



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**REGULAR MEETING
December 15, 2015
COUNCIL CHAMBER, 735 ANACAPA STREET**

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:00 p.m. (The Finance Committee met at 12:30 p.m. The 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: Dale Francisco (2:03 p.m.), 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: Kenneth Loch; Pete Dal Bello; Karl Wagner; Richard Robinson; Lee Moldaver; Tom Widroe, City Watch.

CONSENT CALENDAR (Item Nos. 1 – 16)

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

Motion:

Councilmembers Rowse/Francisco 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 November 24, 2015.

Action: Approved the recommendation.

2. Subject: Introduction Of Ordinance For The Grant Of Easements To The Santa Barbara County Flood Control District, Cota Bridge Replacement Project (330.03)

Recommendation: That Council introduce, and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the Granting of Easements on City-Owned Properties Adjacent to Mission Creek to the County of Santa Barbara Flood Control and Water Conservation District for Flood Control and All Related Purposes, and Authorizing the City Administrator to Execute as Necessary the Easement Deeds in a Form Approved by the City Attorney.

Action: Approved the recommendation (December 15, 2015, report from the Public Works Director; proposed ordinance).

3. Subject: Acceptance Of Bicycle And Pedestrian Easement Gift At 350 Hitchcock Way (330.03)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting an Easement for Use as a Public Bicycle and Pedestrian Pathway, and all Related Purposes, on the Real Property Commonly Known As 350 Hitchcock Way, and Consenting to the Recordation of the Easement Deed in the Official Records, County of Santa Barbara; and
- B. Authorize and direct the Public Works Director to execute IRS Form 8283 acknowledging the easement as a charitable donation to the City.

Action: Approved the recommendations; Resolution No. 15-096; Deed No. 61-453 (December 15, 2015, report from the Public Works Director; proposed resolution; undated letter from Barbara Van Wagner).

4. Subject: Avigation And Noise Easement For 6300 Hollister Avenue, Goleta (560.14)

Recommendation: That Council:

- A. Approve and authorize the City Administrator to execute and record a grant deed of avigation and noise easement and agreement imposing conditions on real property by and between 6300 Hollister Associates, LP, and the City of Santa Barbara; and

(Cont'd)

4. (Cont'd)

- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting an Avigation and Noise Easement Imposing Conditions on Real Property Known As Assessor's Parcel Number 073-050-046, and Consenting to the Recordation of the Easement Deed in the Official Records, County of Santa Barbara.

Action: Approved the recommendations; Resolution No. 15-097; Deed No. 61-454 (December 15, 2015, report from the Airport Director; proposed resolution).

5. Subject: Fiscal Year 2016 Interim Financial Statements For The Four Months Ended October 31, 2015 (250.02)

Recommendation: That Council accept the Fiscal Year 2016 Interim Financial Statements for the Four Months Ended October 31, 2015.

Action: Approved the recommendation (December 15, 2015, report from the Finance Director).

6. Subject: November 2015 Investment Report (260.02)

Recommendation: That Council accept the November 2015 Investment Report.

Action: Approved the recommendation (December 15, 2015, report from the Finance Director).

7. Subject: Self-Insured Workers' Compensation Program Annual Report (350.08)

Recommendation: That Council receive the Annual Self-Insured Workers' Compensation Program Annual Report for the year ended June 30, 2015.

Action: Approved the recommendation (December 15, 2015, report from the Finance Director).

8. Subject: Agreement For Surface Water And Groundwater Monitoring (540.10)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a joint funding agreement with United States Geological Survey for water resources investigations related to surface water and groundwater measurements for the period of November 1, 2015, through October 31, 2016, with a City cost share not to exceed \$152,900; and

(Cont'd)

8. (Cont'd)

- B. Authorize the Public Works Director to approve expenditures up to \$20,000 for extra monitoring services.

Action: Approved the recommendations; Agreement No. 25,385 (December 15, 2015, report from the Public Works Director).

9. Subject: Agreement For Hilda McIntyre Ray Park Resident Caretaker (570.05)

Recommendation: That Council authorize the Acting Parks and Recreation Director to execute a Caretaker Rental Agreement for Hilda McIntyre Ray Park with Robert Cerda, commencing on January 1, 2016, through December 31, 2016.

Action: Approved the recommendation; Agreement No. 25,386 (December 15, 2015, report from the Acting Parks and Recreation Director).

