



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING April 10, 2012 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:01 p.m. (The Ordinance Committee met at 12:00 Noon, and the Finance Committee met at 12:30 p.m.)

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.

CEREMONIAL ITEMS

1. Subject: Proclamation Declaring April 2012 As National Poetry Month (120.04)

Action: Proclamation presented to City Poet Laureate Paul Willis.

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 April 30, 2012.

Documents:

April 10, 2012, report from the Assistant City Administrator/Administrative Services Director Marcelo Lopez.

(Cont'd)

2. (Cont'd)

Speakers:

Staff: City Administrator James Armstrong.

By consensus, the Council approved the recommendation, and the following employees were recognized:

5-Year Pin

Kevin Baumann, Public Works

Maria Hernandez, Public Works

Donna Williams, Police

10-Year Pin

Kenneth Ficklin, Public Works

Mark Wilde, Public Works

15-Year Pin

Rebecca Fribley, Airport

Jan Martinez, Waterfront

20-Year Pin

Linda Allan, Finance

25-Year Pin

Stella Balboa, Public Works

Olivia White, Police

30-Year Pin

Manuel Romero, Public Works

3. Subject: Resolution To The City Of Santa Barbara From The Central Coast Regional Water Quality Control Board (120.08)

Recommendation: That Council receive a resolution from Central Coast Regional Water Quality Control Board Chair Jeff Young and Executive Officer Roger Briggs commending the City on the MacKenzie Park Parking Lot Storm Water Infiltration Project.

Action: Jeff Young, Chair of the Central Coast Regional Water Quality Control Board, presented the resolution to Mayor Schneider.

PUBLIC COMMENT

Speakers: Selena Rockwell, students, and Shereen Khatapoush, representing the Council on Alcoholism and Drug Abuse and Fighting Back; Kenneth Loch; Jack Wilson; James Jorden; Rasta Mom Andrea; Geoffery Bard.

ITEM REMOVED FROM CONSENT CALENDAR

12. Subject: Execution Of Agreement For The Operation Of The Granada Garage Bicycle Station (550.05)

Documents:

April 10, 2012, report from the Public Works Director.

Speakers:

Staff: Transportation Manager Browning Allen.

Motion:

Councilmembers House/Francisco to: 1) Approve recommendation A, Agreement No. 24,095; 2) Approve one annual License Agreement for Fiscal Year 2013 (recommendation B); and 3) Direct Staff to conduct negotiations with both Bikestation Coalition and the Santa Barbara Bicycle Coalition for the terms of an agreement to operate the bicycle station after June 30, 2013.

Vote:

Majority voice vote (Noes: Councilmember White).

CONSENT CALENDAR (Item Nos. 4 - 11 and 13 - 18)

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

Motion:

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

Vote:

Unanimous roll call vote.

CITY COUNCIL

4. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of February 28, 2012, and the special meeting of March 7, 2012.

Action: Approved the recommendation.

5. Subject: Records Destruction For The City Administrator's Office (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 City Administrator's Office.

Action: Approved the recommendation; Resolution No. 12-019 (April 10, 2012, report from the City Administrator; proposed resolution).

6. Subject: Acceptance Of A Public Utility Easement At 515 Conejo Road (330.03)

Recommendation: That Council:

- A. Approve and authorize the Public Works Director to execute an Easement Purchase Agreement with Ronald J. Faoro and Elizabeth Faoro, co-trustees of Faoro Living Trust, November 20, 2009, for the purchase of a nonexclusive public utility easement on a portion of the real property commonly known as 515 Conejo Road (Assessor's Parcel No. 019-062-009), in the amount of \$17,120; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting a Nonexclusive Public Utility Easement Located on a Portion of the Real Property Commonly Known as 515 Conejo Road, Santa Barbara County Assessor's Parcel No. 019-062-009.

Action: Approved the recommendations; Agreement No. 24,092; Resolution No. 12-020 (April 10, 2012, report from the Public Works Director; proposed resolution).

7. Subject: Acceptance Of Grant Funding For Construction Of Mission Creek Fish Passage Project - Phase 2 (540.14)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Parks and Recreation Director, or Designee, to Accept Grant Funds from, and Execute a Grant Agreement for \$1,735,500 with, the California Department of Fish and Game Fisheries Restoration Grant Program for the Mission Creek Fish Passage Project - Construction Phase 2; and
- B. Increase the appropriation and estimated revenue by \$1,735,500 in the Creeks Capital Fund for the Mission Creek Fish Passage Project at the CalTrans Channel.

Action: Approved the recommendations; Resolution No. 12-021; Agreement No. 24,093 (April 10, 2012, report from the Parks and Recreation Director; proposed resolution).

8. Subject: Authorization For The Allocation Of Transportation Development Act Funds (670.05)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Filing of a Claim with the Santa Barbara County Association of Governments for Allocation of \$61,113 in Transportation Development Act Funds for Fiscal Year 2013.

Action: Approved the recommendation; Resolution No. 12-022 (April 10, 2012, report from the Public Works Director; proposed resolution).

