



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**REGULAR MEETING
February 24, 2015
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, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: Gregg Hart.

Staff present: City Administrator Paul Casey, City Attorney Ariel Pierre Calonne, Deputy City Clerk Deborah L. Applegate.

ITEMS REMOVED FROM CONSENT CALENDAR

8. Subject: Appropriation Of Community Development Block Grant Funds For Youth Apprenticeship And Santa Barbara Arts Alliance Programs (610.05)

Recommendation: That Council increase appropriations and estimated revenues in the Fiscal Year 2015 Parks and Recreation Department General Fund in the amount of \$15,000 for two Community Development Block Grant (CDBG) awards.

11. Subject: Set A Date For Public Hearing Regarding Single Family Design Board's Project Design Approval for 1912 Mission Ridge Road (640.07)

Recommendation: That Council:

- A. Set the date of March 3, 2015, at 2:00 p.m. for hearing the appeal filed by Susan M. Basham of Price, Postel & Parma, LLP of the Single Family Design Board's Project Design Approval for project owned by Craig Morrison and located at 1912 Mission Ridge Road, Assessor's Parcel No.: 019-083-021, A-1 Zone; Application No. MST2014-00585. This project proposes a 22 square foot first-floor addition and a 530 square foot second-floor addition to an existing 2,146 square foot one-story, single-family residence with an attached 658 square foot garage. The proposal includes one new uncovered parking space, a 194 square foot covered patio at the entry, a 158 square foot second-story deck, a raised pool and surrounding deck, and interior remodel work. It also includes permitting an "as-built" air conditioning condenser unit, relocation of the pool equipment enclosure, and a new driveway and pedestrian gate; and
- B. Set the date of March 2, 2015, at 1:30 p.m. for a site visit to the property located at 1912 Mission Ridge Road.

Motion:

Councilmembers White/Hotchkiss to continue Item Nos. 8 and 11.

Vote:

Unanimous voice vote. (Absent: Councilmember Hart)

Amended Motion:

Councilmembers White/Hotchkiss to set the date of Item 11 to March 10, 2015.

Vote:

Unanimous voice vote. (Absent: Councilmember Hart)

PUBLIC COMMENT

Speakers: Michael Baker, United Boys and Girls Clubs; Melody Joy Baker; David Daniel Diaz; Clint Orr; John Webby; Tom Widroe, Santa Barbara City Watch; Phil Walker; Kenneth Loch; Trevor Martinson; William Connell, Veteran's Tax and Fee Exemption; Jeffrey David.

CONSENT CALENDAR (Item Nos. 1 - 7, 9 - 10, 12 - 13)

The title of the ordinance related to the Consent Calendar item was read.

Motion:

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

Vote:

Unanimous roll call vote. (Absent: Councilmember Hart)

1. Subject: Minutes

Recommendation: That Council waive further reading and approve the minutes of the regular meetings (cancelled) of January 20, and February 17, 2015, the regular meetings of January 27, February 3, and February 10, 2015, and the special meeting of January 26, 2015.

Action: Approved the recommendation.

2. Subject: Adoption Of Ordinance For Access License And Lease Agreement With High Sierra Grill Santa Barbara, Inc. (330.04)

Recommendation: That Council 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 Ten-Year Access License And Lease Agreement, With Three Five-Year Options, With High Sierra Grill Santa Barbara, Inc., A California Corporation, For 79,752 Square Feet Of Land, Including 8,695 Square Feet Of Building 252, At 521 Norman Firestone Road, At The Santa Barbara Airport, Effective Upon The Earlier Of The Completion Of City Improvements Or Nine Months After The License Commencement Date, For A Monthly Rental Of \$12,694.

Action: Approved the recommendation; Ordinance No. 5682; Agreement No. 25,105.

3. Subject: January 2015 Investment Report (260.02)

Recommendation: That Council accept the January 2015 Investment Report.

Action: Approved the recommendation (February 24, 2015, report from the Finance Director).

4. Subject: Purchase Order For UCP / Work, Incorporated (570.03)

Recommendation: That Council find it in the City's best interest to waive the formal bid procedure as authorized by Municipal Code Section 4.52.070 (L), and authorize the General Services Manager to issue a purchase order to UCP / Work, Incorporated for janitorial services at the Waterfront Department for Fiscal Year 2016 in an amount not to exceed \$291,066 and for Fiscal Year 2017 in an amount not to exceed \$307,541.