10. Subject: Contract Building Plan Check Services (640.04)

Recommendation: That Council:

- A. Approve the execution of a \$70,000 Professional Services Agreement with Bureau Veritas North America, Inc., for contract Building & Safety plan review services; and
- B. Authorize an increase in Fiscal Year 2016 appropriations and estimated revenues in the Community Development Department, General Fund, by \$70,000 to cover the cost of the contracted services, funded from increased and unbudgeted revenues generated from greater than expected building permit activity.

Action: Approved the recommendations; Agreement No. 25,387 (December 15, 2015, report from the Community Development Director).

11. Subject: Professional Services Agreement For Utility Users Tax Management and Audit Services (270.06)

Recommendation: That Council approve and authorize the Finance Director to execute a professional services agreement with MuniServices, LLC, to provide utility users tax management and audit services for a term of three years with two optional two-year extensions.

Action: Approved the recommendation; Agreement No. 25,388 (December 15, 2015, report from the Finance Director).

12. Subject: Receipt of California Youth Gang Reduction 2016 Grant Funds (520.04)

Recommendation: That Council:

- A. Increase Fiscal Year 2016 estimated revenues and appropriations in the Miscellaneous Grants Fund by \$246,852; and
- B. Authorize the City Administrator to extend the current agreements by one year and to accept and distribute the CalGRIP calendar year 2016 grant funds.

Action: Approved the recommendations; Agreement Nos. 25,563 and 25,086.1 (December 15, 2015, report from the City Administrator).

13. Subject: Purchase Of Lockers For Police Department Men's Locker Room Project (520.04)

Recommendation: That Council:

- A. Approve a transfer of \$100,000 from the Police Department, General Fund, salary savings to the Facilities Capital Fund for the purchase of new lockers for the Men's Locker Room Project; and
- B. Increase estimated revenues and appropriations in the Facilities Capital Fund by \$100,000 to provide the budgetary authority for the purchase of the new lockers.

Action: Approved the recommendations (December 15, 2015, report from the Chief of Police).

14. Subject: Reclassification Of Two Senior Building Inspector Positions In Community Development (410.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 15-056, the Position and Salary Control Resolution for Fiscal Year 2016, Affecting the Community Development Department Effective July 4, 2015.

Action: Approved the recommendation; Resolution No. 15-098 (December 15, 2015, report from the Administrative Services Director; proposed resolution).

15. Subject: Adoption of Ordinance To Establish A Definition For "Vessel" For Craft Berthed, Moored Or Anchored In The Harbor District (570.03)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the Santa Barbara Municipal Code by Amending Section 17.04.010 and Adding Section 17.12.050 to Establish a Definition of "Vessel" for Craft Berthed, Moored or Anchored in the Harbor District.

(Cont'd)

15. (Cont'd)

Action: Approved the recommendation; Ordinance No. 5728.

16. Set A Date For Public Hearing Regarding Appeal Of The Historic Landmarks Commission's Decision To Add The Structure Located At 29-37 East Victoria Street To The City's List Of Potential Historic Structures/Sites

Recommendation: That Council:

- A. Set the date of January 26, 2016, at 2:00 p.m. for hearing the appeal filed by Virginia Rehling of the Historic Landmarks Commission's ("HLC") decision to add the building located at 29-37 East Victoria Street, Assessor's Parcel No. 039-133-009, to the City's List of Potential Historic Structures/Sites. The C-2 zoned property is owned by Tioga Holdings LP and is represented by the Radius Group, Commercial Real Estate. The Historic Landmarks Commission held a Public Hearing on November 4, 2015, to consider the historic significance of the 1922 Spanish Colonial Revival commercial building and found it to be eligible as a Structure of Merit based on the recommendation of the HLC Designation Subcommittee; and
- B. Set the date of January 25, 2016, at 1:30 p.m. for a site visit to the property located at 29-37 E. Victoria Street.

Action: Approved the recommendations (November 16, 2015, letter of appeal).

NOTICES

- 17. The City Clerk has on Thursday, December 10, 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.
- 18. Cancellation of the regular City Council meetings of December 22 and December 29, 2015, and January 5, 2016.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dale Francisco reported that the Committee met to hear a Staff report on the Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2015. The Committee accepted the report, which will be considered by the full Council as Agenda Item No. 19.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

FINANCE DEPARTMENT

19. Subject: Comprehensive Annual Financial Report For The Fiscal Year Ended June 30, 2015 (250.02)

Recommendation: That Council:

- A. Receive a report from staff on the Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2015; and
- B. Accept the Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2015.

