

**CITY OF SANTA BARBARA
CITY COUNCIL**

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James L. Armstrong
City Administrator

Stephen P. Wiley
City Attorney

City Hall
735 Anacapa Street
<http://www.SantaBarbaraCA.gov>

**JANUARY 15, 2013
AGENDA**

ORDER OF BUSINESS: Regular meetings of the Finance Committee and the Ordinance Committee begin at 12:30 p.m. The regular City Council meeting begins at 2:00 p.m. in the Council Chamber at City Hall.

REPORTS: Copies of the reports relating to agenda items are available for review in the City Clerk's Office, at the Central Library, and <http://www.SantaBarbaraCA.gov>. In accordance with state law requirements, this agenda generally contains only a brief general description of each item of business to be transacted or discussed at the meeting. Should you wish more detailed information regarding any particular agenda item, you are encouraged to obtain a copy of the Council Agenda Report (a "CAR") for that item from either the Clerk's Office, the Reference Desk at the City's Main Library, or online at the City's website (<http://www.SantaBarbaraCA.gov>). Materials related to an item on this agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office located at City Hall, 735 Anacapa Street, Santa Barbara, CA 93101, during normal business hours.

PUBLIC COMMENT: At the beginning of the 2:00 p.m. session of each regular City Council meeting, and at the beginning of each special City Council meeting, any member of the public may address the City Council concerning any item not on the Council's agenda. Any person wishing to make such address should first complete and deliver a "Request to Speak" form prior to the time that public comment is taken up by the City Council. Should City Council business continue into the evening session of a regular City Council meeting at 6:00 p.m., the City Council will allow any member of the public who did not address them during the 2:00 p.m. session to do so. The total amount of time for public comments will be 15 minutes, and no individual speaker may speak for more than 1 minute. The City Council, upon majority vote, may decline to hear a speaker on the grounds that the subject matter is beyond their jurisdiction.

REQUEST TO SPEAK: A member of the public may address the Finance or Ordinance Committee or City Council regarding any scheduled agenda item. Any person wishing to make such address should first complete and deliver a "Request to Speak" form prior to the time that the item is taken up by the Finance or Ordinance Committee or City Council.

CONSENT CALENDAR: The Consent Calendar is comprised of items that will not usually require discussion by the City Council. A Consent Calendar item is open for discussion by the City Council upon request of a Councilmember, City staff, or member of the public. Items on the Consent Calendar may be approved by a single motion. Should you wish to comment on an item listed on the Consent Agenda, after turning in your "Request to Speak" form, you should come forward to speak at the time the Council considers the Consent Calendar.

AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act, if you need special assistance to gain access to, comment at, or participate in this meeting, please contact the City Administrator's Office at 564-5305 or inquire at the City Clerk's Office on the day of the meeting. If possible, notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements in most cases.

TELEVISION COVERAGE: Each regular City Council meeting is broadcast live in English and Spanish on City TV Channel 18 and rebroadcast in English on Wednesdays and Thursdays at 7:00 p.m. and Saturdays at 9:00 a.m., and in Spanish on Sundays at 4:00 p.m. Each televised Council meeting is closed captioned for the hearing impaired. Check the City TV program guide at www.citytv18.com for rebroadcasts of Finance and Ordinance Committee meetings, and for any changes to the replay schedule.

ORDER OF BUSINESS

12:30 p.m. - Ordinance Committee Meeting, Council Chamber

2:00 p.m. - City Council Meeting

ORDINANCE COMMITTEE MEETING - 12:30 P.M. IN THE COUNCIL CHAMBER (120.03)

Subject: Municipal Code Amendments For Implementation Of Nonresidential Growth Management Program

Recommendation: That the Ordinance Committee consider proposed amendments to the Municipal Code for implementation of the Nonresidential Growth Management Program and forward the ordinance amendments to the City Council for introduction and adoption.

