



## CITY OF SANTA BARBARA CITY COUNCIL MINUTES

### REGULAR MEETING April 21, 2015 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: Gregg Hart, Frank Hotchkiss, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: Dale Francisco.

Staff present: City Administrator Paul Casey, City Attorney Ariel Pierre Calonne, Deputy City Clerk Susan Tschech.

#### CEREMONIAL ITEMS

1. **Subject: Proclamation Declaring April 2015 As DMV/Donate Life California Month (120.04)**

Action: Proclamation presented to Joe Darga, Ashley Somics, Priscilla Marchus, and Scott Burns.

2. **Subject: Proclamation Declaring April 2015 As The 45th Anniversary Of The Community Environmental Council And Santa Barbara Earth Day Festival (120.04)**

Action: Proclamation presented to Dave Davis, Community Environmental Council President/CEO/Board Chair.

Councilmember Francisco entered the meeting at 2:14 p.m.

## **PUBLIC COMMENT**

Speakers: Melody Joy Baker; Kenneth Loch; Steve Price; Phil Walker; Tom Widroe, Santa Barbara City Watch; Michael Baker, Boys and Girls Clubs; Robert Burke; Geof Bard; Ethan Shenkman.

## **ITEMS REMOVED FROM CONSENT CALENDAR**

### **3. Subject: Minutes**

Recommendation: That Council waive further reading and approve the minutes of the adjourned regular meeting of March 23, 2015, and the regular meetings of March 24 and-April 7, 2015.

Speakers:

Staff: City Administrator Paul Casey, who advised that the minutes of the regular meeting of March 24, 2015, were being removed from the agenda for correction and will be resubmitted on April 28, 2015.

Motion:

Councilmembers White/Rowse to approve the minutes of the adjourned regular meeting of March 23, 2015, and the regular meeting of April 7, 2015.

Vote:

Unanimous voice vote.

### **5. Subject: Adoption Of Ordinances Regarding Sidewalk Behavior And Panhandling (520.04)**

Recommendation: That Council adopt, by reading of title only, the following ordinances:

- A. An Ordinance of the Council of the City of Santa Barbara Amending Section 2.28.030 of the Santa Barbara Municipal Code to Grant the Library Director the Authority to Promulgate and Post Facility-Specific Regulations;
- B. An Ordinance of the Council of the City of Santa Barbara Amending Title 9 of the Municipal Code by Adding Chapter 9.07 to Prohibit Urinating or Defecating in Public;
- C. An Ordinance of the Council of the City of Santa Barbara Amending Section 9.48.010 of the Municipal Code Regarding Commercial Use of City Streets to Prohibit the Use of Public Street Furniture as a Venue for Selling or Offering for Donation;
- D. An Ordinance of the Council of the City of Santa Barbara Amending Section 9.50.010 of the Santa Barbara Municipal Code to Prohibit Active Panhandling in Specified Locations;

(Cont'd)

**5. (Cont'd)**

- E. An Ordinance of the Council of the City of Santa Barbara Amending Section 9.97.010 of the Santa Barbara Municipal Code Regarding Sitting or Lying on Sidewalks and Paseos Along Certain Downtown Portions of State Street; and
- F. An Ordinance of the Council of the City of Santa Barbara Amending Section 9.98.010 of the Santa Barbara Municipal Code Regarding Pedestrians Blocking Public Sidewalks.

The titles of the ordinances were read.

Speakers:

Members of the Public: Jose Arturo Gallegos, Geof Bard.

Motion:

Councilmembers Murillo/Hart to approve recommendations A – C and F; Ordinance Nos. 5686 – 5688 and 5691.

Vote:

Unanimous roll call vote.

Motion:

Councilmembers Hart/Rowse to approve recommendations D and E; Ordinance Nos. 5689 and 5690.

Vote:

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

**CONSENT CALENDAR (Item Nos. 4 and 6 – 12)**

The titles of the ordinances related to Item No. 4 were read.

