



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

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

Councilmembers absent: Bendy White.

Staff present: City Administrator Paul Casey, 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 September 30, 2015.

Documents:

September 8, 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-Year Pin

Engin Tekince, Pool Technician, Parks and Recreation Department

Jennifer McKenzie, Operations Specialist, Airport Department

10-Year Pin

Jill Pioreschi, Analyst I, Finance Department

Kelly Brodison, Assistant Planner, Community Development Department

15-Year Pin

Jon Turner, Captain, Fire Department

Scott Watters, Firefighter, Fire Department

Kathleen Sizemore, Captain, Fire Department

Arthur Derueda, Plumber, Public Works Department

Charles Christman, Senior Tree Trimmer, Parks and Recreation Department

Zenon Moran, Custodian, Airport Department

25-Year Pin

Lorenzo Duarte, Lieutenant, Police Department

Michael Lazarus, Sergeant, Police Department

Micaela Hase, Administrative Assistant, Public Works Department

John Scott, Maintenance Worker II, Airport Department

**CHANGES TO THE AGENDA**

City Administrator Casey recommended that the following item be removed from the Agenda, to be resubmitted at a later date:

**12. Subject: Service Agreement With Ecco Wireless To Provide Wireless Internet Service To The Harbor Area (570.03)**

Recommendation: That Council approve a five-year service agreement with Ecco Wireless USA, Inc., providing wireless internet service to the Harbor area users on a subscription basis, at no cost to the Waterfront Department.

Motion:

Councilmembers Rowse/Hotchkiss to remove Item No. 12 from the agenda.

Vote:

Unanimous voice vote (Absent: Councilmember White).

**PUBLIC COMMENT**

Speakers: Tom Widroe, City Watch; Richard Robinson; Michael Baker, United Boys and Girls Clubs.

## **CONSENT CALENDAR (Item Nos. 2 – 11 and 13 – 22)**

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

Motion:

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

Vote:

Unanimous roll call vote (Absent: Councilmember White).

### **2. Subject: Minutes**

Recommendation: That Council waive further reading and approve the minutes of the regular meetings of July 28, August 4, and August 11, 2015, the adjourned regular meeting of August 3, 2015, and the regular meetings (cancelled) of August 18, August 25, and September 1, 2015.

Action: Approved the recommendation.

### **3. Subject: Introduction Of Ordinance To Amend Municipal Code Chapter 5.66, News Racks (530.01)**

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 5.66 of the Santa Barbara Municipal Code to Establish News Rack Regulations.

Action: Approved the recommendation (September 8, 2015, report from the Public Works Director; proposed ordinance).

### **4. Subject: Introduction Of Ordinance For Amendment To Agreement For Elings Park Recycled Water Booster Pump Station (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 Approving Amendment No. 1 to Agreement No. 24,316 Between the City of Santa Barbara and The Elings Park Foundation Dated January 10, 2013, for the Use and Delivery of the City's Recycled Water and for the Construction of an On-Site Recycled Water Booster Pump Station at Elings Park.

Action: Approved the recommendation (September 8, 2015, report from the Public Works Director; proposed ordinance).

**5. Subject: Increase In Construction Change Order Authority For Elings Park Recycled Water Pump Station Project (540.13)**

Recommendation: That Council:

- A. Approve a transfer of \$214,795 from Water Operating Fund reserves to the Water Capital Fund;
- B. Increase appropriations and estimated revenues by \$214,795 in the Water Capital Fund for the Elings Park Recycled Water Pump Station Project;
- C. Authorize an increase in the Public Works Director's change order authority to approve expenditures for extra work for the Elings Park Recycled Water Pump Station Project, Contract No. 25,181, with Pacific Coast Excavation, Inc., in the amount of \$150,000, for a total project expenditure authority of \$385,264;
- D. Authorize an increase in the Public Works Director's change order authority to approve expenditures for extra work for the Elings Park Recycled Water Pump Station Project, Contract No. 24,879 for design services with Stantec, in the amount of \$7,500, for a total project change order expenditure authority of \$54,800; and
- E. Authorize an increase in the Public Works Director's change order authority to approve expenditures for extra work for the Elings Park Recycled Water Pump Station Project, Contract No. 25,182 for construction support services with Mimiaga Engineering Group, in the amount of \$32,289, for a total project change order expenditure authority of \$58,029.

Action: Approved the recommendations (September 8, 2015, report from the Public Works Director).

**6. Subject: Adoption Of Ordinance Amending Purchasing Code (340.02)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the City Council of the City of Santa Barbara Amending Chapter 4.52 of Title 4 of the Santa Barbara Municipal Code Providing Procedures for the Purchase of Equipment, Supplies, and Services.

Action: Approved the recommendation; Ordinance No. 5716.

**7. Subject: Adoption Of Ordinance For Annexation Of Santa Barbara Museum Of Natural History's Western Parcels (680.04)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 28.12 (Zone Map) of Title 28 of the Municipal Code Pertaining to Zoning Upon Annexation of Assessor's Parcel Nos. 023-250-039, -066, and -068, and a Portion of the Las Encinas Road Easement, in the Upper East Neighborhood.