9. Subject: Adoption Of Ordinance For Police Department Annex Office Lease Extension (520.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Chief of Police to Execute an Amendment to the Police Annex Office Lease with LL&A-2, the Owner and Landlord of 222 East Anapamu Street, to Extend the Term of Lease Agreement No. 20,106 for an Initial Term of Five Years, with One Five-Year Option, Effective May 10, 2012.

Action: Approved the recommendation; Ordinance No. 5584; Agreement No. 20,106.2.

10. Subject: Fiscal Year 2012 Interim Financial Statements For The Eight Months Ended February 29, 2012 (250.02)

Recommendation: That Council accept the Fiscal Year 2012 Interim Financial Statements for the Eight Months Ended February 29, 2012.

Action: Approved the recommendation (April 10, 2012, report from the Finance Director).

11. Subject: Contract For Final Design Of The Chapala Street Bridge Replacement Project (530.04)

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Drake Haglan & Associates, in a form acceptable to the City Attorney, in the amount of \$385,801.53 for design services for the Chapala Street Bridge Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$38,580 for extra services of Drake Haglan & Associates that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Contract No. 24,094 (April 10, 2012, report from the Public Works Director).

13. Subject: Execution Of Agreement With New Beginnings Counseling Center For The Recreational Vehicle Safe Parking Program (660.04)

Recommendation: That Council:

- A. Authorize the City Administrator to execute an Agreement with the New Beginnings Counseling Center to administer the Recreational Vehicle Safe Parking Program in City-operated parking lots for Fiscal Year 2012, maintaining the current annual funding of \$43,500 from the General Fund; and
- B. Authorize the City Administrator to execute a five-year Agreement, in a form acceptable to the City Attorney, with New Beginnings Counseling Center to administer the Recreational Vehicle Safe Parking Program, effective July 1, 2012.

Speakers:

- Staff: Transportation Manager Browning Allen, City Attorney Stephen Wiley.
- New Beginnings Counseling Center: Executive Director Kristine Schwarz, Nancy Kapp.
- Members of the Public: Reverend Douglas Miller, Santa Barbara Clergy Association and Interfaith Initiative; Geof Bard.

Action: Approved the recommendations; Agreement Nos. 24,096 and 24,097 (April 10, 2012, report from the Public Works Director).

14. Subject: Appropriation Of Highway Bridge Program Funding For De La Guerra Street And Gutierrez Street Bridge Replacement Projects (530.04)

Recommendation: That Council:

- A. Accept Federal Highway Administration Highway Bridge Program grant funding in the total amount of \$575,445, for the De La Guerra Street Bridge Replacement Project;
- B. Accept Federal Highway Administration Highway Bridge Program grant funding in the total amount of \$663,975, for the Gutierrez Street Bridge Replacement Project;
- C. Authorize the increase of estimated revenues and appropriations in the Fiscal Year 2012 Streets Capital Fund by \$575,445 for design of the De La Guerra Street Bridge Replacement Project;
- D. Reprogram up to \$74,555 of existing surplus appropriations in the Streets Fund for the Haley/De la Vina Street Bridge Project to the De La Guerra Street Bridge Replacement Project;
- E. Authorize the increase of estimated revenues and appropriations in the Fiscal Year 2012 Streets Capital Fund by \$663,975 for design of the Gutierrez Street Bridge Replacement Project; and

(Cont'd)

14. (Cont'd)

- F. Reprogram up to \$86,025 of existing surplus appropriations in the Streets Fund from the Haley/De la Vina Street Bridge Project to the Gutierrez Street Bridge Replacement Project.

Speakers:

Staff: Principal Engineer John Ewasiuk.

Action: Approved the recommendations (April 10, 2012, report from the Public Works Director).

15. Subject: Declaration Of Property At 306 West Ortega Street As Excess And Subject To Disposal By Public Auction (330.03)

Recommendation: That Council declare the real property located at 306 West Ortega Street in excess to the City's needs, and authorize disposition of said property according to state and local guidelines. All actions will be subject to the review and approval by the City Attorney to dispose of said property by public auction in accordance with Santa Barbara Municipal Code (SBMC) Chapter 4.28 and Section 520 of the Santa Barbara City Charter.

Action: Approved the recommendation (April 10, 2012, report from the Public Works Director).

SUCCESSOR AGENCY

16. Subject: Adoption Of The Preliminary Recognized Obligation Payment Schedule And Fiscal Year 2012 Proposed Budget (620.01)

Recommendation: That Council, acting as the Successor Agency to the City of Santa Barbara Redevelopment Agency:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara, Acting as Successor Agency to the City of Santa Barbara Redevelopment Agency, Adopting a Preliminary Recognized Obligation Payment Schedule for the Period of ~~May~~January 1, 2012, to June 30, 2012;
- B. Adopt the Redevelopment Obligation Retirement Fund and City Affordable Housing Fund Proposed Budgets for Fiscal Year 2012; and
- C. Approve the transfer of remaining assets from the Redevelopment Agency to the new Successor Agency funds.