Motion:

Councilmembers Rowse/Murillo to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

**4. Subject: Introduction Of Ordinances Establishing Speed Limits (530.05)**

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.60 of the Municipal Code by Revising Section 10.60.015, Establishing Prima Facie Speed Limits on Certain Portions of Las Positas Road, Cliff Drive, Cabrillo Boulevard, Bath Street, Calle Real, Castillo Street, Chapala Street, Milpas Street, Salinas Street, State Street, and Valerio Street; and

(Cont'd)

**4. (Cont'd)**

- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.20 of the Municipal Code by Revising Sections 10.20.020 and 10.20.025 Pertaining to Speed Zoning Adjacent to Children's Playgrounds, and Adding Section 10.20.040 Pertaining to Extended Speed Zoning Near Schools.

Action: Approved the recommendations (April 21, 2015, report from the Public Works Director; proposed ordinances).

**6. Subject: Purchase Of Historical Properties Web Application (640.06)**

Recommendation: That Council:

- A. Approve a professional services agreement with PixelPushers, Inc., doing business as Civica Software, for the acquisition and implementation of the Historical Properties Web Application (HPWA), in an amount not to exceed \$37,200;
- B. Approve additional services that may be identified during the implementation of HPWA, in an amount not to exceed \$3,800; and
- C. Transfer \$16,000 from the Capital Outlay Fund from the Reserve for Technology Upgrades to the Community Development Department's Building and Safety Division's budget to cover a portion of this agreement; and
- D. Increase appropriations and estimated revenues by \$16,000 in the General Fund, Community Development Department.

Action: Approved the recommendations; Agreement No. 25,186 (April 21, 2015, report from the Administrative Services Director).

**7. Subject: Professional Services Agreement For Design Of Central Library Exterior Restoration Project (570.04)**

Recommendation: That Council authorize the Public Works Director to execute a Professional Services Agreement with Architectural Resources Group, Inc. (ARG), in the amount of \$37,000, with \$3,700 available for extra services, for the Design Of Central Library Exterior Restoration Project at 40 East Anapamu Street.

Action: Approved the recommendation; Agreement No. 25,187 (April 21, 2015, report from the Public Works Director).

8. **Subject: Contract For Sycamore Creek Channel Improvements And Punta Gorda Street Bridge Replacement Post-Construction Restoration Specialist Services (530.03)**

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Cardno, Inc., in the amount of \$51,202 for post-construction restoration specialist services for the Sycamore Creek Channel Improvements and Punta Gorda Street Bridge Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$5,120 for extra services that may result from necessary changes in the scope of work.

Speakers:

Members of the Public: Phil Walker.

Action: Approved the recommendation; Contract No. 25,188 (April 21, 2015, report from the Public Works Director).

9. **Subject: Authorize Payment Of Phase 2 Attorney Fees To The Firm Of Cappello & Noël, LLP, Relating To *Banales, Et Al., V. City of Santa Barbara* (110.03)**

Recommendation: That Council authorize the payment of additional attorney fees in the amount of \$78,088 to the law firm of Cappello & Noël, LLP, for completion of Phase 2 of the case relating to *Banales, et al., v. City of Santa Barbara*.

Action: Approved the recommendation (April 21, 2015, report from the City Attorney).

10. **Subject: Set A Date For Public Hearing Regarding Appeal Of Single Family Design Board Approvals For 1215 East Cota Street (640.07)**

Recommendation: That Council:

