



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING September 22, 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: Dale Francisco, 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 Deborah L. Applegate.

### PUBLIC COMMENT

Speakers: Roberta-Anne Bernard; Reverend Alan Haynes, Santa Barbara Homelessness Coalition; Ethan Shenkman; John Thomas; Phil Walker; Hazel Johns, Chair of Charitable Giving Campaign; Lindsey Baker, League of Women Voters; Richard Robinson; Dr. Robert John.

### ITEMS PULLED FROM THE CONSENT CALENDAR

Councilmember White stated he would abstain from voting on Item 1 due his absence from the September 8, 2015 Council meeting.

#### 1. **Subject: Minutes**

Recommendation: That Council waive further reading and approve the minutes of the regular meeting of September 8, 2015. (Cont'd)

**1. (Cont'd)**

Documents:

September 8, 2015, City Council Minutes.

Motion:

Councilmembers Rowse/House to approve the recommendation.

Vote:

Majority voice vote. (Abstention: Councilmember White).

**4. Subject: Equipment Purchase And Donation For Santa Barbara Police Department Fitness Facility (520.04)**

Recommendation: That Council:

- A. Accept a donation of \$20,532 worth of weight equipment from the Santa Barbara Police Foundation for the Police Department fitness facility; and
- B. Approve an increase in appropriations of \$66,532 from available reserves in the Police Asset Forfeiture and Miscellaneous Grants Fund to purchase aerobic equipment for the Santa Barbara Police Department Fitness Facility.

Documents:

September 22, 2015, report from the Chief of Police.

Motion:

Councilmembers Hotchkiss/Rowse to approve the recommendations.

Vote:

Unanimous voice vote.

City Attorney Calonne stated he would leave the room for Item 5. He left the room at 2:14 p.m.

**5. Subject: City Attorney Salary Increase And Future CPI Adjustments (160.01)**

Recommendation: That Council approve, and authorize the Mayor to execute, an amendment to Agreement No. 24,713, the employment agreement between the City and Ariel P. Calonne, City Attorney, to increase base salary by 4.5% effective June 27, 2015 and to provide for an annual cost of living salary adjustment beginning in Fiscal Year 2017.

Documents:

September 22, 2015, report from the Mayor.

(Cont'd)

**5. (Cont'd)**

Action: Approved the recommendation; Agreement No. 24,713.2 (September 22, 2015, report from the Mayor).

Motion:

Councilmembers Rowse/Francisco to approve the recommendation; Agreement No. 24,713.2.

Vote:

Majority voice vote. (Noes: Councilmember Hart)

City Attorney Calonne returned to the meeting at 2:20 p.m.

**6. Subject: Management Recruitment - Relocation Assistance Benefits (410.01)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the Management Performance and Compensation Plan to Provide for Relocation Assistance Benefits as a Recruitment Tool.

Documents:

- September 22, 2015, report from the Administrative Services Director.
- Proposed ordinance.

The title of the ordinance was read.

Motion:

Councilmembers Francisco/Rowse to approve the recommendation.

Vote:

Majority voice vote. (Noes: Councilmember Hart)

**CONSENT CALENDAR (Item Nos. 2, 3, 7 – 9)**

The titles of resolution and ordinances related to Consent Calendar Items were read.

Motion:

Councilmembers Murillo/White to approve the remainder of the consent calendar as recommended.

Vote:

Unanimous roll call vote.

**2. Subject: Adoption Of Ordinances For Lease Amendments With Mercury Air Center - Santa Barbara, Inc. And Signature Flight Support Corporation (330.04)**

Recommendation: That Council:

- A. 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 Lease Amendment to Lease Agreement No. 200846, as Previously Amended November 22, 2011, with Mercury Air Center - Santa Barbara, Inc., dba Atlantic Aviation, a California Corporation, Amending the "Term" and "Rent" provisions to Extend the Expiration Date to May 8, 2018, and Provide for Appropriate Rental Increases During the Extended Term; and
- B. 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 Lease Amendment to Restated Lease Agreement No. 12,037.2, with Signature Flight Support Corporation, a California Corporation, Dated October 18, 2012; Amending the "Term" and "Rent" Provisions to Extend the Expiration Date to May 8, 2018, and Provide for Appropriate Rental Increases During the Extended Term.