Action: Approved the recommendation (February 24, 2015, report from the Waterfront Director).

5. Subject: Contract For Design Of Cacique And Soledad Pedestrian/Bicycle Bridges And Corridor Improvements Project (530.04)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a City Professional Services contract with Bengal Engineering, Inc., in the amount of \$442,702 for design services of the Cacique and Soledad Pedestrian/Bicycle Bridges and Corridor Improvements Project, and authorize the Public Works Director to approve expenditures of up to \$44,270 for extra services of Bengal Engineering, Inc., that may result from necessary changes in the scope of work;
- B. Appropriate \$86,972 from Streets Capital Fund Reserves to cover the City's costs associated with the design phase; and
- C. Increase appropriations and estimated revenues related to the Active Transportation Program Grant by \$400,000 in the Fiscal Year 2015 Streets Grant Fund for the Cacique and Soledad Pedestrian/Bicycle Bridges and Corridor Improvements Project.

Action: Approved the recommendations; Agreement No. 25,106 (February 24, 2015, report from the Public Works Director).

6. Subject: Rejection Of Community Development Block Grant Westside Center Bathroom Renovation Project Bids (610.04)

Recommendation: That Council reject the bids for the construction of the Community Development Block Grant Westside Center Bathroom Renovation Project, Bid No. 3769, and authorize the Public Works Director to re-bid the project.

Action: Approved the recommendation (February 24, 2015, report from the Public Works Director).

7. Subject: Approval Of Amendments To The Agreements For An Energy Efficiency Revolving Fund Study (630.06)

Recommendation: That Council:

- A. Authorize the Public Works Director to amend the Professional Services Agreement for an Energy Efficiency Revolving Fund Study between the Cadmus Group and the City of Santa Barbara extending the agreement completion date for an additional year; and
- B. Authorize the Public Works Director to negotiate and execute an amendment to agreement with Southern California Edison (SCE) for Energy Efficiency Revolving Fund Study Award.

Action: Approved the recommendations; Agreement Nos. 24,967.01 and 24,968.01 (February 24, 2015, report from the Public Works Director).

9. **Subject: Amendment To Agreement With Collision And Injury Dynamics, Inc. For Consulting Services Relating To *Delgadillo v. City Of Santa Barbara* (160.01)**

Recommendation: That Council authorize the City Attorney to execute an amendment to the agreement for consultant/expert witness services (Contract No. 21400161) with Collision and Injury Dynamics, Inc., to amend the Compensation and Costs provision, increasing the contract amount by \$54,751.80, from \$15,000 to \$69,751.80.

Action: Approved the recommendation; Agreement No. 25,107 (February 24, 2015, report from the City Attorney).

10. **Subject: Donation From The Van Donge Family For The Police Memorial Statue Project (520.04)**

Recommendation: That Council accept a donation of \$5,000 from the Van Donge family for the Police Department's Memorial Statue Project; and increase appropriations and estimated revenues by \$5,000 in the Police Department Miscellaneous Grants Fund.

Action: Approved the recommendation (February 24, 2015, report from the Chief of Police).

12. **Subject: Set A Date For Public Hearing Regarding Appeal Of Historic Landmarks Commission Approval For 1320 Olive Street (640.07)**

Recommendation: That Council:

- A. Set the date of April 7, 2015, at 2:00 p.m. for hearing the appeal filed by Mindy Wolfe, et. al., of the Historic Landmarks Commission's Project Design Approval of an application for property owned by Brian McInerney and located at 1320 Olive Street, Assessor's Parcel No. 029-091-034, R-3 Limited Multiple-Family Zone, General Plan Designation: Medium-High Density Residential (15-27 Dwelling Units/Acre). The project proposes construction of a new 1,820 square-foot, two-story duplex building on the northern side of the property, under the Average Unit Density (AUD) Program. New construction will be comprised of a 544 square-foot one-bedroom unit above a 400 square-foot two-car garage, and an attached two-story, 684 square-foot one-bedroom unit with a one-car carport. The lot is currently developed with a 1,785 square-foot, one-story duplex building which will remain with no alterations; this existing building is a contributing resource to the potential Bungalow Haven Historic District. The proposal will result in a total of four residential units and four parking spaces. The project also addresses violations identified in a Zoning Information Report; and
- B. Set the date of April 6, 2015, at 1:30 p.m. for a site visit to the property located at 1320 Olive Street. (Cont'd)

12. (Cont'd)

Action: Approved the recommendation.