Documents:

- December 15, 2015, report from the Finance Director.
- Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2015.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Finance Director Robert Samario, Accounting Manager Jennifer Tomaszewski.
- Lance, Soll & Lunghard (City's Auditor): Richard Kikuchi.

Motion:

Councilmembers Murillo/Rowse to approve recommendation B.

Vote:

Unanimous voice vote.

SUCCESSOR AGENCY REPORTS

20. Subject: Successor Agency Transfer Of Property To The City And City Acceptance Of Property And Assumption Of Obligations (620.03)

Recommendation:

- A. That the Successor Agency adopt, by reading of title only, A Resolution of the Successor Agency to the Redevelopment Agency of the City of Santa Barbara Transferring All Right, Title and Interest to the Real Property Described Herein, Subject to Certain Existing Leasehold Interests, Agreements, and Other Encumbrances on the Multiple Parcels of Real Property, Which Are Together Most Commonly Known As "Paseo Nuevo Retail Center," Owned By the Successor Agency to the Former Redevelopment Agency of the City of Santa Barbara, and Authorizing the Executive Director to Execute Such Agreements and Related Documents as Necessary to Effectuate the Transfer of Real Property Interests to the City of Santa Barbara;

(Cont'd)

20. (Cont'd)

- B. That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Accepting All Right, Title and Interest to the Real Property Described Herein, Subject to Certain Existing Leasehold Interests, Agreements, and Other Encumbrances on the Multiple Parcels of Real Property, Which Are Together Most Commonly Known As "Paseo Nuevo Retail Center," Owned By the Successor Agency to the Former Redevelopment Agency of the City of Santa Barbara, and Authorizing the City Administrator to Execute Such Agreements and Related Documents as Necessary to Effectuate the Transfer of Real Property Interests to the City of Santa Barbara;
- C. That the Successor Agency adopt, by reading of title only, A Resolution of the Successor Agency to the Redevelopment Agency of the City of Santa Barbara Transferring For Public Transportation, Public Parking, and All Related Purposes All Right, Title and Interest to the "Governmental Purpose" Real Property Described Herein, Which Are Together Most Commonly Known As "Santa Barbara Railroad Depot," Owned by the Successor Agency to the Former Redevelopment Agency of the City of Santa Barbara, and Authorizing the Executive Director to Execute Such Agreements and Related Documents as Necessary to Effectuate Such Transfers of Real Property Interests to the City of Santa Barbara; and
- D. That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Accepting and Assuming For Public Transportation, Public Parking, and All Related Purposes All Right, Title and Interest to the "Governmental Purpose" Real Property Described Herein, Which Are Together Most Commonly Known As "Santa Barbara Railroad Depot," Owned by the Successor Agency to the Former Redevelopment Agency of the City of Santa Barbara, and Authorizing the City Administrator to Execute Such Agreements and Related Documents as Necessary to Effectuate Such Transfer of Real Property Interests to the City of Santa Barbara.

Documents:

- December 15, 2015, report from the Executive Director/City Administrator.
- Proposed resolutions and ordinances.
- PowerPoint presentation prepared and made by Staff.

The titles of the resolutions and ordinances were read.

Speakers:

Staff: Waterfront Business Manager Brian Bosse.

(Cont'd)

20. (Cont'd)

Motion:

Successor Agency Members/Councilmembers Hart/White to approve the recommendations; Resolution Nos. 15-099, 15-100.

Vote:

Unanimous roll call vote.

21. Subject: Successor Agency Real Estate And Business Items (620.03)

Recommendation: That the Successor Agency:

- A. Execute a Professional Services Agreement with Radius Group, for real estate services regarding 125 Calle Cesar Chavez; and
- B. Approve a \$15,000 increase in the contract, for a total contract of \$90,000, for legal services with Price, Postel, and Parma to the Oversight Board.

Documents:

- December 15, 2015, report from the City Administrator.
- PowerPoint presentation prepared and made by Staff.

Speakers:

Staff: Waterfront Business Manager Brian Bosse, Executive Director Paul Casey.

Motion:

Successor Agency Members Francisco/White to approve the recommendations; Agreement Nos. 25,389, 24,126.3.