REGULAR CITY COUNCIL MEETING – 2:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

1. Subject: Contract For Preliminary Design Services For Aeration Basin System Improvements, Phase 2 (540.13)

Recommendation: That Council authorize the Public Works Director to execute a contract, in a form approved by the City Attorney, with Brown and Caldwell in the amount of \$259,215 for preliminary design services for the Aeration Basin System Improvements Project, Phase 2, and authorize the Public Works Director to approve expenditures of up to \$25,921 for extra services of Brown and Caldwell that may result from necessary changes in the scope of work.

2. Subject: Renewal Of Maintenance And Support For Advanced Utility Systems Software (170.04)

Recommendation: That Council approve a renewal of the technical support and maintenance agreement with Advanced Utility Systems Software for the utility billing system software for five years in an annual amount not to exceed \$49,621 in the first year (Fiscal Year 2013) and increasing by no more than 5% per year in years two through five.

3. Subject: Parks and Recreation Community (PARC) Foundation Contributions (570.05)

Recommendation: That Council:

- A. Accept a contribution from the Parks and Recreation Community (PARC) Foundation in the amount of \$48,868 for Parks and Recreation Department programs;
- B. Increase Fiscal Year 2013 General Fund appropriations and estimated revenues for the Parks and Recreation Department in the amount of \$4,368; and
- C. Increase Fiscal Year 2013 Miscellaneous Grants Fund appropriations and estimated revenues for the Parks and Recreation Department in the amount of \$44,500.

4. Subject: Approval Of Emergency Purchase Order For Cater Water Treatment Plant Replacement Flocculation Variable Frequency Drives (540.10)

Recommendation: That Council approve an emergency purchase order to Steven Engineering in the amount of \$26,266 to replace two Flocculation Variable Frequency Drives at the Cater Water Treatment Plant.

CONSENT CALENDAR (CONT'D)

NOTICES

5. The City Clerk has on Thursday, January 10, 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 concludes the Consent Calendar.

REPORT FROM THE ORDINANCE COMMITTEE

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

6. **Subject: Loan Modification Request On Property Located At 4006, 4007 And 4021 Via Lucero Street ("El Patio") (620.06)**

Recommendation: That Council:

- A. Approve a Restatement of the 1994 Loan Agreement Funded with Redevelopment Agency Housing Set-aside and Socioeconomic Mitigation Program (SEMP) Funds;
- B. Approve a Restatement of the Deed of Trust to secure the Restated Loan;
- C. Approve a New Affordable Housing Covenant with an Extended Term of an Additional 27 Years; and
- D. Authorize the Community Development Director to Execute Such Agreements and Related Documents, Subject to Approval as to Form by the City Attorney, as Necessary.

PUBLIC WORKS DEPARTMENT

7. **Subject: Annual Water Supply Management Report (540.08)**

Recommendation: That Council approve and adopt the City of Santa Barbara Water Supply Management Report for the 2012 water year, finding that groundwater resources are in long-term balance in accordance with the conjunctive management element of the City's Long-Term Water Supply Plan.

8. Subject: Cachuma Conservation Release Board Amended Fiscal Year 2013 Budget (540.03)

Recommendation: That Council:

- A. Ratify the amended Fiscal Year 2013 budget for the Cachuma Conservation Release Board; and
- B. Appropriate \$234,889 from Water Fund reserves to the Water Operating Budget.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

9. Subject: Conference with Legal Counsel - Pending Litigation (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is: ***Luke Brost as Trustee for the Luke Brost Living Trust, et al., v. City of Santa Barbara, Case No. 1342979***; and ***Ruben Barajas and Pamela Barajas as trustees for the Ruben and Pamela Barajas Living Trust, v. City of Santa Barbara, Santa Barbara Superior Court Case No.1383054.***

Scheduling: Duration, 20 Minutes; anytime

Report: None anticipated

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

Scheduling: Duration, 30 Minutes; anytime

Report: None anticipated

ADJOURNMENT