



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING
June 9, 2015
COUNCIL CHAMBER, 735 ANACAPA STREET

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, 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: Missy Zeitsoff, Coalition Against Gun Violence; Tim Werner; Scott Wenz, Cars Are Basic; Dr. Robert Johns; Geof Bard.

ITEM REMOVED FROM CONSENT CALENDAR

Councilmember Rowse stated he would abstain from voting on the following item due to a conflict of interest related to his ownership of a business within the boundaries of the subject assessment district.

10. Subject: Parking And Business Improvement Area Annual Assessment Rates For Fiscal Year 2016 - Public Hearing (550.10)

Recommendation: That Council:

- A. Consider any appropriate protests to the Parking and Business Improvement Area Annual Assessment Report For Fiscal Year 2016, as required under the California Parking and Business Improvement Area Law of 1989; and

(Cont'd)

10. (Cont'd)

- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Fixing and Assessing the Parking and Business Improvement Area Assessment Rates for Fiscal Year 2016, and Confirming Approval of the Parking and Business Improvement Area Annual Assessment Report for Fiscal Year 2016.

Documents:

- June 9, 2015, report from the Public Works Director.
- Proposed resolution.

The title of the resolution was read.

Speakers:

Staff: Transportation Manager Browning Allen.

Public comment was opened and closed at 2:16 p.m. No one wished to speak.

Motion:

Councilmembers White/Hart to approve recommendation B; Resolution No. 15-045.

Vote:

Unanimous roll call vote (Abstentions: Councilmember Rowse).

CONSENT CALENDAR (Item Nos. 1 – 9, 11 – 13)

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

Motion:

Councilmembers Francisco/White 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 regular meeting of May 19, 2015.

Action: Approved the recommendation.

2. Subject: Adoption Of Ordinance For Amendment To Airline Terminal Solar Photovoltaic Power Purchase Agreement For Solar Project At 500 Fowler Road (560.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Authorizing the Airport Director to Execute a First Amendment to the Power Purchase Agreement (City Agreement No. 24,975) Between the City of Santa Barbara and SunEdison Origination3, LLC, to Amend the Site Description, to Reduce the Expected Annual Output of the System, and to Reduce the Energy Purchase Rate for Energy Delivered.

Action: Approved the recommendation; Ordinance No. 5701; Agreement No. 24,975.1.

3. Subject: Adoption Of Ordinance Approving A Joint Powers Agreement For Wastewater Treatment In The Mission Canyon Area (540.13)

Recommendation: That Council 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.

Action: Approved the recommendation; Ordinance No. 5702; Agreement No. 25,216.

4. Subject: Introduction Of Ordinance For Extension Of Fire Management Memorandum Of Understanding To June 30, 2018 (440.02)

Recommendation: That Council ratify a three-year extension to the 2012-2015 labor agreement between the City of Santa Barbara and the Santa Barbara Fire Managers Association, by introduction and subsequent adoption of, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Ordinance No. 5260, the Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara Fire Managers Association, and Extending the Term of the Agreement Through June 30, 2018.

Action: Approved the recommendation (June 9, 2015, report from the Administrative Services Director; proposed ordinance).

5. Subject: Records Destruction For Community Development 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 Community Development Department in the Administration, Housing and Human Services, and Building and Safety Divisions.

(Cont'd)

5. (Cont'd)

Action: Approved the recommendation; Resolution No. 15-043 (June 9, 2015, report from the Community Development Director; proposed resolution).

6. **Subject: Acceptance Of Meter Easements For 513 Garden 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 for 513 Garden Street.

Action: Approved the recommendation; Agreement No. 25,217; (June 9, 2015, report from the Public Works Director; proposed resolution).

7. **Subject: Contract For Design Of Corporate Yard Aboveground Fuel Storage Tank (530.01)**

Recommendation: That Council authorize the Public Works Director to execute a contract for design with Fiedler Group for the Corporate Yard Aboveground Fuel Storage Tank at 635 Laguna Street, in the amount of \$124,725, and approve expenditures up to \$12,472 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. 25,218 (June 9, 2015, report from the Public Works Director).

8. **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 Second Amendment to Agreement No. 21400186, Professional Service Contract with Ruby Carrillo for Accounting Services, to increase the agreement by \$20,000 for a total of \$70,000.

Action: Approved the recommendation (June 9, 2015, report from the Acting Assistant City Administrator/Finance Director).

9. **Subject: Authorize Payment Of Attorney's Fees And Damages To Plaintiffs And Their Counsel Relating To Brost As Trustee For The Luke Brost Living Trust, et al., v. City of Santa Barbara (640.04)**

Recommendation: That Council:

- A. Authorize the payment of \$797,589.95 to the Plaintiffs, Brost, Barajas and Canley, and their attorney, Joseph Liebman, for damages, including the cost of attorney's fees relating to the above case; and

(Cont'd)

9. (Cont'd)

- B. Increase appropriations from General Fund reserves to the City Attorney's Office in the amount of \$797,589.95 to cover the settlement costs.

