



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING
June 26, 2012
COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:00 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, Frank Hotchkiss, Grant House (2:02 p.m.), Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, City Clerk Services Manager Gwen Peirce.

PUBLIC COMMENT

Speakers: Steve Reynolds, Kate Longstory.

ITEM REMOVED FROM THE CONSENT CALENDAR

Councilmember Rowse stated that he would abstain from voting on the following item due to a potential conflict of interest.

3. Subject: Downtown Organization Maintenance Agreement for Fiscal Year 2013 (530.04)

Recommendation: That Council authorize the Parks and Recreation Director to execute an agreement in the amount of \$594,242 with the Downtown Organization (DO) for landscape maintenance, sidewalk cleaning, and general maintenance of the 00-1200 blocks of State Street from Victoria Street to Cabrillo Boulevard, including the 101 underpass and various cross streets, from July 1, 2012 through June 30, 2013.

Motion:

Councilmembers Hotchkiss/Francisco to approve the recommendation; Contract No. 24,163 (June 26, 2012 report from the Parks and Recreation Director).

Vote:

Unanimous roll call vote (Abstention: Councilmember Rowse).

CONSENT CALENDAR (Item Nos. 1, 2, and 4 - 17)

The titles of the resolutions related to the Consent Calendar were read.

Motion:

Councilmembers Francisco/House to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meetings of May 22, June 5, and June 12, 2012.

Action: Approved the recommendation.

2. Subject: Animal Control Shelter Services Agreement With The County Of Santa Barbara (520.05)

Recommendation: That Council authorize the Chief of Police or his designee to execute an agreement with the County of Santa Barbara in the amount of \$288,121 to provide animal control shelter services from July 1, 2012 to June 30, 2013.

Action: Approved the recommendation; Contract No. 23,835.1 (June 26, 2012 report from the Chief of Police).

4. Subject: Rental Agreement For Hilda Ray House (570.05)

Recommendation: That Council authorize the Parks and Recreation Director to enter into a one-year rental agreement with Tatum Marie Sarinana, for the Hilda Ray House at Hilda McIntyre Ray Park, commencing July 1, 2012 and ending June 30, 2013.

Action: Approved the recommendation; Agreement No. 24,164 (June 26, 2012 report from the Parks and Recreation Director).

5. Subject: Community Promotion Contract For The Santa Barbara Region Chamber Of Commerce To Support Operation Of The Visitor Information Center (180.01)

Recommendation: That Council authorize the Finance Director to execute a Community Promotion contract with the Santa Barbara Region Chamber of Commerce in an amount of \$49,045 to support year-round expenses of the Visitor Information Center.

Action: Approved the recommendation; Contract No. 24,165 (June 26, 2012 report from the Finance Director).

6. Subject: Community Promotion Contract With Old Spanish Days (180.02)

Recommendation: That Council authorize the Finance Director to execute a Community Promotion contract with Old Spanish Days in an amount of \$89,368 covering the period from July 1, 2012 to May 31, 2013.

Action: Approved the recommendation; Contract No. 24,166 (June 26, 2012 report from the Finance Director).

7. Subject: Community Promotion Contract With Santa Barbara International Film Festival (230.02)

Recommendation: That Council authorize the Finance Director to execute a Community Promotion contract with Santa Barbara International Film Festival in an amount of \$49,464 covering the period from July 1, 2012 to June 30, 2013.

Action: Approved the recommendation; Contract No. 24,167 (June 26, 2012 report from the Finance Director).

8. Subject: Community Promotion Contract With The Santa Barbara Conference And Visitors Bureau And Film Commission (180.02)

Recommendation: That Council authorize the Finance Director to execute the Fiscal Year 2013 Community Promotion contract with the Santa Barbara Conference and Visitors Bureau in an amount of \$1,349,535 for the term of July 1, 2012 through June 30, 2013.

Action: Approved the recommendation; Contract No. 24,168 (June 26, 2012 report from the Finance Director).

9. Subject: License Agreement With The Santa Barbara Swim Club (330.08)

Recommendation: That Council authorize the Parks and Recreation Director to execute the renewal of a two-year license agreement with the Santa Barbara Swim Club for the use of Los Baños del Mar Swimming Pool.

Action: Approved the recommendation; Agreement No. 24,169 (June 26, 2012 report from the Parks and Recreation Director).

