



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**REGULAR MEETING  
NOVEMBER 14, 2017  
COUNCIL CHAMBERS, 735 ANACAPA**

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## **CALL TO ORDER**

Mayor Helene Schneider called the meeting to order at 2:00 p.m. (The Finance Committee and Ordinance Committee which ordinarily meet at 12:30 p.m., did not meet on this date.)

## **PLEDGE OF ALLEGIANCE**

Mayor Schneider.

## **ROLL CALL**

Councilmembers present: Jason Dominguez, Gregg Hart, Frank Hotchkiss, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator Paul Casey, City Attorney Ariel Calonne, Deputy City Clerk Monday Fitz-Gerald.

## **CEREMONIAL ITEMS**

- 1. Subject: Proclamation Declaring November 13th-19th As Modern Roundabout Week (120.04)**

Action: Proclamation presented to John Burnside representing Ins & Outs of Roundabouts.

**2. Subject: Employee Recognition – Service Award Pins (410.01)**

Recommendation: That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through November 30, 2017.

Documents:

- November 14, 2017, report from the Administrative Services Director.

The Council recognized the following employees:

10 YEARS

Dave Elliott, Wastewater Treatment Plant Operator II, Public Works Department  
David "Brent" Field, Librarian II, Library

George Thomson, Parks Capital Projects Supervisor, Parks and Recreation Department

15 YEARS

Jaime Herrera, Welder/Fabricator, Public Works Department  
Catherine "Cathie" Paré, Water Resources Specialist, Public Works Department

20 YEARS

Scott Riedman, Waterfront Director/Harbormaster, Waterfront Department  
Kristine "Kristy" Schmidt, Administrative Services Director, City Administrator's Office

25 YEARS

Kristin Barrera, Public Safety Dispatch Supervisor, Police Department  
Frank Gomez, Streets Maintenance Crew Leader, Public Works Department

30 YEARS

Hazel Johns, Airport Director, Airport

**CHANGES TO THE AGENDA**

**PUBLIC COMMENT**

Speakers: Phil Walker; Pete Del Bello; Anna Marie Gott; Bryan Rosen; Patricia Rosen; Je Goolsby.

**CONSENT CALENDAR (Nos. 3 – 10)**

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

Motion:

Councilmember Hart/White to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

**3. Subject: Minutes (000.00)**

Recommendation: That Council waive reading and approve the minutes of the regular meeting of October 24, 2017 and the special meeting of October 26, 2017.

Action: Approved the recommendation.

**4. Subject: Bequest From Estate Of Penny Ridgeway To The City Of Santa Barbara Public Library (570.04)**

Recommendation: That Council:

- A. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Accepting a Bequest from the Estate of Penny Ridgeway, accepting a donation from the Estate of Penny Ridgeway in the sum of \$11,072.69 for the exclusive use and benefit of the Santa Barbara Public Library; and
- B. Increase estimated revenues and appropriations in the Fiscal Year 2018 General Fund, Library Department, budget by \$11,072.69.

Action: Approved the recommendations; Resolution No. 17-105; (November 14, 2017, report from the Library Director, proposed resolution).

**5. Subject: Purchase Of A New Risk Management Information System (350.01)**

Recommendation: That Council approve a Master Software License And Professional Services Agreement with Insurity Claims Software, LLC, for the purchase of claims administration software, in an amount not to exceed \$139,528 and approve an additional \$13,953 for contingency costs that may be necessary during the implementation.

Action: Approved the recommendation; Agreement No. 26,011; (November 14, 2017, report from the Administrative Services Director).

**6. Subject: Contract For Construction Of The Highway Safety Improvements Program Traffic Signal Upgrades - Phase II Project (530.05)**

Recommendation: That Council:

- A. Award a contract with Pelagic Engineering in their low bid amount of \$168,369, for construction of the Highway Safety Improvements Program Traffic Signal Upgrades - Phase II Project, Bid No. 3820; and authorize the Public Works Director to execute the contract and approve expenditures up to \$16,836 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;
- B. Accept Highway Safety Improvements Program grant funding and authorize the increase in appropriations and estimated revenues in the Streets Grant

Fund by \$186,237 to partially cover the cost of construction for the Highway Safety Improvements Traffic Signal Upgrades – Phase II Project;

- C. Approve an increase in appropriations in the Streets Fund in the amount of \$26,998, funded from the Streets Fund Reserves, and authorize the transfer of such funds to the Streets Grant Fund to partially cover the cost of construction; and
- D. Approve an increase in appropriations and estimated revenues in the Streets Grants Fund in the amount of \$26,998, funded from a transfer from the Streets Fund, to fund the Highway Safety Improvements Program Traffic Signal Upgrades – Phase II Project.

Action: Approved the recommendations; Agreement No. 26,012; (November 14, 2017, report from the Public Works Director).