Vote:

Unanimous voice vote.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

PARKS AND RECREATION DEPARTMENT

22. Subject: Contract With Santa Barbara Golf, LLC, For Management And Operation Of Santa Barbara Golf Club (570.02)

Recommendation: That Council approve, and authorize the City Administrator to enter into, a management contract with Santa Barbara Golf, LLC, a wholly-owned subsidiary of CourseCo, Inc., to manage and operate Santa Barbara Golf Club.

Documents:

- December 15, 2015, report from the Acting Parks and Recreation Director.
- PowerPoint presentation prepared and made by Staff.
- December 15, 2015, letter from John Craig.

(Cont'd)

22. (Cont'd)

Speakers:

- Staff: Parks and Recreation Business Manager Mark Sewell, Acting Parks and Recreation Director Jill Zachary.
- CourseCo (golf management company): Michael Sharp, Tom Bugbee.
- Parks and Recreation Commission: Commissioner Mark Rincon-Ibarra.
- Golf Advisory Committee: Members Dominic Namnath; John Craig.
- Members of the Public: Tom Widroe, City Watch.

Motion:

Councilmembers Hotchkiss/White to approve the recommendation;
Contract No. 25,390.

Vote:

Majority voice vote (Noes: Councilmembers Hart, Murillo, Mayor Schneider).

PUBLIC HEARINGS

23. Subject: Zoning Information Report Process Improvements - Municipal Code Amendment To Establish A Minor Zoning Exception Process (640.09)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Municipal Code Chapter 28.92 to Add Section 28.92.130 Regarding Minor Zoning Exceptions for Errors in Zoning Information Reports.

Documents:

- December 15, 2015, report from the Community Development Director.
- Proposed ordinance.
- PowerPoint presentation prepared and made by Staff.

The title of the ordinance was read.

Public Comment Opened:

4:01 p.m.

Speakers:

- Staff: Senior Planner Susan Reardon, City Planner Renee Brooke, City Attorney Ariel Calonne.
- Members of the Public: Tom Widroe, City Watch; Reyne Stapelmann, Santa Barbara Association of Realtors.

Public Comment Closed:

4:27 p.m.

(Cont'd)

23. (Cont'd)

Motion:

Councilmembers Murillo/Hart to approve the recommendation.

Vote:

Unanimous voice vote.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember White reported on the proceedings of recent meetings of the New Zoning Ordinance Committee and the Water Commission.
- Councilmember Rowse mentioned that he would be attending a League of Cities meeting regarding rules and regulations related to medical marijuana.
- Councilmember Murillo reported that the Youth Council has requested a presentation on the City's Bicycle Master Plan Update; she also spoke about the campaign called "Wreaths Across America."
- Mayor Schneider commented on the recruitment for a new executive director for the Santa Barbara County Arts Commission; she also reported on a meeting of the Central Coast Collaborative on Homelessness to discuss countywide governance issues.

RECESS

Mayor Schneider recessed the meeting at 4:43 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 25.

CLOSED SESSIONS

25. Subject: PUBLIC EMPLOYEE APPOINTMENT (See Government Code Section 54954.5): Parks And Recreation Director (440.05)

Recommendation: That Council hold a closed session, per Government Code Section 54957, to discuss the appointment for the position of Parks and Recreation Director.

Scheduling: Duration, 20 minutes; anytime

Report: Anticipated

Documents:

December 15, 2015, report from the City Administrator.

Time:

4:45 p.m. – 4:50 p.m.

Recess: 4:50 p.m. – 4:51 p.m.

25. (Cont'd)

Announcement:

City Administrator Casey reported that the Council voted unanimously to approve his appointment of Jill Zachary as the City's Parks and Recreation Director. Ms. Zachary made comments in acceptance of her appointment.

RECESS

Mayor Schneider recessed the meeting at 4:53 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 24, and she stated that no reportable action is anticipated.

CLOSED SESSIONS (CONT'D)

24. 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 *Daniel Corrigan v. City of Santa Barbara*; WCAB Case number ADJ10007046.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

Documents:

December 15, 2015, report from the Finance Director.

Time:

4:55 p.m. – 5:00 p.m.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 5:00 p.m. in memory of Dennis Rickard, former Old Spanish Days El Presidente and member of a pivotal Santa Barbara family.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE


HELENE SCHNEIDER
MAYOR

ATTEST:


SUSAN TSCHETCH, CMC
DEPUTY CITY CLERK