Action: Approved the recommendations (June 9, 2015, report from the City Attorney).

NOTICES

11. The City Clerk has on Thursday, June 4, 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.
12. A City Council site visit is scheduled for Monday June 15, 2015, at 1:00 p.m. to the property located at 3740 Pescadero Drive, which is the subject of an appeal hearing set for June 16, 2015, at 2:00 p.m.
13. Receipt of communication advising of vacancy created on the Police and Fire Pension Commission with the resignation of Luis Esparza; the vacancy will be part of the current City Advisory Groups recruitment.

This concluded the Consent Calendar.

MAYOR AND COUNCIL REPORTS

- 14. Subject: Request From Councilmember Hotchkiss And Councilmember Francisco Regarding Bicycle Traffic Statistics (530.05)**

Recommendation: That Council consider the request from Councilmember Hotchkiss and Councilmember Francisco regarding bicycle traffic statistics.

Documents:

June 9, 2015, report from the City Administrator.

Speakers:

- Staff: Principal Transportation Planner Rob Dayton, City Administrator Paul Casey
- Members of the Public: Sam Franklin; Scott Wenz, Cars Are Basic; Dan Fishbein; Ed France, Santa Barbara Bicycle Coalition, Tom Widroe, City Watch.

Motion:

Councilmembers Francisco/Hart to direct Staff to return to Council in September 2015 with a quote for the cost to add bicycle and pedestrian counts to a planned study of vehicular traffic at 50 City intersections.

Vote:

Unanimous voice vote.

15. Subject: Interviews For City Advisory Groups (140.05)

Recommendation: That Council hold interviews of applicants to various City Advisory Groups.

(Estimated Time: 4:00 p.m.; Continued from June 2, 2015, Item No. 23)

Speakers:

The following applicants were interviewed:

Fire and Police Commission:

Kathleen (Missy) McSweeney-Zeitsoff

Downtown Parking Committee:

Ed France

Neighborhood Advisory Council:

Kathleen (Missy) McSweeney-Zeitsoff

Mayor Schneider stated that interviews would continue at approximately 4:00 p.m.

RECESS

Mayor Schneider recessed the meeting at 3:24 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 16 and 17. She stated that no reportable action is anticipated.

CLOSED SESSIONS**16. Subject: Conference With City Attorney - Anticipated Litigation (160.03)**

Recommendation: That Council hold a closed session to consider initiating litigation pursuant to subsection (d)(4) of Section 54956.9 of the Government Code and take appropriate action as needed (one potential case).

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

Documents:

June 9, 2015, report from the City Attorney.

Time:

3:25 p.m. – 3:45 p.m.

No report made.

17. Subject: City Attorney Compensation Negotiations (160.01)

Recommendation: That Council hold a closed session with Mayor Helene Schneider and Councilmember Randy Rowse, pursuant to CA Government Code Section 54957(b)(1) and Section 54957.6 regarding the performance of the City Attorney and negotiation of the salary and fringe benefits applicable to the City Attorney.

Negotiators: Mayor Helene Schneider and Councilmember Randy Rowse
Scheduling: Duration, 30 minutes; anytime
Report: None anticipated

Documents:

June 9, 2015, report from the City Administrator's Office.

Time:

3:45 p.m. – 4:02 p.m.

No report made.

RECESS

4:02 p.m. - 4:04 p.m.

MAYOR AND COUNCIL REPORTS (CONT'D)

15. Subject: Interviews For City Advisory Groups (Cont'd)

Speakers (Cont'd):

The following applicants were interviewed:

Access Advisory Committee:

Robert Burnham

Community Development and Human Services Committee:

Charlotte Gullap-Moore

Downtown Parking Committee:

James Scafide

Ethan Shenkman

Living Wage Advisory Committee:

Gregory Freeland

Mario Quezada

Measure P Committee:

Charlotte Gullap-Moore

Water Commission:

Mike Jordan

John Ummel

(Cont'd)

15. (Cont'd)

Speakers (Cont'd):

Santa Barbara Youth Council:

Cindy Diaz
 Zachary Wells
 Sophia Borodofsky
 Ari Chittick
 Adam Fuller
 Ty Trosky
 Daniella Trisler
 Grace Ingram
 Ben Spievak
 Kevin Acuna
 Sophia Qin
 Nathaniel Getachew
 Michelle Qin
 Ali Mikles
 Karim Cortez

The Mayor stated that appointments to the advisory groups will be made during the regular Council meeting of June 23, 2015.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Murillo thanked Baroness Jewelers for their sponsorship of a fundraiser for the Rental Housing Mediation Task Force.
- Councilmember White reported on his attendance at yesterday's Water Commission meeting, during which reports were presented regarding the drought and the delay in the start-up of the reclaimed water facility.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 5:17 p.m. to Monday, June 15, 2015, at 1:00 p.m. at 3740 Pescadero Drive.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

 HELENE SCHNEIDER
 MAYOR

ATTEST:


 SUSAN TSCHSCH, CMC
 DEPUTY CITY CLERK