Speakers:

Staff: City Administrator James Armstrong, who advised that it was necessary to revise the title of the resolution referred to in recommendation A as shown above.

(Cont'd)

16. (Cont'd)

Action: Approved the recommendations; Resolution No. 12-023 (April 10, 2012, report from the Assistant City Administrator/Community Development Director; proposed resolution).

NOTICES

17. The City Clerk has on Thursday, April 5, 2012, 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. Recruitment for City Advisory Groups:
- A. The City Clerk's Office will accept applications through Monday, May 7, 2012, at 5:30 p.m. to fill vacancies on various City Advisory Groups, including three scheduled vacancies on the Living Wage Advisory Committee and Single Family Design Board with term expiration dates of June 30, 2012, two scheduled vacancies on the Housing Authority Commission with term expiration dates of June 30, 2012, and September 14, 2012, and 15 vacancies on the newly created Santa Barbara Youth Council, and unscheduled vacancies resulting from resignations received in the City Clerk's Office through Wednesday, April 18, 2012;
 - B. The City Council will conduct interviews of applicants for vacancies on various City Advisory Groups on Tuesday, May 22, 2012, at 6:00 p.m., Tuesday, June 5, 2012, at 4:00 p.m. (Estimated Time), and Tuesday, June 12, 2012, at 4:00 p.m. (Estimated Time); and
 - C. The City Council will make appointments to fill the vacancies on various City Advisory Groups on Tuesday, June 26, 2012.

This concluded the Consent Calendar.

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Grant House reported that the Committee met to review a draft Single-Use Bag Ordinance. Staff will revise the ordinance pursuant to direction given by the Committee, and will resubmit it to the Committee in two weeks.

REPORT FROM THE FINANCE COMMITTEE

Ordinance Committee Chair Dale Francisco reported that the Committee met to hear a Staff report on possible changes to existing policies governing reserve amounts; the Committee will meet once more to discuss the issue further before submitting recommendations to the full Council.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

19. Subject: Average Unit-Size Density (AUD) Incentive Program (660.01)

Recommendation: That Council initiate amendments to Title 28 of the Santa Barbara Municipal Code related to implementation of the Average Unit-Size Density (AUD) Incentive Program.

Documents:

- April 10, 2012, report from the Assistant City Administrator/Community Development Director.
- PowerPoint presentation prepared and made by Staff.

Councilmember Murillo left the meeting at 3:29 p.m. and returned at 3:37 p.m.

Speakers:

Staff: Principal Planner John Ledbetter.

Motion:

Councilmembers House/Murillo to approve the recommendation, directing Staff to include as part of the program implementation incentives for underground parking and the development of more residential units in commercial zones.

Vote:

Unanimous voice vote.

PARKS AND RECREATION DEPARTMENT

20. Subject: Contract For Technical Studies And The Initial Design Phase For The Mission Lagoon And Laguna Channel Restoration Project (540.14)

Recommendation: That Council:

- A. Authorize the Parks and Recreation Director to execute a Professional Services Agreement with ESA PWA in the amount of \$569,737 for technical studies and the initial design phase for the Mission Lagoon and Laguna Channel Restoration Project; and
- B. Authorize the Parks and Recreation Director to approve expenditures of up to \$56,974 for extra services of ESA PWA that may result from necessary changes in the scope of work.

(Cont'd)

20. (Cont'd)

Documents:

- April 10, 2012, report from the Parks and Recreation, Public Works, and Waterfront Directors.
- PowerPoint presentation prepared and made by Staff.
- April 10, 2012, letter from Suzanne Elledge Planning & Permitting Services.

Speakers:

Staff: Creeks Water Quality/Restoration Manager Cameron Benson, Project Planner George Thomson, Assistant Public Works Director/City Engineer Pat Kelly, Waterfront Facilities Manager Karl Treiberg, City Administrator James Armstrong.

Motion:

Councilmembers Hotchkiss/Rowse to approve the recommendations; Agreement No. 24,098.

Vote:

Majority voice vote (Noes: Councilmember Francisco).

RECESS

Mayor Schneider recessed the meeting at 4:42 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 21 and 22, and she stated there would be no reportable action taken during the closed sessions.

CLOSED SESSIONS

21. 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 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, 15 minutes; anytime

Report: None anticipated

Documents:

April 10, 2012, report from the City Attorney.

Time:

4:45 p.m. - 5:00 p.m.

No report made.

22. 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 General bargaining unit, the Supervisory bargaining unit, the Police Officers Association, and the Police Management Association and regarding discussions with confidential employees and unrepresented management about salaries and fringe benefits.

Scheduling: Duration, 45 minutes; anytime

Report: None anticipated

Documents:

April 10, 2012, report from the Assistant City Administrator.

Time:

5:00 p.m. - 6:00 p.m.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 6:00 p.m. in memory of Babatunde Fodayemi, a former City Councilmember who also contributed significantly to the resolution of issues affecting the youth of the community.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

ATTEST:

HELENE SCHNEIDER
MAYOR

SUSAN TSCHECH, CMC
DEPUTY CITY CLERK