



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING
March 19, 2013
COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:01 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, Frank Hotchkiss, Grant House, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Susan Tschech.

CHANGES TO THE AGENDA

Item Removed from Agenda

City Administrator Armstrong stated that the following item was being removed from the Agenda:

13. 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 Fire Management Association and the Police Officers' Association, and regarding discussions with certain unrepresented managers about salaries and fringe benefits.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

PUBLIC COMMENT

Speakers: Frank Dupont, Miguel Albarran, Daniel Ramirez, Patricia Hiles, Marissa Barragan, Reverend Arthur Stevens, Kenneth Loch, Geof Bard.

CONSENT CALENDAR (Item Nos. 1 – 10)

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

Motion:

Councilmembers Murillo/White to approve the Consent Calendar, amended to remove recommendation B from Item No. 9.

Vote:

Unanimous roll call vote.

1. **Subject: Minutes**

Recommendation: That Council waive the reading and approve the minutes of the regular meetings of March 5 and 12, 2013.

Action: Approved the recommendation.

2. **Subject: Adoption Of Ordinance For Lease Agreement With U.S. Department Of Transportation, Federal Aviation Administration (330.04)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Twenty-Year Lease Agreement with the U.S. Department of Transportation, Federal Aviation Administration, with No Monetary Consideration, for Approximately 2.5 Acres of Land at 10 Edward Burns Place, at the Santa Barbara Municipal Airport, Effective October 1, 2013.

Action: Approved the recommendation; Ordinance No. 5610; Agreement No. 24,399.

3. **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, Human Resources Division, and Information Systems Division.

Action: Approved the recommendation; Resolution No. 13-012 (March 19, 2013, report from the Assistant City Administrator/Administrative Services Director; proposed resolution).

4. Subject: Records Destruction For Public Works 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 Public Works Department in the Engineering and Water Resources Divisions.

Action: Approved the recommendation; Resolution No. 13-013 (March 19, 2013, report from the Public Works Director; proposed resolution).

5. Subject: Acquisition Of Temporary Easements And Extra Design Services For The Punta Gorda Street Bridge Replacement Project (330.03)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara to Acquire and Accept Temporary Construction Easements Located at 1130 and 1133 Punta Gorda Street, and Authorize the Public Works Director, Subject to Review and Approval as to Form by the City Attorney, to Execute Said Agreements and Related Acquisition Documents that May be Required for the Punta Gorda Street Bridge Replacement Project, and Consent to the Recordation of the Related Deeds in the Official Records, County of Santa Barbara; and
- B. Authorize an increase in the extra services amount with Drake Haglan and Associates for final design services for the Punta Gorda Street Bridge Replacement Project, Contract No. 23,959, in the amount of \$34,000, for a total project expenditure authority of \$166,000.

Action: Approved the recommendations; Resolution No. 13-014; Agreement Nos. 24,400 and 24,401 (March 19, 2013, report from the Public Works Director; proposed resolution).

6. Subject: Lease Agreement With Special Olympics of Southern California, Inc., At Westside Neighborhood Center (330.04)

Recommendation: That Council authorize the Parks and Recreation Director to execute a lease agreement with Special Olympics of Southern California, Inc., for 922 square feet of space at the Westside Neighborhood Center at \$1.17 per square foot.

Action: Approved the recommendation; Agreement No. 24,402 (March 19, 2013, report from the Parks and Recreation Director).

7. Subject: Contract For Construction Of Low Impact Development Demonstration Permeable Paver Parking Lots Project (570.05)

Recommendation: That Council:

- A. Accept a Proposition 84 Storm Water Grant funds for an amount not to exceed \$1,889,299 for the Low Impact Development Demonstration Permeable Paver Parking Lots Project;
- B. Approve a transfer of reserves in the amount of \$259,890 from the Creeks Operating Fund to the Creeks Capital Fund;
- C. Authorize the increase of estimated revenues and appropriations in the Fiscal Year 2013 Creeks Capital Fund by \$2,149,189, for the Low Impact Development Demonstration Permeable Paver Parking Lots Project funded from the \$1,889,299 grant and \$259,890 transfer of reserves from the Creeks Operating Fund;
- D. Reject the apparent low bid from Moalej Builders, Inc., of \$1,681,373 for the Low Impact Development Demonstration Permeable Paver Parking Lots Project, Bid No. 3677, as nonresponsive due to their failure to submit a complete bid;
- E. Award a contract with G. Sosa Construction, Inc., waiving minor irregularities, in their low bid amount of \$1,716,930 for construction of the Low Impact Development Demonstration Permeable Paver Parking Lots Project, Bid No. 3677; and
- F. Authorize the Public Works Director to execute the contract and approve expenditures up to \$171,700 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.