Action: Approved the recommendations; Ordinance Nos. 5720 and 5721; Agreement Nos. 21,267.3 and 12,037.4. (September 22, 2015, report from the Airport Director).

**3. Subject: Adoption Of Ordinance Of The Council Of The City Of Santa Barbara Amending The Existing 2014-2016 Memorandum Of Understanding Between The City Of Santa Barbara And The Hourly Employees' Bargaining Unit To Comply With The Healthy Workplace Healthy Family Act Of 2014 (410.01)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the Existing 2014-2016 Memorandum Of Understanding Between the City Of Santa Barbara and the Hourly Employees' Bargaining Unit to Comply with the Healthy Workplace Healthy Family Act of 2014.

Action: Approved the recommendation; Ordinance No. 5722 and Agreement No. 25,319 (September 22, 2015, report from the Administrative Services Director).

**7. Subject: Recodification Of Ordinance Authorizing Design-Build-Operate Public Works Contracts (540.10)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the Municipal Code By Adding Section 4.52.165 Pertaining to Public Works Contracts. (Cont'd)

**7. (Cont'd)**

Action: Approved the recommendation (September 22, 2015, report from the City Attorney; proposed ordinance).

**8. Subject: Workers' Compensation Coverage For Volunteers Of The Police Reserve Corps (350.08)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Providing Workers' Compensation Coverage for Volunteers of the Police Reserve Corps Pursuant to the Provisions of Section 3362.5 of the Labor Code and Section 9.114.140 of the Municipal Code.

Action: Approved the recommendation; Resolution No. 15-079 (September 22, 2015, report from the Risk Manager; proposed resolution).

NOTICES

9. The City Clerk has on Thursday, September 17, 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.

**SUCCESSOR AGENCY REPORTS**

**10. Subject: Consent To Paseo Nuevo Lease Assignments And Authorize Execution Of Estoppel Certificates (620.06)**

Recommendation: That the Successor Agency Board adopt, by reading of title only, A Resolution of the Successor Agency to the Redevelopment Agency of the City of Santa Barbara Authorizing the Executive Director to Acknowledge Assignment and Consent to Release of Liability of the Paseo Nuevo Ground Lease and Related Agreements and to Issue Two Estoppel Certificates Relating to the Paseo Nuevo Shopping Center in Connection with a Transfer of the Paseo Nuevo Ground Lease and Related Agreements from I&G Direct Real Estate 3, LP, a Delaware Limited Partnership, to Paseo Nuevo Owner LLC, a Delaware Limited Liability Company, All in a Form Acceptable to Agency Counsel.

Documents:

- September 22, 2015, report from the Waterfront Department Business Manager.
- Proposed resolution.
- PowerPoint presentation prepared and made by Staff.

(Cont'd)

**10. (Cont'd)**

The title of the resolution was read.

Speakers:

Staff: Assistant City Attorney Sarah Knecht; Assistant City Attorney Scott Vincent.

Motion:

Councilmembers Murillo/White to approve the recommendation; Resolution No. 15-080 and Agreement No. 25,320.

Vote:

Unanimous roll call vote. Resolution No. 15-080 and Agreement No. 25,320.

**CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

CITY ADMINISTRATOR

**11. Subject: Consideration Of Funding Community Choice Aggregation Feasibility Study (150.04)**

Recommendation: That Council authorize staff to transmit \$50,000 to the County of Santa Barbara for the purpose of funding the City's portion of a Community Choice Aggregation (CCA) Feasibility Study.

Documents:

- September 22, 2015, report from the City Administrator.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Facility and Energy Manager Jim Dewey.
- County of Santa Barbara: Angie Hackard, Sustainable Community and Economic Development Initiatives of County of Santa Barbara.
- Member of the Public: Jefferson Litten, Community Environmental Council.

Motion:

Councilmembers Murillo/Hart to approve the recommendation.

