fabricator, Public Works Department  
Timothy Burgess, Water Resources Specialist, Parks and Recreation Department  
Jill Murray, Water Quality Research Coordinator, Parks and Recreation Department

15 Years

Gregory Corral, Purchasing Supervisor, Finance Department  
Garrett Osgood, Painter, Public Works Department

25 Years

Richard Brade, Grounds Maintenance Crew Leader, Parks and Recreation Department

30 Years

Janet C. Neuhauser, Public Safety Dispatch Supervisor, Police Department  
Michael Jones, Custodian, Public Works  
James Jenkins, Water Distribution Supervisor, Public Works Department

**PUBLIC COMMENT**

Speakers: Linda Matthews, representing the Toba, Japan, Sister Cities group; Students involved in the Student Exchange Program between Toba, Japan, and Santa Barbara; Cas Stimson, El Presidente, Old Spanish Days; Priscilla Hernandez, Westside Boys and Girls Club; Juan Hernandez Casterjon; Diego Martinez Rubio; Jasmine DeJesus; Michael Baker, Boys and Girls Club; Scott Wenz; Dr. Robert Johns; Cruzito Herrera Cruz; Richard Robinson.

**CHANGES TO THE AGENDA**

City Administrator Casey announced that Assistant Parks and Recreation Director Jill Zachary will be presenting an update on the Andree Clark Bird Refuge under Council and Staff Communications, directly following Public Comment.

Motion:

Councilmembers Hart/Rowse to move Council and Staff Communications to be heard directly after Public Comment.

Vote:

Unanimous voice vote (Absent: Councilmember Francisco).

## COUNCIL AND STAFF COMMUNICATIONS

Assistant Parks and Recreation Director Jill Zachary explained the “odor event” that is occurring at the Andree Clark Bird Refuge and described potential long-term solutions to the problem.

### CONSENT CALENDAR (Item Nos. 1 – 14)

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

Motion:

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

Vote:

Unanimous roll call vote (Absent: Councilmember Francisco).

**2. Subject: Cancellation Of The September 1, 2015, And Reinstatement Of The September 8, 2015, City Council Meetings (120.09)**

Recommendation: That Council cancel the September 1, 2015, City Council meeting and reinstate the previously cancelled September 8, 2015, City Council meeting.

Action: Approved the recommendation (August 4, 2015, report from the City Administrator).

**3. Subject: Adoption Of Ordinance To Designate Fishing Areas On Stearns Wharf (570.03)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the Santa Barbara Municipal Code by Adding Section 17.13.060 to Designate Fishing Areas on Stearns Wharf.

Action: Approved the recommendation; Ordinance No. 5712.

**4. Subject: Adoption Of Solar Energy System Permits Ordinance (630.06)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adding Chapter 22.91 to the Municipal Code and Amending Sections 28.04.050 and 28.93.030 Relating to Permitting Procedures and Construction Requirements for Solar Energy Systems.

Action: Approved the recommendation; Ordinance No. 5713.

**5. Subject: Approval Of License And Introduction Of Ordinance For Lease Agreement With D&G Lin, LLC For An Automobile Dealership At The Airport (330.04)**

Recommendation: That Council:

- A. Authorize the Airport Director to execute a three-year License Agreement with D&G Lin, LLC, a California Limited Liability Company, for construction of an automobile dealership on 167,713 square feet of land at 6210 Hollister Avenue, at the Santa Barbara Airport, at a monthly rental of \$1,000, effective upon the date of execution by both parties; and
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Airport Director to Execute a Twenty-Year Lease Agreement, With Two Five-Year Options, for 167,713 Square Feet of Land at 6210 Hollister Avenue, at the Santa Barbara Airport, With D&G Lin, LLC, a California Limited Liability Company, at a Monthly Rental of \$20,000, Exclusive of Utilities, Effective Upon Issuance of a Certificate of Occupancy by the City.

Action: Approved the recommendations; License Agreement No. 25,280 (August 4, 2015, report from the Airport Director; proposed ordinance).