Speakers:

Staff: Creeks Restoration/Water Quality Improvement Manager Cameron Benson.

Action: Approved the recommendations; Contract No. 24,403 (March 19, 2013, joint report from the Public Works and Parks and Recreation Directors).

8. Subject: Approval Of Emergency Repair Of The Rattlesnake Creek Sewer Pipe Bridge Creek Crossing (540.13)

Recommendation: That Council:

- A. Approve an emergency Purchase Order for Specialty Construction, Inc., in the amount of \$74,867.11 for repair of the Rattlesnake Creek Sewer Pipe Bridge Creek Crossing; and
- B. Approve an emergency increase in a professional services contract with Fillippin Engineering in the amount of \$66,216.38 for construction management, inspection and environmental monitoring.

(Cont'd)

8. (Cont'd)

Action: Approved the recommendations (March 19, 2013, report from the Public Works Director).

9. **Subject: Set A Date For Public Hearing Regarding Appeal Of Architectural Board Of Review Approval For 2700 Miradero Drive (640.07)**

Recommendation: That Council:

- A. Set the date of April 16, 2013, at 2:00 p.m. for hearing the appeal filed by Anne Senuta of the Architectural Board of Review approval of an application for property owned by the Villa Miradero North Homeowners Association and located at 2700 Miradero Drive, Assessor's Area Parcel No. 051-520-CA1 for common parcel, R-2 Two-Family Residence Zone, General Plan Designation: Medium Density Residential. The project proposes to remove existing attached gable pergolas at 40 residential condominium units; and
- ~~B. Set the date of April 15, 2013, at 1:30 p.m. for a site visit to the property located at 2700 Miradero Drive.~~

Action: Approved the recommendation (February 22, 2013, letter of appeal).

NOTICES

10. The City Clerk has on Thursday, March 14, 2013, 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 Dale Francisco reported that the Committee met to consider a request from the Housing Authority of the City of Santa Barbara for the subordination, modification, and release of City Deeds of Trust on properties located at 418 Santa Fe Place and 521 N. La Cumbre Road. The Committee approved Staff recommendations related to the request, which will be submitted to the full Council next week.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

11. Subject: Purchase Of Real Property At The City's Hydroelectric Plant (330.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the City's Public Works Director to Act in the Negotiations on Behalf of the City of Santa Barbara for the Purchase of the Fee Simple Interest in the Real Property Known as the Santa Barbara Hydroelectric Power Plant Land at Lauro Dam, and Verifying that Funds Have Been Budgeted for the Purchase at Fair Market Value as Determined by Appraisal.

Documents:

- March 19, 2013, report from the Public Works Director.
- Proposed resolution.
- PowerPoint presentation prepared and made by Staff.

The title of the resolution was read.

Speakers:

Staff: Water Resources Manager Rebecca Bjork, Project Manager Robert Roebuck.

Motion:

Councilmembers House/Francisco to approve the recommendation; Resolution No. 13-015.

Vote:

Unanimous roll call vote.

POLICE DEPARTMENT

12. Subject: Police Department Update (520.04)

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

Documents:

- March 19, 2013, report from the Chief of Police.
- PowerPoint presentation prepared and made by Staff.

(Cont'd)

12. (Cont'd)**Speakers:**

- Staff: Police Chief Camerino Sanchez, Police Sergeant Jill Beecher, Police Captain David Whitham, Police Sergeant Ed Olsen, Police Sergeant Riley Harwood, City Attorney Stephen Wiley.
- Police Activities League: Executive Director Laurie Parker.
- Members of the Public: Julio Ricon Delgado, Patricia Hiles, Robert Burke.