10. Subject: Approval Of Final Map And Execution Of Agreements For 34 West Victoria Street (640.08)

Recommendation: That Council approve and authorize the City Administrator to execute and record Final Map Number 20,796 and standard agreements relating to the approved subdivision at 34 West Victoria Street, and authorize the City Engineer to record 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 document after the public improvements are complete.

Action: Approved the recommendation; Contract Nos. 24,170 – 24,172 (June 26, 2012 report from the Public Works Director).

11. Subject: California State Coastal Conservancy Grant Of \$200,000 For The Lower Mesa Lane Stairs Replacement Project (570.05)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the City Administrator to Enter into a Grant Agreement Between the City and the California State Coastal Conservancy for the Lower Mesa Lane Steps Replacement Project; and
- B. Increase estimated revenues and appropriations by \$200,000 in the Fiscal Year 2013 Capital Outlay Fund.

Action: Approved the recommendations; Resolution No. 12-046; Agreement No. 24,173 (June 26, 2012 report from the Public Works Director).

12. Subject: Contract For Construction Of The Zone 5 Pavement Preparation Project (530.04)

Recommendation: That Council:

- A. Award a contract to Granite Construction Company, in its low bid amount of \$839,944, for construction of the Zone 5 Pavement Preparation, Bid No. 3655;
- B. Authorize the Public Works Director to execute the contract and approve expenditures up to \$67,196 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
- C. Authorize the Public Works Director to execute a contract with Flowers & Associates, Inc., in the amount of \$103,380 for construction support services, and approve expenditures of up to \$10,338 for extra services of Flowers & Associates, Inc., that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Contract Nos. 24,174 and 24,175 (June 26, 2012 report from the Public Works Director).

13. Subject: Contract For Construction For Zone 5 Slurry Seal Project (530.04)

Recommendation: That Council:

- A. Award a contract to Pavement Coatings Co., waiving minor bid irregularities, in its low bid amount of ~~\$1,193,544~~ \$1,194,104 for construction of the Zone 5 Slurry Seal Project, Bid No. 3656;
- B. Authorize the Public Works Director to execute the contract and approve expenditures up to \$95,484 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;
- C. Authorize the Public Works Director to execute a contract with Flowers & Associates in the amount of \$165,410 for construction support services, and approve expenditures of up to \$16,541 for extra services that may result from necessary changes in the scope of work;
- D. Accept funding in the total amount of \$17,958 from NextG Networks, Inc., for costs associated with slurry sealing; and
- E. Authorize the increase of estimated revenues and appropriations in the Fiscal Year 2012 Streets Capital Fund by \$17,958 for the Zone 5 Slurry Seal Project.

Action: Approved the recommendations, with a revision to the contract amount in Recommendation A; Contract Nos. 24,176 and 24,177 (June 26, 2012 report from the Public Works Director).

14. **Subject: Contract For Design For The Fiscal Year 2013 Pavement Maintenance Project (530.04)**

Recommendation: That Council:

- A. **Approve the selection of Flowers & Associates, Inc., to provide professional engineering design and construction management services for the annual Pavement Maintenance Project scheduled for Fiscal Years 2013 through 2015; and**
- B. **Authorize the Public Works Director to execute a City Professional Services contract with Flowers & Associates, Inc., in the amount of \$80,479 for design services for the Fiscal Year 2013 Pavement Maintenance Project, and authorize the Public Works Director to approve expenditures of up to \$8,048 for extra services that may result from necessary changes in the scope of work.**

Action: Approved the recommendations; Contract No. 24,178 (June 26, 2012 report from the Public Works Director).

15. **Subject: Execution Of Agreement With The Santa Barbara Metropolitan Transit District For Transit Services (150.05)**

Recommendation: That Council authorize the Public Works Director to execute a one-year agreement for Fiscal Year 2013 with the Santa Barbara Metropolitan Transit District, in a form acceptable to the City Attorney, for transit services in an amount not to exceed \$1,188,180.

Action: Approved the recommendation; Agreement No. 24,179 (June 26, 2012 report from the Public Works Director).

16. **Subject: Statement Of Investment Policy And Delegation Of Investment Authority for Fiscal Year 2013 (260.01)**

Recommendation: That Council:

- A. **Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the Investment Policy for the City and Rescinding Resolution No. 11-043; and**
- B. **Authorize the City Administrator/City Clerk/City Treasurer to invest or reinvest funds, or to sell or exchange securities so purchased for the City of Santa Barbara and the City of Santa Barbara acting as the Redevelopment Successor Agency, for Fiscal Year 2013.**

Action: Approved the recommendations; Resolution No. 12-047 (June 26, 2012 report from the Finance Director).