**7. Subject: Approval Of Agreement With TRC Engineers, Inc., For A Zero Net Energy Roadmap And Implementation Plan For City Facilities (630.06)**

Recommendation: That Council:

- A. Authorize the Public Works Director to enter into a professional services agreement with TRC Engineers, Inc., for the amount of \$186,708, using California Energy Commission grant funds, to fund the Energy Efficiency Feasibility Study; and
- B. Increase estimated revenues and appropriations by \$186,708 in the Facilities Capital Fund, Utility Management Program for the Energy Efficiency Feasibility Study funded from a grant from the Energy Commission.

Action: Approved the recommendation; Agreement No. 26,013; (November 14, 2017, report from the Public Works Director).

**8. Subject: Approval Of Parcel Map And Execution Of Agreements For 1330 Chapala Street (640.08)**

Recommendation: That Council approve and authorize the City Administrator to execute and record Parcel Map Number 20,825, and standard agreements relating to the approved subdivision at 1330 Chapala Street, and authorize the City Engineer to record, upon completion of any required public improvements, 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.

Action: Approved the recommendation; Agreement Nos. 26,014; 26,015; 26,016; (November 14, 2017, report from the Public Works Director).

## CONSENT - PUBLIC HEARING

9. **Subject: Continuance of Appeal Of The Historic Landmarks Commission Project Design Approval And Final Approval Of Replacing Windows At 3 Rosemary Lane (640.07)**

Recommendation: That Council continue the appeal of Donna Mason, Lawrence Mason, Margaret Evans, Warren Evans, and Christine Hoehner of the Historic Landmark Commission's Project Design Approval and Final Approval of the replacement of two pairs of wood, diamond divided light casement windows with horizontal divided light casement windows at the residence located at 3 Rosemary Lane.

Action: Approved the recommendation.

10. **Subject: Continuance of Appeal of the Revocation of Storefront Collective Dispensary Permit at 3617 State Street**

Recommendation: That Council continue the appeal of Planning Commission Resolution No. 015-17 denying the appeal of Matt McGee and Greg Armor and upholding the Staff Hearing Officer's decision to revoke the medical marijuana dispensary permit issued for 3617 State Street for a period not less than 60 days.

Speaker: Pete Dal Bello

Action: Approved the recommendation.

## NOTICES

11. Subject: The City Clerk has on Thursday, November 9, 2017, 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. Subject: The public hearing originally scheduled for November 14, 2017, at 2:00 p.m. to hear an appeal of Historic Landmarks Commission's Approval For 800 Santa Barbara Street, has been rescheduled for January 23, 2017, at 2:00 p.m.
13. Subject: A City Council site visit originally scheduled for November 13, 2017 at 1:30 p.m. to the property located at 800 Santa Barbara Street, has been rescheduled for January 22, 2017 at 1:30 p.m.

This concluded the Consent Calendar.

## CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

### CITY ATTORNEY

**14. Subject: Applicability of California Voter Participation Rights Act Even-Year Election Requirements (110.03)**

Recommendation: That Council:

- A. Determine whether to take no action and thereby resist the imposition of even-year elections through the California Voter Participation Rights Act, or;
- B. Adopt a Resolution of the Council of the City of Santa Barbara Adopting a Consolidation Plan for Future Even-Year Elections Pursuant to the California Voter Participation Rights Act.

Documents:

- November 14, 2017, report from the City Attorney.
- Proposed Resolution.
- PowerPoint presentation prepared and made by staff.

Speakers: City Attorney Ariel Calonne, Administrative Services Director Kristy Schmidt, City Clerk Services Manager Sarah Gorman.

Motion:

Councilmembers Murillo/Dominguez to approve placing a Charter Amendment on the 2018 ballot, and choosing "Option C" as described by the City Attorney, to lengthen 2019 terms for Districts 1, 2, and 3 for the newly elected to 2024 (5 years) and to lengthen 2021 terms for Districts 4, 5, and 6 for the newly elected to 2026 (5 years); Resolution No. 17-106.

Vote:

Majority roll call vote (Noes: Councilmember Hotchkiss).

Motion:

Councilmembers Rowse/Hotchkiss to approve putting the process of appointment for the District 3 council seat item on the December 5, 2017 agenda.

Vote:

Unanimous voice vote.

**15. Subject: Authorization for Agreement for Legal Services with Burke, Williams & Sorensen, LLP**

Recommendation: That Council authorize the City Attorney to execute a legal services agreement with Burke, Williams & Sorensen, LLP, in an amount not to exceed \$110,000, for special counsel services for Santa Barbara Association of Realtors v. City of Santa Barbara, et. al., SBSC Case No. 17CV04720.

Document:

- November 14, 2017, report from the City Attorney.

Speaker:

City Attorney Ariel Calonne.

Motion:

Councilmembers White/Rowse to approve the recommendation; Agreement No. 26,017.

Vote:

Unanimous roll call vote.

