



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**REGULAR MEETING**  
**May 24, 2016**  
**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. and 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: Jason Dominguez, 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.

## **CHANGES TO THE AGENDA**

### Item Removed from Agenda

City Administrator Paul Casey requested that the following item be removed from the agenda:

#### **12. 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.

## **PUBLIC COMMENT**

Speakers: Joe; Ellie Hollinshead, CalPIRG; Phil Walker; Yvonne Ashton, Micheltorena Neighborhood Association; Maggie Campbell, Downtown Santa Barbara; John Holehowe, Micheltorena Neighborhood Association.

## **ITEM REMOVED FROM CONSENT CALENDAR**

### **1. Subject: Revised Waterfront Hotel Development Agreement (640.10)**

Recommendation: That Council: (re)-introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Development Agreement for the Waterfront Hotel By and Between the City of Santa Barbara and American Tradition, LLC.

Documents:

Proposed ordinance.

The title of the ordinance was read. City Attorney Callonne announced that this item was not being (re)-introduced but being adopted.

Speakers:

Member of the Public: Phil Walker.

Motion:

Councilmembers White/Rowse to approve the staff recommendation; Ordinance No. 5751; Agreement No. 25,564.

Vote:

Majority roll call vote (Noes: Councilmember Murillo).

## **CONSENT CALENDAR (Item Nos. 2 – 10)**

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

Motion:

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

Vote:

Unanimous roll call vote.

2. **Subject: Adoption Of Ordinance For The Approval Of A Building Encroachment Agreement At 6 State Street And 13 East Cabrillo Boulevard (330.10)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the City Administrator to Execute an Encroachment Agreement to Virginia Castagnola-Hunter, as Trustee of the Virginia Castagnola-Hunter Trust Created u/d/t Dated February 20, 2002; Scott Hollister; George C. Hollister and Cathleen W. Hollister, Trustees of the GCH and CWH Trust; Catherine Wallenfels; Francesca Hunter; and Alexis Hunter Chernow, as Trustee of the Alexis Hunter Chernow Trust Created u/d/t Dated January 15, 2014; for Building Improvements on a Portion of 6 State Street (Santa Barbara County Assessor's Parcel Number 033-111-011) and 13 East Cabrillo Boulevard (Santa Barbara County Assessor's Parcel Number 033-111-012) That Will Encroach Into the Public Flood Control Easement.

Action: Approved the recommendation; Ordinance No. 5752; Agreement No. 25,565.

3. **Subject: Adoption Of Ordinance To Quitclaim And Release The 1983 Flood Control Easement On 13 East Cabrillo Boulevard (330.03)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Authorizing the City Administrator to Execute a Quitclaim Deed Releasing the 1983 Flood Control Easement on 13 East Cabrillo Boulevard, and to Record Same in the Office of the Santa Barbara County Recorder Upon Recordation of the Final Order of Condemnation in Santa Barbara Superior Court Case Number 1469840, City of Santa Barbara v. Virginia Castagnola-Hunter, et al.

Action: Approved the recommendation; Ordinance No. 5753; Agreement No. 25,566; Deed No. 61-468.

4. **Subject: Records Destruction For Administrative Services 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 Administrative Services Department in the City Clerk's Office and Human Resources Division.

Action: Approved the recommendation; Resolution No. 16-034 (May 24, 2016, report from the Administrative Services Director; proposed resolution).

**5. Subject: Introduction Of Ordinance For Lease Agreement With Mulligan's Café Inc. at Santa Barbara Golf Club (330.04)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Parks and Recreation Director to Execute a Ten-Year Concession Lease Agreement, with Mulligan's Café, Inc., a California Corporation, for the 3,480 Square Feet of Interior Space, and Approximately 3,200 Square Feet of Exterior Patio Space at Santa Barbara Golf Club, 3500 McCaw Avenue, Santa Barbara.

Action: Approved the recommendation (May 24, 2016, report from the Parks and Recreation Director; proposed ordinance).