- A. Set the date of May 5, 2015, at 2:00 p.m. for hearing the appeal filed by Trevor Martinson, agent for Roger Goldtrap, of the Single Family Design Board's Project Design Approval for property owned by Leslie Colasse and located at 1215 East Cota Street, Assessor's Parcel No. 031-190-022, R-2, Two-Family Residential Zone, General Plan Designation: Medium Density residential (12 du/acre). The project proposes to demolish an existing one-car garage, mud room, and split-level bedroom at an existing 1,398 square foot two-level residence, and construct a new master suite with additions in the same location above a covered driveway. The proposal also includes a new 650 square foot three-car garage with an attached 300 square foot accessory structure, a kitchen remodel, and exterior improvements. The proposed total of 2,300 square feet on an 11,285 square foot lot is 59% of the guideline maximum floor-to-lot area ratio (FAR). This project has previously obtained Staff Hearing Officer approval for an interior setback modification; and

(Cont'd)

**10. (Cont'd)**

- B. Set the date of May 4, 2015, at 1:30 p.m. for a site visit to the property located at 1215 East Cota Street.

Action: Approved the recommendations (April 3, 2015, letter of appeal).

**NOTICES**

11. The City Clerk has on Thursday, April 16, 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.
12. Receipt of communication advising of vacancy created on the Parks and Recreation Commission with the resignation of Chris Casebeer; the vacancy will be part of the current City Advisory Groups Semi-Annual Recruitment.

This concluded the Consent Calendar.

**REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Dale Francisco reported that the Committee met to consider the proposed Finance Committee review schedule for and topics related to the Proposed Two-Year Financial Plan for Fiscal Years 2016 and 2017, including the Recommended Budget for Fiscal Year 2016. Staff will make a presentation regarding the Proposed Two-Year Financial Plan to the full Council as part of Agenda Item No. 15.

**CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS****CITY ADMINISTRATOR****13. Subject: Legislative Platform (160.02)**

Recommendation: That Council:

- A. Adopt the legislative platform that guides the City's support or opposition to regional, state and federal legislative issues; and
- B. Authorize the Mayor, Councilmembers, and staff, on behalf of the City of Santa Barbara, to contact regional, state and federal representatives to advocate for legislation and actions consistent with the goals of the legislative platform.

Documents:

- April 21, 2015, report from the City Administrator.
- PowerPoint presentation prepared and made by Staff.

(Cont'd)

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

Staff: Administrative Analyst Katherine Whan, Harbor Operations  
 Manager Mick Kronman, City Clerk Services Manager Gwen Peirce, City  
 Attorney Ariel Calonne.

**Motion:**

Councilmembers White/Rowse to approve the recommendations.

**Vote:**

Unanimous voice vote.

**COMMUNITY DEVELOPMENT DEPARTMENT****14. Subject: 2015 Homeless Point In Time Count And Vulnerability Survey Report (660.04)**

Recommendation: That Council receive a report from the Central Coast Collaborative on Homelessness (C3H) on the 2015 Homeless Point In Time Count and Vulnerability Survey.

**Documents:**

- April 21, 2015, report from the Community Development Director.
- PowerPoint presentation prepared and made by Staff.

**Speakers:**

- Staff: Community Development Business Manager Sue Gray.
- Central Coast Collaborative on Homelessness: Program Manager Zahra Nahar-Moore, Community Coordinator Jeff Shaffer.
- Housing Authority of the City of Santa Barbara: Deputy Executive Director Rob Fredericks.
- Members of the Public: Tom Widroe, Santa Barbara City Watch.

By consensus, the Council received the report and their questions were answered.

**FINANCE DEPARTMENT****15. Subject: Recommended Two-Year Financial Plan For Fiscal Years 2016 And 2017 (230.05)**

Recommendation: That Council:

- A. Receive the Recommended Two-Year Financial Plan for Fiscal Years 2016 and 2017, including the Recommended Operating and Capital Budget for Fiscal Year 2016;

(Cont'd)

**15. (Cont'd)**

- B. Hear a report from staff in connection with the filing of the Recommended Two-Year Financial Plan for Fiscal Years 2016 and 2017; and
- C. Approve the proposed Schedule of Council Budget Review Meetings and Public Hearings of the Recommended Two-Year Financial Plan for Fiscal Years 2016 and 2017.