## **PARKS AND RECREATION DEPARTMENT**

### **16. Subject: Contract For Construction Of The Cabrillo Pavilion Arts Center And Bathhouse Renovation Project (570.07)**

Recommendation: That Council:

- A. Accept USS Cal Builders, Inc.'s request to withdraw the apparent low bid of \$11,800,000 for construction of the Cabrillo Pavilion Arts Center and Bathhouse Renovation Project, Bid No. 3884, in compliance with Public Contract Code section 5100 due to clerical error; and
- B. Award a contract with Diani Building Corp, in their low bid amount of \$16,700,000 for construction of the Cabrillo Pavilion Arts Center and Bathhouse Renovation Project, Bid No. 3884; and authorize the Public Works Director to execute the contract and approve expenditures up to \$1,670,000 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.

Documents:

- November 14, 2017, report from the Parks and Recreation Director
- PowerPoint presentation prepared and made by staff.
- Letter from Herb Barthels dated November 13, 2017.

Speakers:

- Staff: Parks and Recreation Director Jill Zachary.

Members of the Public:

- Ed Edick; Beebe Longstreet, Parks and Recreation Commission.

Motion:

Councilmembers White/Hotchkiss to approve the recommendations; Agreement No. 26,018.

Vote:

Unanimous roll call vote.

## RECESS

Mayor Schneider recessed the meeting at 3:37 p.m. in order for Council to reconvene in closed session for Agenda Item Nos. 17, 18, and 19 before beginning Advisory Group interviews.

At 4:03 p.m., Mayor Schneider called the meeting back to order, and stated that there was nothing to report from the Closed Sessions.

## MAYOR AND COUNCIL REPORTS

### 17. Subject: Interviews For City Advisory Groups (140.05)

Recommendation: That Council:

- A. Hold interviews of applicants for various City Advisory Groups; and
- B. Continue interviews of applicants to November 21, 2017, and December 5, 2017.

(Estimated Time: 4:00 p.m.)

The following people were interviewed:

Access Advisory Committee

James R. Marston

Robert W. Burnham

Jacob Lesner-Buxton

Airport Commission

Greg Brown

Arts Advisory Committee

Robert F. Adams

Joseph Frederick Janka

Molly-Ann Leikin

Kai Tepper

Susan Keller

Central Coast Commission for Senior Citizens

David Panbehchi

Historic Landmarks Commission

Edwin A. Lenvik

William T. Mahan

Housing Authority Commission

Victor Suhr

Library Board

Milton Hess

Kiumarss Nasser

Neighborhood Advisory Council

David Panbehchi

Parks and Recreation Commission

Roger Perry  
Planning Commission  
Deborah L. Schwartz  
Rental Housing Mediation Board  
Daniel R. Herlinger  
Yuet (Connie) Ng  
Santa Barbara Youth Council  
Quinn Stefan  
Single Family Design Board  
Jan Ferrell

By consensus, interviews were continued to Tuesday, November 21, 2017, at 4:00 p.m.

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

### Information:

- Councilmember Cathy Murillo attended the Coastal Plan open house and the Housing Task Force meeting.
- Councilmember Hart attended the Ted X presentation at the new Victoria Theater, and with Councilmember Dominguez and Councilmember-Elect Sneddon, attended the Santa Barbara Trust for Historic Preservation event at De La Guerra Plaza
- White attended the Housing Task Force meeting last Wednesday regarding affordability on projects and affordability requirements on rental projects the City may impose.

## **CLOSED SESSIONS**

### **18. Subject: Conference With City Attorney – Existing 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 Santa Barbara Association of Realtors v. City of Santa Barbara, et. al., SBSC Case No. 17CV04720.

Scheduling: Duration, 15 minutes; anytime  
Report: None anticipated

### Documents:

November 14, 2017, report from the City Attorney.

Time: 3:50 p.m. — 4:00 p.m.

No report made.

**19. Subject: Conference With City Attorney – Anticipated Litigation (160.03)**

Recommendation: That Council hold a closed session to consider anticipated litigation pursuant to subsections 54956.9(d)(2)& (e)(3) of the Government Code. Significant exposure to litigation arising out of the tort claims by the following claimants:

Deborah Starr  
Karel and Jane Deever  
East Beach HOA (2 claims)  
Ted Baehr  
Fred Wise

Scheduling: Duration, 20 minutes; anytime  
Report: None anticipated

Documents:  
November 14, 2017, report from the City Attorney.

Time: 3:45 p.m. — 3:50 p.m.

No report made.

**20. Subject: Conference With City Attorney – Existing 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 Brian Sathre v. City of Santa Barbara, WCAB case number unassigned.

Scheduling: Duration, 20 minutes; anytime  
Report: None anticipated

Documents:  
November 14, 2017, report from the City Attorney.

Time: 3:35 p.m.—3:45 p.m.

No report made.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 5:12 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on December 12, 2017.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE



ATTEST:



HELENE SCHNEIDER  
MAYOR

SARAH GORMAN  
CITY CLERK SERVICES MANAGER

Cathy Murillo for Helene Schneider