**6. Subject: Professional Services Agreement With Mitchell & Associates For Audit Services Of Percentage Rent Tenants At The Waterfront (570.03)**

Recommendation: That Council authorize the City Administrator to execute a Professional Services Agreement with Mitchell & Associates for revenue examinations/audits of percentage rent tenants at the Waterfront in a total amount not to exceed \$35,000 for Fiscal Year 2016.

Action: Approved the recommendation; Professional Services Agreement No. 25,281 (August 4, 2015, report from the Waterfront Director).

**7. Subject: State Of California Office Of Traffic Safety Selective Traffic Enforcement Grant (520.04)**

Recommendation: That Council:

- A. Accept a grant from the State of California, Office of Traffic Safety, in the amount of \$280,000, and authorize the Chief of Police to execute the grant agreement; and
- B. Increase appropriations and estimated revenues by \$280,000 in the Miscellaneous Grants Fund for Fiscal Year 2016 for the Selective Traffic Enforcement Program.

Action: Approved the recommendations (August 4, 2015, report from the Police Chief).

**8. Subject: Contract For Construction Of The Zone 2 (Upper State Street, Samarkand, and San Roque Neighborhoods) Pavement Preparation/Overlay Project (530.04)**

Recommendation: That Council:

- A. Award a contract with Granite Construction Company in their low bid amount of \$2,415,969 for construction of the Zone 2 Pavement Preparation/Overlay Project, and authorize the Public Works Director to execute the contract and approve expenditures up to \$193,278 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;
- B. Authorize the Public Works Director to execute a contract with Flowers & Associates, Inc., in the amount of \$179,905 for construction support services, and approve expenditures of up to \$17,991 for extra services that may result from necessary changes in the scope of work;
- C. Authorize an increase in appropriations by \$313,232 from reserves in the Measure A Fund for the Zone 2 Pavement Preparation/Overlay Project; and
- D. Authorize an increase in appropriations and estimated revenues by \$54,400 in the Streets Capital Fund for the Zone 2 Pavement Preparation/Overlay Project funded from revenues received from Vista Oceano La Mesa Venture LLC.

Action: Approved the recommendations; Contract Nos. 25,282 - 25,283 (August 4, 2015, report from the Public Works Director).

**9. Subject: Contract For Construction Of The Zone 2 (Upper State Street, Samarkand, and San Roque Neighborhoods) Slurry Seal Project (530.04)**

Recommendation: That Council:

- A. Award a contract with American Asphalt South, Inc., in their low bid amount of \$489,389 for construction of the Zone 2 Slurry Seal Project, and authorize the Public Works Director to execute the contract and approve expenditures up to \$48,939 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; and
- B. Authorize the Public Works Director to execute a contract with Flowers & Associates, Inc., in the amount of \$106,675 for construction support services, and approve expenditures of up to \$10,668 for extra services that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Contract Nos. 25,284 - 25,285 (August 4, 2015, report from the Public Works Director).

**10. Subject: Contract For Design Of Light Industrial Buildings On Airport Parcels 17 And 22 (560.04)**

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Kupiec Architects PC, in the amount of \$280,000, for design services of the Airport Parcels 17 and 22 Development Project, and authorize the Public Works Director to approve expenditures of up to \$28,000 for extra services of Kupiec Architects PC that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Contract No. 25,286 (August 4, 2015, report from the Public Works Director).

**11. Subject: Introduction Of Ordinance For Grant Funding Agreement For Recycled Water Plant Replacement Project (540.13)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Authorizing the Approval and Execution by the Public Works Director of a Proposition 84 Integrated Regional Water Management Subgrant Agreement with the Santa Barbara County Water Agency, Pertaining to the Grant Funding Award of \$1,045,222 for the City of Santa Barbara Recycled Water Enhancement (or Replacement) Project.

Action: Approved the recommendation (August 4, 2015, report from the Public Works Director; proposed ordinance).