Action: Approved the recommendation; Ordinance No. 5717.

**8. Subject: Public Safety Communications Manager Salary Range (410.06)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 15-056, the Position and Salary Control Resolution for Fiscal Year 2016, Affecting the Salary Range for Public Safety Communications Manager Effective September 8, 2015.

Action: Approved the recommendation; Resolution No. 15-074 (September 8, 2015, report from the Administrative Services Director; proposed resolution).

**9. Subject: July 2015 Investment Report (260.02)**

Recommendation: That Council accept the July 2015 Investment Report.

Action: Approved the recommendation (September 8, 2015, report from the Finance Director).

**10. Subject: Office Lease With Brophy & Sons, Inc., In The Santa Barbara Harbor (330.04)**

Recommendation: That Council approve a five-year lease agreement with Brophy and Sons, Inc., for administrative and accounting office space at 125 Harbor Way, at an initial base rent of \$1,177 per month.

Action: Approved the recommendation; Agreement No. 25,299 (September 8, 2015, report from the Waterfront Director).

**11. Subject: Lease Agreements With Nonprofit Organizations At The Westside Neighborhood Center And Louise Lowry Davis Center (330.04)**

Recommendation: That Council authorize the Parks and Recreation Director to execute lease agreements for office space for the Independent Living Resources Center, Special Olympics Southern California, and UCP/Work Inc at the Westside Neighborhood Center; and for the United Cerebral Palsy Association of Los Angeles, Ventura, and Santa Barbara Counties at the Louise Lowry Davis Center.

Action: Approved the recommendation; Agreement Nos. 25,300 – 25,303 (September 8, 2015, report from the Acting Parks and Recreation Director).

**13. Subject: Agreements For Afterschool Recreation Programs (570.06)**

Recommendation: That Council:

- A. Authorize the Parks and Recreation Director to enter into three agreements with the Santa Barbara Unified School District (SBUSD) for the Recreation Afterschool Program (RAP), Afterschool Opportunities for Kids (A-OK), and Junior High Afterschool Sports Program; and

(Cont'd)

**13. (Cont'd)**

- B. Reduce revenues and appropriations in the Fiscal Year 2016 Parks and Recreation Miscellaneous Grants Fund for the A-OK program in the amount of \$16,098.

Action: Approved the recommendations; Agreement Nos. 25,304 – 25,306 (September 8, 2015, report from the Acting Parks and Recreation Director).

**14. Subject: Contract For Construction Of El Estero Wastewater Treatment Plant Sodium Hypochlorite Line (540.13)**

Recommendation: That Council award a contract with Lash Construction in the low bid amount of \$114,100 for construction of the El Estero Wastewater Treatment Plant Sodium Hypochlorite Line, Bid No. 3761, and authorize the Public Works Director to execute the contract and approve expenditures up to \$11,410 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; Contract No. 25,307 (September 8, 2015, report from the Public Works Director).

**15. Subject: Contract Change Order For Interim City Engineer With MCM Management Company (530.01)**

Recommendation: That Council authorize an increase in the Professional Services contract with MCM Management Company in the amount of \$75,000, for a total contract amount to not exceed \$110,000, for Desi Alvarez to serve as Interim City Engineer for no more than six months.

Action: Approved the recommendation (September 8, 2015, report from the Public Works Director).

**16. Subject: Assignment Of Lease With Madame Rosinka At Stearns Wharf (330.04)**

Recommendation: That Council approve the assignment of Lease Agreement No. 23,986 from Barbara Adams, d.b.a. Madame Rosinka, to John and Dolly Adams, for the 153 square-foot retail space located at 221-B Stearns Wharf, at a monthly rent of \$786.40.

Action: Approved the recommendation; Agreement No, 23,986.1 (September 8, 2015, report from the Waterfront Director).

**17. Subject: Assignment Of Agreement For Energy Management System (630.06)**

Recommendation: That Council authorize the Public Works Director to assign Agreement No. 388117 from McKinstry, Inc., to Energy Hippo, Inc.

Action: Approved the recommendation (September 8, 2015, report from the Public Works Director).

**18. Subject: State Grant To Address Underage Drinking, Excessive Drinking And Alcohol-Related Vehicle Accidents (520.04)**

Recommendation: That Council:

- A. Accept \$28,498 from the County of Santa Barbara Alcohol, Drug & Mental Health Services Strategic Prevention Framework State Incentive Grant to address underage and excessive drinking and alcohol-related motor vehicle accidents for Fiscal Year 2016; and
- B. Increase appropriations and estimated revenues by \$28,498 in the Police Miscellaneous Grants Fund for Fiscal Year 2016.

Action: Approved the recommendations (September 8, 2015, report from the Chief of Police).