**6. Subject: April 2016 Investment Report (260.02)**

Recommendation: That Council accept the April 2016 Investment Report.

Action: Approved the recommendation (May 24, 2016, report from the Finance Director).

**7. Subject: Integrated Pest Management 2015 Annual Report (330.01)**

Recommendation: That Council accept the Integrated Pest Management (IPM) 2015 Annual Report that addresses the use of pesticides and alternatives to control weeds or eliminate pests on City property.

Speaker:

Staff: Parks Manager Santos Escobar.

Action: Approved the recommendation (May 24, 2016, report from the Parks and Recreation Director).

**8. Subject: Fiscal Year 2016 Third Quarter Review (210.01)**

Recommendation: That Council:

- A. Receive a report from staff on the status of revenues and expenditures in relation to budget for the nine months ended March 31, 2016;
- B. Accept the Fiscal Year 2016 Interim Financial Statements for the Nine Months Ended March 31, 2016; and
- C. Approve the proposed third quarter adjustments to Fiscal Year 2016 appropriations and estimated revenues as detailed in the attached schedule of Proposed Third Quarter Adjustments.

Action: Approved the recommendations (May 24, 2016, report from the Finance Director).

**9. Subject: Professional Services Contract For Cater Valve Replacement Project (540.10)**

Recommendation: That Council:

- A. Approve and authorize the Public Works Director to execute a Professional Services contract with Pacific Rim Automation, Inc., in the amount of \$369,188 for the Cater Valve Replacement Project; and
- B. Authorize the Public Works Director to approve expenditures of up to \$36,919 for extra services of Pacific Rim Automation, Inc., that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Agreement No. 25,567 (May 24, 2016, Report from the Public Works Director).

NOTICES

- 10.** The City Clerk has on Thursday, May 19, 2016, 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.

**REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Gregg Hart reported that the Finance Committee met to hear a staff report regarding staff-recommended adjustments and newly proposed administrative fine/fees for noise disturbances. They also considered options for increasing planning and development-related fees, and developed final recommendations that will be presented to the City Council on June 1, 2016.

**CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

CITY ATTORNEY

- 11. Subject: Medical Marijuana Regulations: Report On Legislative Issues And Options Relating To Cultivation, Transportation, Delivery, Manufacturing, Fees And Taxes (150.02)**

Recommendation: That Council:

- A. Receive a report and presentation on the effects of the City's medical marijuana regulations and the regulatory options presented by new state marijuana laws; and
- B. Provide direction regarding potential regulation of storefront marijuana dispensaries, taxes, fees, manufacturing, mobile delivery, and other marijuana-related issues.

(Cont'd)

**11. (Cont'd)**

**Documents:**

- March 24, 2016, report from the City Attorney.
- PowerPoint Presentation prepared and made by Staff.
- March 23, 2016, email from Anna Marie Gott.

**Speakers:**

Staff: City Attorney Ariel Calonne; Assistant City Attorney Tava Ostrenger; Community Development Director George Buell; Finance Director Robert Samario.

**Motion: (1:41)**

Councilmember Murillo/Rowse for staff to return to Council with possible ballot initiatives addressing multiple issues related to medical marijuana taxation for a possible ballot measure in November, 2016.

**Vote:**

Unanimous voice vote.

**Motion:**

Councilmember Hotchkiss/Rowse for staff to forward this item to the Ordinance Committee where a possible amendment to current dispensary ordinance, potential regulation of storefront marijuana dispensaries, taxation fees, mobile delivery, and other marijuana-related issues can be addressed.

**Vote:**

Unanimous voice vote.

**RECESS**

3:49 p.m. - 3:57 p.m.

**13. Subject: Annual Wastewater Collection System Report (540.13)**

Recommendation: That Council receive a report from staff on the wastewater collection system maintenance and management activities.