**12. Subject: Sole Source Authorization To Purchase Acoustic Testing Equipment For The Wastewater Collection System (540.13)**

Recommendation: That Council:

- A. Approve and authorize the General Services Manager to issue a Sole Source Purchase Order to 3T Equipment Company for \$51,510.64, for the purchase of sanitary sewer acoustic testing equipment; and
- B. Find it to be in the City's best interest to approve equipment standardization for sanitary sewer acoustic testing equipment for the next five-year period, in accordance with Sections 4.52.070 (k) and (l) of the Municipal Code.

Action: Approved the recommendations (August 4, 2015, report from the Public Works Director).

**13. Subject: Response To 2014-2015 Santa Barbara County Grand Jury Report On Zoning Information Reports (150.04)**

Recommendation: That Council:

- A. Receive the Santa Barbara County Grand Jury Report on Zoning Information Reports; and
- B. Authorize the Mayor to send a letter forwarding the City's response to the Grand Jury Report.

Speakers:

Members of the Public: Reyne Staplemann, Santa Barbara Association of Realtors.

Action: Approved the recommendations (August 4, 2015, report from the Community Development Director).

NOTICES

14. The City Clerk has on Thursday, July 30, 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.

This concluded the Consent Calendar.

**CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

PUBLIC WORKS DEPARTMENT

**15. Subject: Capital Improvement Projects: Annual Report For Fiscal Year 2015 (230.01)**

Recommendation: That Council receive the City's Capital Improvement Projects Fourth Quarter and Annual Report for Fiscal Year 2015.

Documents:

- August 4, 2015, report from the Public Works Director.
- PowerPoint presentation prepared and made by staff.

Speakers:

Staff: Assistant Public Works Director/City Engineer Pat Kelly.

By consensus, the Council received the report and their questions were answered.

Councilmember Francisco arrived at the meeting at 2:58 p.m.

## **PUBLIC HEARINGS**

### **16. Subject: Appeal Of Planning Commission Approval Of An Amended Coastal Development Permit For A New Pool At 3425 Sea Ledge Lane (640.07)**

Recommendation: That Council deny the appeal of Chris Krach-Bastian, and uphold the decision of the Planning Commission to approve an Amendment to a Coastal Development Permit for a new pool, spa, pool equipment and safety fencing at 3425 Sea Ledge Lane, making the findings and adopting the conditions specified in Planning Commission Resolution No. 011-15.

Councilmembers Francisco, Hotchkiss, White and Mayor Schneider mentioned that they had brief, non-substantial ex-parte communications with the Applicant.

#### Documents:

- August 4, 2015, report from the Community Development Director.
- PowerPoint presentation prepared and made by Staff.
- PowerPoint presentation prepared and made by the Applicant.
- PowerPoint presentation prepared and made by the Appellant.

#### Public Comment Opened:

3:09 p.m.

#### Speakers:

- Staff: Senior Planner Beatriz Gularte.
- Planning Commission: Chair Addison Thompson.
- Appellant: Chris Krach-Bastian.
- Applicant: Peter Becker, Architect; Alicia Harrison, Land Use Planner, Brownstein Hyatt Farber Schreck; Adam Sims, Engineer and Geologist.

#### Public Comment Closed:

4:01 p.m.

#### Motion:

Councilmembers Hotchkiss/Rowse to deny the appeal of Chris Krach-Bastian, and uphold the decision of the Planning Commission to approve an Amendment to a Coastal Development Permit for a new pool, spa, pool equipment and safety fencing at 3425 Sea Ledge Lane, making the findings and adopting the conditions specified in Planning Commission Resolution No. 011-15.

#### Vote:

Unanimous voice vote.

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

### Information:

- Councilmember Murillo mentioned her attendance at the 50<sup>th</sup> Anniversary of MediCare event that was sponsored by Health Care for All and League of Women Voters.
- Mayor Schneider spoke regarding her attendance at the Tesla “Soft Opening” event at the new Hitchcock location.

## **ADJOURNMENT**

Mayor Schneider adjourned the meeting at 4:13 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

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HELENE SCHNEIDER  
MAYOR

ATTEST:

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GWEN PEIRCE, CMC  
CITY CLERK SERVICES MANAGER