17. Subject: May 2012 Investment Report (260.02)

Recommendation: That Council accept the May 2012 Investment Report.

Action: Approved the recommendation (June 26, 2012 report from the Finance Director).

NOTICES

18. The City Clerk has on Thursday, June 21, 2012, 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

POLICE DEPARTMENT

19. Subject: Police Department Update (520.04)

Recommendation: That Council receive an oral presentation from the Police Chief regarding the Santa Barbara Police Department.

Documents:

- June 26, 2012 report from the Chief of Police.
- June 26, 2012 PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Chief of Police Camerino Sanchez.
- Members of the Public: Naomi Greene.

By consensus, the Council received the status report.

PUBLIC WORKS DEPARTMENT

20. Subject: Hearing To Vacate The Portion Of Ealand Place Most Severely Damaged By The Conejo Area Landslide (640.04)

Recommendation: That Council:

- A. Hear all persons interested in or objecting to the proposed non-summary vacation and abandonment of the portion of Ealand Place most severely damaged by the Conejo area landslide; and
- B. Find that the subject portion of Ealand Place is not necessary for present or prospective public street purposes, and that it is in the public interest to vacate the subject portion of Ealand Place, and adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara, California, Ordering the Non-Summary Vacation and Abandonment of the Portion of Ealand Place Most Severely Damaged by the Conejo Area Landslide Within the City Limits of Said City, and Providing for the Recordation of This Resolution.

Documents:

- June 26, 2012 report from the Public Works Director.
- Proposed Resolution.
- Affidavit of Publication.
- June 26, 2012 PowerPoint presentation prepared and made by Staff.
- June 26, 2012 document submitted by Joseph Liebman.

The title of the resolution was read.

Public Comment Opened:

2:54 p.m.

Speakers:

- Staff: Assistant Public Works Director/City Engineer Pat Kelly, City Attorney Stephen P. Wiley.
- Members of the Public: Joseph Liebman, Blanche Tobin.

Public Comment Closed:

3:00 p.m.

Motion:

Councilmembers Francisco/House to approve Recommendation B; Resolution No. 12-048.

Vote:

Majority roll call vote (Noes: Councilmembers Murillo, White, Mayor Schneider).

PUBLIC HEARINGS

21. Subject: Appeal Of Planning Commission Decision For 1085 Coast Village Road (640.07)

Recommendation: That Council:

- A. Hear the appeal of Douglas Fell and amend the Planning Commission's approval of the proposed Coastal Development Permit, Conditional Use Permit for Automobile Service Station with mini-market, Conditional Use Permit for a Carwash and Auto Detail operation, and a Modification located at 1085 Coast Village Road; and
- B. Uphold the appeal, and approve the project, making the findings and with the conditions as outlined in Planning Commission Resolution No. 006-12, deleting Condition D.2.b.

Documents:

- June 26, 2012 report from the Community Development Director.
- Affidavit of publication.
- June 26, 2012 PowerPoint presentation prepared and made by Staff.

Councilmember White stated that he had a potential conflict of interest and left the meeting at 3:34 p.m.

Public Comment Opened:
3:34 p.m.

Speakers:

- Staff: Assistant Planner Suzanne Riegle.
- Appellant: Douglas Fell.
- Planning Commission: Commissioners Stella Larson, Sheila Lodge.
- Members of the Public: Louise Boucher.

Public Comment Closed:
4:07 p.m.

Motion:

Councilmembers Hotchkiss/Rowse to approve Recommendation B.

Vote:

Majority voice vote (Noes: Councilmember Murillo; Abstention: Councilmember White).

RECESS: 4:18 – 4:29 p.m.

MAYOR AND COUNCIL REPORTS**22. Subject: Appointments To City Advisory Groups (140.05)**

Recommendation: That Council make appointments to the City's Advisory Groups.

Documents:

June 26, 2012 report from the Assistant City Administrator.

Central Coast Commission for Senior Citizens:

Motion:

Councilmembers House/Hotchkiss to appoint Brenda Collins Powell.

Vote:

Unanimous voice vote.

Appointment:

Brenda Collins Powell was appointed for a term ending June 30, 2013.

Community Development and Human Services Committee:

Nominees:

Jacqueline Duran, Dale Fathe-Aazam, Steven B. Faulstich.

Vote:

- For Jacqueline Duran: Councilmembers Francisco and Rowse.
- For Dale Fathe-Aazam: Councilmember Hotchkiss.
- For Steven B. Faulstich: Councilmembers House, Murillo, White and Mayor Schneider.