Discussion:

Police Chief Sanchez and department staff presented information regarding the current status of various law enforcement issues and programs such as burglaries, response to complaints received about the nightlife corridor, school safety, trends in Part 1 and 2 crimes, calls for service, Restorative Policing, and the Police Activities League. Councilmembers' questions were answered.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**Information:**

- Councilmember Rowse reported that the Downtown Parking Committee had received a report regarding the use of the new electric vehicle charging stations.
- Councilmember Murillo reported that the Milpas Action Task Force is planning a large community forum for both residents and businesses located near the Casa Esperanza Homeless Shelter; she also mentioned that the Neighborhood Advisory Council has established an eastside subcommittee.
- Mayor Schneider commented on celebrations held to mark the Riviera neighborhood's centennial and the reopening of the El Encanto Hotel.

RECESS

4:34 p.m. – 6:01 p.m.

Mayor Schneider presiding.

Councilmembers present: Francisco, Hotchkiss, House, Murillo, Rowse, White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator Armstrong, City Attorney Wiley, Deputy City Clerk Tschech.

PUBLIC COMMENT

No one wished to speak.

PUBLIC HEARINGS

14. Subject: Appeal Of Architectural Board Of Review Approval Of 1911 Chino Street (640.07)

Recommendation: That Council deny the appeal of Evelyn Lee, et al., of the application of Gil Barry, architect, agent for Alamar II LLC, and uphold the Architectural Board of Review's Project Design Approval for the proposed second single-family dwelling and garage on a lot with an existing single-family dwelling.

Documents:

- March 19, 2013, report from the Senior Planner.
- PowerPoint presentation prepared and made by Staff.
- March 19, 2013, letter from Celeste Barber.
- March 19, 2013, e-mails from Anne Szymanski, Howard Wittausch.

Public Comment Opened:

6:02 p.m.

Speakers:

- Staff: Planning Technician Tony Boughman, City Attorney Stephen Wiley, Assistant City Administrator/Community Development Director Paul Casey, City Administrator James Armstrong.
- Architectural Board of Review: Vice Chair Kirk Gradin, Member Gary Mosel.
- Appellant: Evelyn Lee, Brian Wingate, Patrick Burns.
- Applicant: Architect Gil Barry, Property Owner Dario Pini, Ken Sterling.

Recess: 8:17 p.m. – 8:29 p.m.

Speakers (Cont'd)

- Members of the Public: Reverend Kenneth Collier, Marti Furman, Johan DelSol, Ryan Romero, Louis Truckenmiller, Susan Lafond.

Public Comment Closed:

8:54 p.m.

(Cont'd)

14. (Cont'd)

Motion:

Councilmembers House/Francisco to:

1. Uphold the appeal and direct the Applicant to return to the Architectural Board of Review with a revised project which incorporates:
 - The list of project changes submitted by Brian Wingate, Items 1 - 11;
 - Removal of one bathroom from the second floor;
 - Revisions to ensure that the top of the garage will not be used as a roof deck.

When reviewing the new project, the ABR is requested to study the possible reduction of square footage from the new building, as well as the reduction of the first floor full bathroom to a ½ bath.
2. Impose the following conditions on the property as a whole:
 - No future additions are to be made to the existing front structure;
 - If a parking permit program is established for the neighborhood at some time in the future, this property may not participate.
3. Require the resolution of the open master enforcement case against the Applicant before a building permit is issued for this project.

Vote:

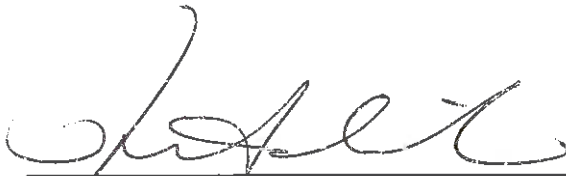
Unanimous voice vote.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 9:41 p.m. in memory of Lily Rossi, who served as the City's Chief Deputy City Clerk from 1983 – 1998.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



HELENE SCHNEIDER
MAYOR

ATTEST:



SUSAN TSCHETCH, CMC
DEPUTY CITY CLERK