NOTICES

13. The City Clerk has on Thursday, February 19, 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.

PUBLIC HEARINGS

- 14. Subject: Request For Designation Of 6100 Hollister Avenue (Direct Relief) As A Community Benefit Project (610.04)**

Recommendation: That Council find the proposed development of 6100 Hollister Avenue for Direct Relief, a Community Benefit Project pursuant to Santa Barbara Municipal Code §28.85.020.A.1, allocate 80,000 square feet of nonresidential floor area to the project, and reserve an additional 30,000 square feet for future development from the Community Benefit Project category.

Documents:

- February 24, 2015, report from the Community Development Director.
- Affidavit of Publication.
- PowerPoint presentation prepared and made by Staff.

Public Comment Opened:
2:07 p.m.

Speakers:

- Staff: Kathleen Kennedy, Associate Planner.
- Members of the Public: Suzanne Elledge, Suzanne Elledge Planning & Permitting Services; Thomas Tighe, President/CEO of Direct Relief.

Public Comment Closed:
2:45 p.m.

Motion:

Councilmembers Murillo/Hotchkiss to approve the staff recommendation.

Vote:

Majority voice vote (Absent: Councilmember Hart).

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Murillo reported on her attendance at the following meetings: 1) the joint meeting of the Santa Barbara Youth Council and What Is Love; 2) the Library Board; and 3) the New Zoning Ordinance Committee. She reported that a new Wells Fargo bank opened on Milpas Street and commented on a demonstration that took place in front of the Eastside business, Taqueria El Bajio, on Milpas Street by PODER (People Organizing for the Defense and Equal Rights of Santa Barbara Youth).
- Councilmember White reported on his attendance at the following meetings: 1) Council Infrastructure Subcommittee; 2) Courthouse Legacy Foundation; 3) the New Zoning Ordinance Committee.
- Councilmember Hotchkiss commented on his attendance at the Airport Commission meeting and commented on the two hour documentary of the history of aviation produced by Tony Ruggieri of City T.V.
- Councilmember Rowse reported on his visit to the Eastside business, Taqueria El Bajio and thanked the public for showing their support and echoed his disapproval of the recent protest and activities.
- Mayor Schneider reported on her recent meeting at the Coastal Commission Hearing where the City received an unanimous vote from the commission for permitting the Desalination Plant and commended the Public Works and City Attorney staff for their hard work. She also reported on her attendance at The United Way Annual VITA (Volunteer Income Tax Assistance) event.

RECESS

The Mayor recessed the meeting at 3:05 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 *Frank Banales, Sebastian Aldana Jr., Jacqueline Inda, Cruzito Herrera Cruz, and Benjamin Cheverez, v. City of Santa Barbara, et al.*, SBSC Case No.1468167.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

February 24, 2015, report from the City Attorney.

(Cont'd)

15. (Cont'd)

Time:

3:05 p.m. – 4:21 p.m. Councilmember Hart was absent.

Recess: 3:05 p.m. – 4:21 p.m.

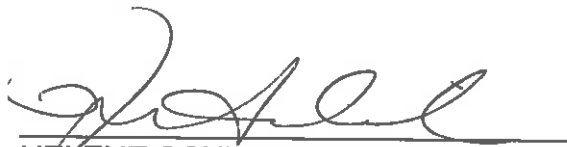
Announcement:

City Attorney Calonne reported that Council voted unanimous (6:0 Hotchkiss/Francisco, Absent: Councilmember Hart) to enter into a settlement agreement with *Frank Banales, Sebastian Aldana Jr., Jacqueline Inda, Cruzito Herrera Cruz, and Benjamin Cheverez, v. City of Santa Barbara, et al.*, SBSC Case No.1468167. The Mayor's signature on the settlement agreement is subject to further assurances from the Plaintiff which is subject to approval from the City attorney.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 4:28 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

 HELENE SCHNEIDER
 MAYOR

ATTEST:


 DEBORAH L. APPLGATE
 DEPUTY CITY CLERK