Appointment:

Steven B. Faulstich was appointed to the Housing Interests category for a term ending December 31, 2013.

Community Events & Festivals Committee:

Motion:

Mayor Schneider/Councilmember Francisco to appoint Laura McIver to the Business/Lodging/Retail Industry category.

Vote:

Unanimous voice vote.

Nominees:

Rebekah Altman, Robert W. Burnham, Charles Huff.

(Cont'd)

22. (Cont'd)

Vote:

- For Rebekah Altman: Councilmembers Francisco, Hotchkiss, House, Murillo, White and Mayor Schneider.
- For Charles Huff: Councilmember Rowse.

Appointments:

Laura McIver was appointed to the Business/Lodging/Retail Industry category for a term ending December 31, 2015 and Rebekah Altman was reappointed to the Public at Large category for a term ending December 31, 2014.

Fire and Police Pension Commission:

Motion:

Councilmembers House/Francisco to appoint Luis Esparza.

Vote:

Unanimous voice vote.

Appointment:

Luis Esparza was appointed to the Qualified Elector category for a term ending December 31, 2014.

Housing Authority Commission:

Nominees:

Robert Burke, Geoff Green.

Vote:

- For Robert Burke: Councilmember Rowse.
- For Geoff Green: Councilmembers Francisco, House, Murillo, Rowse, White and Mayor Schneider.

Motion:

Councilmembers Murillo/Francisco to appoint Mary Johnston.

Vote:

Unanimous voice vote.

Appointments:

Geoff Green was reappointed to the Public at Large, County category for a term ending September 14, 2016 and Mary Johnston was reappointed to the Tenant, City category for a term ending June 30, 2014.

(Cont'd)

22. (Cont'd)

Library Board:

Nominees:

Jonathan R. Glasoe, Christine Roberts, Patricia E. Ruth.

Vote:

- For Jonathan R. Glasoe: Councilmembers Hotchkiss, Murillo, White and Mayor Schneider.
- For Christine Roberts: Councilmembers Francisco, Hotchkiss, House, Murillo, Rowse, White and Mayor Schneider.
- For Patricia E. Ruth: Councilmembers Francisco, House and Rowse.

Appointments:

Jonathan R. Glasoe was appointed and Christine Roberts was reappointed for terms ending December 31, 2015.

Measure P Committee:

Motion:

Councilmembers White/Francisco to appoint Luis Esparza.

Vote:

Unanimous voice vote.

Appointment:

Luis Esparza was reappointed as the Civil Liberties Advocate for a term ending December 31, 2012.

Neighborhood Advisory Council:

Nominees:

Ed Cavazos, Joseph A. Rution.

Vote:

- For Ed Cavazos: Councilmembers House, Murillo and Mayor Schneider.
- For Joseph A. Rution: Councilmembers Francisco, Hotchkiss, Rowse and White.

Nominees:

Ed Cavazos, Mari G. Mender.

(Cont'd)

22. (Cont'd)

Vote:

- For Ed Cavazos: Councilmembers House, Murillo, White and Mayor Schneider.
- For Mari G. Mender: Councilmembers Francisco, Hotchkiss and Rowse.

Appointments:

Ed Cavazos was appointed to the Public at Large category for a term expiring December 31, 2015 and Joseph A. Rution was appointed as the Laguna Neighborhood Representative for a term ending December 31, 2014.

Parks and Recreation Commission:

Nominees:

Megan Alley, Christina Nicole Gonzalez, Charles Huff, Charmaine Curtis Jacobs.

Vote:

- For Megan Alley: Councilmembers Francisco, Hotchkiss, House, Murillo and Mayor Schneider.
- For Christina Nicole Gonzalez: Councilmembers House, Murillo and White.
- For Charles Huff: Councilmembers Francisco, Hotchkiss and Rowse.
- For Charmaine Curtis Jacobs: Councilmembers Rowse, White and Mayor Schneider.

Second Vote:

- For Christina Nicole Gonzalez: Councilmembers House and Murillo.
- For Charles Huff: Councilmembers Francisco, Hotchkiss and Rowse.
- For Charmaine Curtis Jacobs: Councilmember White and Mayor Schneider.

Third Vote:

- For Christina Nicole Gonzalez: Councilmembers House, Murillo, White and Mayor Schneider.
- For Charles Huff: Councilmembers Francisco, Hotchkiss and Rowse.