**Documents:**

- May 24, 2016, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.
- May 24, 2016, handout from Kira Redmond, Santa Barbara Channelkeeper.

**Speakers:**

- Staff: Supervising Engineer Lisa Arroyo.
- Members of the Public: Kira Redmond, Santa Barbara Channelkeeper.

(Cont'd)

**13. (Cont'd)**

Councilmember heard the reports from staff and Channelkeeper and their questions were answered.

**MAYOR AND COUNCIL REPORTS**

**14. Subject: Request From Councilmembers White And Dominguez Regarding Growth Management Ordinance And Development Mitigation Fees (610.01)**

Recommendation: That Council consider the request from Councilmembers White and Dominguez to consider adoption of a growth management ordinance on multi-family units and development mitigation fees.

Documents:

- May 24, 2016, report from the Public Works Director.
- May 24, 2016, handout from Deborah L. Schwartz, Planning Commissioner.
- May 24, 2016, handout from Detlev Peikert, RRM Design Group.

Speakers:

- Staff: City Administrator Paul Casey.
- Planning Commission: Deborah L. Schwartz, Shelia Lodge; John Campanella.
- Members of the Public: Lindsey Baker, League of Women Voters; Joan Marshall; Sheila Lodge; Anna Marie Gott, Allied Neighborhoods Association; Joe Rution, Allied Neighborhood Association; Greg Reitz, Rethink Development; Lisa Plowman; Mark Kirkhart; Detlev Peikert, RRM Design Group; Mickey Flacks; Cynthia Goena, SEIU Local 620; Alma Soriano, Rental Housing Roundtable; Frank Rodriguez, CAUSE and Rental Housing Roundtable; Steve Fort, Coastal Housing Coalition; Hillary Blackerby.

Councilmembers heard the report and their questions were answered.

**PUBLIC COMMENT**

No one wished to speak.

Mayor recessed the meeting at 6:28 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 15.

## CLOSED SESSIONS

### 15. Subject: Conference With City Attorney - Pending Litigation (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (d)(1) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is *Rolland Jacks, et al., v. City Of Santa Barbara*; Supreme Court Case No. S225589.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

May 24, 2016, report from the City Attorney.

Time:

5:00 p.m. – 5:35 p.m.

Report:

No report made.

## RECESS

6:28 p.m. – 6:33 p.m.

Mayor Schneider presiding.

Councilmembers Present: Dominguez, Hart, Hotchkiss, Murillo, Rowse, White, Mayor Schneider.

Staff present: City Administrator Casey, City Attorney Calonne, Deputy City Clerk Applegate.

## PUBLIC COMMENT

No one wished to speak.

## MAYOR AND COUNCIL REPORTS

### 16. 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 14, 2016.

(Continued from May 17, 2016, Item No. 12)

Documents:

May 24, 2016, report from the Administrative Services Director.

(Cont'd)

**16. (Cont'd)**

**Speakers:**

The following applicants were interviewed:

**Building and Fire Code of Appeals:**

Eric Norton Petersen

John Maloney

Kevin Steenberge

**Community Development and Human Services Committee:**

Lang Sligh

**Downtown Parking Committee:**

Trish Allen

**Harbor Commission:**

Merit McCrea

Lang Sligh

**Housing Authority Commission:**

Geoff Green

Lang Sligh

Lawrence G. Larsson

**Neighborhood Advisory Council:**

Brad Hardison

**Parks and Recreation Commission:**

Brad Hardison

**Santa Barbara Youth Council:**

Alexandria Marx

Camille Cosio

By consensus, the Council continued the interviews to June 14, 2016, at 2:00 p.m.

**COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

**Information:**

- Councilmember Hotchkiss reported on his attendance at Waterfront's Clean Sweep event.
- Councilmember Murillo reported on recent meeting of the Santa Barbara Youth Council.
- Mayor Schneider reported on her attendance at the retirement party of Dr. Nancy Leffert, president of Antioch University Santa Barbara.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 7:10 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