**19. Subject: Increase Grant Revenues And Appropriations For The Highway Safety Improvements Program Traffic Signal Upgrades Project (530.05)**

Recommendation: That Council:

- A. Accept Highway Safety Improvements Program Grant funding in the total amount of \$417,984 for the Highway Safety Improvements Program Traffic Signal Upgrades Project;
- B. Reverse the transfer and appropriation of \$417,984 from the Streets Capital Fund to the Streets Grant Fund; and
- C. Authorize an increase of \$417,984 in estimated revenues and appropriations in the Fiscal Year 2016 Streets Grant Fund for the Highway Safety Improvements Program Traffic Signal Upgrades Project.

Action: Approved the recommendations (September 8, 2015, report from the Public Works Director).

**20. Subject: Approval Of Parcel Map And Execution Of Agreements For 3626 San Remo Drive (640.08)**

Recommendation: That Council approve and authorize the City Administrator to execute and record Parcel Map Number 20,818 and standard agreements relating to the approved subdivision at 3626 San Remo Drive, 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 record.

**20. (Cont'd)**

Action: Approved the recommendation; Agreement Nos. 25,308 and 25,309 (September 8, 2015, report from the Public Works Director).

NOTICES

21. The City Clerk has on Thursday, September 3, 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.
22. Recruitment For City Advisory Groups:
  - A. The City Clerk's Office will accept applications through Tuesday, October 6, 2015, 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, September 23, 2015;
  - B. The City Council will conduct interviews of applicants for vacancies on various City Advisory Groups on Tuesday, October 20, 2015, at 4:00 p.m. (Estimated Time), Tuesday, October 27, 2015, at 4:00 p.m. (Estimated Time), and Tuesday, November 17, 2015, at 6:00 p.m.; and
  - C. The City Council will make appointments to fill the vacancies on various City Advisory Groups on Tuesday, December 8, 2015.

This concluded the Consent Calendar.

**CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

CITY ADMINISTRATOR

**23. Subject: Funding Recommendations For Events And Festivals, Contract With The Santa Barbara County Arts Commission, And Community Arts Update (610.04)**

Recommendation: That Council:

- A. Review and approve the Arts Advisory Committee and Community Events and Festivals Committee funding recommendations for Fiscal Year 2016;
- B. Authorize the City Administrator to execute an agreement with the Santa Barbara County Arts Commission in the amount of \$461,000 as approved in the Fiscal Year 2016 budget; and
- C. Receive an update from the County Arts Commission on community art programs and the status of the Community Arts Workshop.

Documents:

- September 8, 2015, report from the Assistant to the City Administrator.
- Site plans for Community Arts Workshop, submitted by Leon Olson.

(Cont'd)

**23. (Cont'd)**

Speakers:

- Staff: Assistant to the City Administrator Nina Johnson.
- Santa Barbara County Arts Commission: Executive Director Ginny Brush.
- Santa Barbara Arts Collaborative: Leon Olson, Rod Hare.

Councilmember Hart stated he would abstain from voting on the proposed grant to the Santa Barbara Arts Collaborative due to a conflict of interest related to his membership on the Collaborative's Board of Directors.

Motion:

Councilmembers Rowse/Murillo to approve the proposed organizational development grant to the Santa Barbara Arts Collaborative.

Vote:

Unanimous voice vote (Abstentions: Councilmember Hart; Absent: Councilmember White).

Motion:

Councilmembers Rowse/Murillo to approve the remainder of the Arts Advisory Committee and Community Events and Festivals Committee funding recommendations for Fiscal Year 2016, and to authorize the City Administrator to execute an agreement with the Santa Barbara County Arts Commission in the amount of \$461,000 as approved in the Fiscal Year 2016 budget; Agreement No. 25,310.

Vote:

Unanimous voice vote (Absent: Councilmember White).

CITY ATTORNEY

**24. Subject: Sign Regulations After The United States Supreme Court's Decision In Reed v. Town Of Gilbert, Arizona (640.02)**

Recommendation: That Council appoint an 11-member Sign Ordinance Review Committee to review the City's sign regulations in order to assure compliance with the First Amendment. The Committee would make check-in reports to Council at strategic points during the process and offer recommended ordinance amendments in a final report to the Ordinance Committee and Council.

Documents:

September 8, 2015, report from the City Attorney.

Speakers:

Staff: City Attorney Ariel Calonne.

(Cont'd)

**24. (Cont'd)**

Motion:

Councilmembers Francisco/Rowse to approve the recommendation and appoint Councilmembers Hart and Hotchkiss to the Sign Ordinance Review Committee.

Vote:

Unanimous voice vote (Absent: Councilmember White).

The complete membership of the Sign Ordinance Review Committee will be submitted for Council approval in the near future.

**COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

Information:

- Councilmember Hotchkiss provided information about the Airport's current passenger count.
- Councilmember Rowse mentioned that he had taken a "hard hat" tour of the Children's Museum building site.
- Councilmember Murillo reported on recent meetings of the Santa Barbara Youth Council and the Access Advisory Committee.
- Mayor Schneider commented on the current postcards exhibit on lower State Street and on her meeting with the new coach of the University of California Santa Barbara women's basketball team.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 3:02 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

ATTEST:

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HELENE SCHNEIDER  
MAYOR

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SUSAN TSCHECH, CMC  
DEPUTY CITY CLERK