Appointments:

Megan Alley and Christina Nicole Gonzalez were appointed as Qualified Electors for terms ending December 31, 2012.

(Cont'd)

22. (Cont'd)

Rental Housing Mediation Task Force:

Motion:

Councilmembers House/White to appoint Silvio Di Loreto, Jacqueline Duran and Charles V. Eckert III.

Vote:

Unanimous voice vote.

Appointment:

Silvio Di Loreto was reappointed to the Landlord category for a term ending December 31, 2015; and Jacqueline Duran and Charles V. Eckert III were appointed to the Landlord category for terms ending December 31, 2012.

Santa Barbara Youth Council:

Nominees:

Rocio Pacheco Garcia, Amber Rowley, Sami Soto, Naomi Zamudio.

Vote:

- For Rocio Pacheco Garcia: Councilmembers Francisco, Hotchkiss, and Rowse.
- For Amber Rowley: Councilmembers House, Murillo, White and Mayor Schneider.
- For Sami Soto: Councilmembers Francisco, Hotchkiss, House, Murillo, Rowse, White and Mayor Schneider.
- For Naomi Zamudio: Councilmembers Francisco, Hotchkiss, House, Murillo, Rowse, White and Mayor Schneider.

Appointments:

Amber Rowley, Sami Soto and Naomi Zamudio were appointed to the Student category for terms ending June 30, 2014.

Single Family Design Board:

Motion:

Councilmembers House/Hotchkiss to appoint Lisa James and Jaime Pierce.

Vote:

Unanimous voice vote.

(Cont'd)

22. (Cont'd)

Appointment:

Lisa James was appointed in the Professional Qualifications category for a term ending June 30, 2015, and Jaime Pierce was appointed in the Licensed Landscape Architect category for a term ending June 30, 2016.

Transportation and Circulation Committee:

Nominees:

Robert Burnham, Daniel Ramirez and Kathleen Rodriguez.

Vote:

- For Robert Burnham: Councilmembers Francisco, Hotchkiss, and Rowse
- For Daniel Ramirez: Councilmember Murillo.
- For Kathleen Rodriguez: Councilmembers House, White and Mayor Schneider.

Second Vote:

- For Robert Burnham: Councilmembers Francisco, Hotchkiss, and Rowse.
- For Kathleen Rodriguez: Councilmembers House, Murillo White and Mayor Schneider.

Appointment:

Kathleen Rodriguez was appointed to the Qualified Electory category for a term ending December 31, 2014.

Water Commission:

Nominees:

Megan Birney, Gabe Dominocielo.

Vote:

- For Megan Birney: Councilmembers House, Murillo, White and Mayor Schneider.
- For Gabe Dominocielo: Councilmembers Francisco, Hotchkiss, and Rowse.

Appointment:

Megan Birney was appointed to the Qualified Electory category for a term ending December 31, 2015.

COUNCIL AND STAFF COMMUNICATIONS

Jill Zachary, Assistant Parks and Recreation Director, provided an update on how the City is addressing the foul odor that is emanating from the Bird Refuge.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember White reported on a current Planning Commission meeting.
- Councilmember Rowse provided an update on a recent Airport Commission meeting.
- Councilmembers Hotchkiss and House spoke regarding a recent Conference & Visitors Bureau (CVB) Board meeting.
- Councilmember Murillo spoke regarding a meeting she attended of the West Beach Lower Chapala residents, the Child Abuse Listening Mediation (CALM) Open House, and the Mariachi Festival Scholarship fundraising dinner that she had attended.
- Mayor Schneider spoke regarding her attendance and testimony at the County of Santa Barbara Board of Supervisor's budget hearing and about a ceremony commending those who successfully saved a man who was having a cardiac arrest.
- Councilmember House provided an update on the South Coast Homeless Advisory Group and commended the organizers of the Solstice Parade and Festival.

RECESS

Mayor Schneider recessed the meeting at 4:51 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 23, and said that no reportable action is anticipated.

CLOSED SESSIONS

23. Subject: Conference With Labor Negotiator (440.05)
 Recommendation: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristy Schmidt, Employee Relations Manager, regarding negotiations with the City's General bargaining unit and the Police Management Association, and regarding discussions with certain unrepresented managers about salaries and fringe benefits.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

Documents:

June 26, 2012 report from the Assistant City Administrator.

Time:

4:55 p.m. – 5:20 p.m.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 5:20 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



HELENE SCHNEIDER
MAYOR

ATTEST:



GWEN PEIRCE, CMC
CITY CLERK SERVICES MANAGER