Vote:

Majority voice vote. (Noes: Councilmembers Hotchkiss and Francisco)

## PARKS AND RECREATION DEPARTMENT

### **12. Subject: Potential Acquisition Of Vacant Land (APNs 047-010-064, 047-010-065, And 047-061-026) Along Lower Arroyo Burro (Former Veronica Meadows Development Site) (330.03)**

Recommendation: That Council:

- A. Hear presentations from The Trust for Public Land (TPL) and City staff on the potential acquisition of vacant land along lower Arroyo Burro;
- B. Appropriate \$2.7 million from Creeks Restoration and Water Quality Improvement Fund reserves to cover a portion of the \$4 million purchase price; and
- C. Authorize the City Administrator, or his designee, to execute documentation necessary to accept title to the property from TPL for future creek restoration and open space park purposes, subject to final approval of form by the City Attorney.

Documents:

- September 22, 2015, report from the Acting Parks and Recreation Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Creeks Manager Cameron Benson;
- Trust for Public Land: Alex Size.
- Members of the Public: Lindsey Baker, League of Women Voters; Lee Moldaver, Santa Barbara Creeks and Watershed Committee; Lesley Wiscomb, Parks and Recreation Commission; Daniel McCarter, Friends of Arroyo Burro; Carla Frisk; Danielle De Smeth, Citizens Advisory Committee and Creeks Restoration and Water Quality Improvement; Alice San Andrer-Calligg; Laura Nanna; Kellam de Forest; Missy Zeitsoff; Mark Chytilu; Judee Haver-Harris, Urban Creeks Council of Santa Barbara; Eddie Harris, Urban Creeks Council of Santa Barbara; James Hawkins, Heal the Ocean; Hillary Hauser, Heal the Ocean.

Motion:

Councilmembers White/Hotchkiss to approve the recommendations; Agreement No. 25,321.

Vote:

Unanimous voice vote.

PUBLIC WORKS DEPARTMENT

**13. Subject: Stage Three Drought Update (540.05)**

Recommendation: That Council receive an update on the status of the current drought, drought-response capital projects, and continuing conservation efforts.

Documents:

- September 22, 2015, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Water Resources Manager Joshua Haggmark. Acting Water Conservation Specialist Madalin Ward.

The Council received the presentation and their questions were answered.

**14. Subject: Contract To Provide A Desalination Subsurface Intake Initial Screening Analysis And A Potable Reuse Feasibility Study (540.10)**

Recommendation: That Council authorize the Public Works Director to execute a Professional Services Agreement with Carollo Engineers, Inc., in the amount of \$610,947 to provide a Desalination Subsurface Intake Initial Screening Analysis and a Potable Reuse Feasibility Study, and approve expenditures of up to \$61,095 for extra services of Carollo Engineers, Inc., that may result from necessary changes in the scope of work, for a total contract amendment amount of \$672,042.

Documents:

- September 22, 2015, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Water Resources Manager Joshua Haggmark.
- Member of the Public: Missy Zeitsoff; James Hawkins, Heal the Ocean.

Motion:

Councilmembers White/Francisco to approve the recommendation; Agreement No. 25,322.

Vote:

Unanimous voice vote.

Councilmember Francisco left the meeting at 4:44 p.m.

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

### Information:

- Councilmember Hotchkiss reported on his attendance at the Arts Advisory Committee where a presentation was given on the children's art exhibit, "Yes We Can" which can be found on Milpas Street. He also attended the Airport Advisory Committee where the meeting discussed finances for the airport.
- Councilmember White spoke regarding his attendance at: 1) Santa Barbara County Association of Governments (SBCAG) where the discussion focused on the strategic plan update; 2) Cachuma Operation and Maintenance Board (COMB) where an update was given on current recruitment for a new CEO and; 3) Santa Barbara County Air Pollution Control District (SBCAPCD) meeting which also focused on current recruitment.
- Councilmember Hart reported on his attendance at the Santa Barbara Metropolitan Transit District Board where a presentation was given on strategic planning in the public transportation realm.
- Councilmember Murillo commented on her presenting a Proclamation Declaring International Peace Day to the Mindful Warrior Project.

## **ADJOURNMENT**

Mayor Schneider adjourned the meeting at 4:48 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

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

ATTEST:

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DEBORAH L. APPLGATE  
DEPUTY CITY CLERK