**Documents:**

- April 21, 2015, report from the Acting Assistant City Administrator/Finance Director.
- Recommended Two-Year Financial Plan for Fiscal Years 2016 and 2017, including the Recommended Operating and Capital Budget for Fiscal Year 2016.
- PowerPoint presentation prepared and made by Staff.

**Speakers:**

- Staff: Acting Assistant City Administrator Robert Samario, City Administrator Paul Casey, City Attorney Ariel Calonne.
- Members of the Public: Ethan Shenkman.

**Motion:**

Councilmembers Hotchkiss/Rowse to approve recommendations A and C.

**Vote:**

Unanimous voice vote.

**RECESS**

4:28 p.m. – 4:39 p.m.

**PUBLIC HEARINGS****16. Subject: Appeal Of Single Family Design Board Approval Of A New Residence At 2405 State Street (640.07)****Recommendation: That Council:**

- A. Deny the appeal of Jim and Debbie Arnesen of the Single Family Design Board's decision to grant Project Design Approval and Final Approval for the proposed new residence; and
- B. Direct staff to return to Council with Decision and Findings reflecting the outcome of the appeal.

**Documents:**

- April 21, 2015, report from the Community Development Director.
- PowerPoint presentation prepared and made by Staff.

(Cont'd)

**16. (Cont'd)****Documents (Cont'd):**

- April 17, 2015, letter from Susan Basham, Attorney, representing the Appellant.
- April 20, 2015, letter supporting the appeal, signed by residents at 15 W. Junipero Street, 2326 Welling Avenue, 2400 Chapala Street, and 2426 State Street.

**Public Comment Opened:**  
4:40 p.m.

**Speakers:**

- Staff: Senior Planner Jaime Limón.
- Single Family Design Board: Vice-Chair Brian Miller.
- Appellant: Attorney Susan Basham, Land Use Planner Christopher Price, Jim Arnesen.
- Applicant: Dan Underwood, Architect Bill Wolf.
- Members of the Public: Joyce McCullough, Deborah Bertling.

**Public Comment Closed:**  
6:03 p.m.

**Motion:**

Councilmember Hart/Mayor Schneider to deny the appeal but direct the Single Family Design Board, at the time when this project returns to it for additional review, to consider requiring that the home be moved closer to the northern property line and/or that the second story mass be reduced.

**Substitute Motion:**

Councilmembers Hotchkiss/Francisco to approve the Staff recommendations.

**Vote on Substitute Motion:**

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

**COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS****Information:**

- Councilmember Rowse mentioned that City Police Chief Camerino Sanchez is taking the lead in resolving the "party bus" issue.
- Councilmember White reported on the Neighborhood Advisory Council's recent meeting, which included discussion of Police Department beat coordinator activity as well as a presentation by a group opposing the formation of an Eastside Business Improvement District. He also commented on the Parks and Recreation Community Foundation's "Magic on the Urban Wine Trail" event held last Sunday.

(Cont'd)

## Information (Cont'd):

- Councilmember Hotchkiss mentioned his attendance at a Salvation Army-sponsored cleanup on the Westside.
- Councilmember Murillo reported on her attendance at the following meetings/events: 1) Santa Barbara Youth Council Leadership Conference; 2) a tree planting to commemorate Santa Barbara Beautiful's 50<sup>th</sup> anniversary; 3) a workshop held by the Independent Living Resource Center; and 4) a presentation by the League of Women Voters regarding an energy-buying collective.
- Mayor Schneider commented on the annual Earth Day event and reported that the Santa Barbara County Air Pollution Control District Board will soon take a vote on the issue of greenhouse gas thresholds. She also congratulated this year's Junior Spirit and Spirit of Fiesta, who were recently named.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 6:42 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

  
HELENE SCHNEIDER  
MAYOR

ATTEST:

  
SUSAN TSCHETCH, CMC  
DEPUTY CITY CLERK