



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING April 24, 2012 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

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

### PLEDGE OF ALLEGIANCE

Mayor Schneider.

### ROLL CALL

Councilmembers present: Dale Francisco, Frank Hotchkiss, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: Grant House.

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

### CEREMONIAL ITEMS

1. Subject: Proclamation Declaring April 22-28, 2012, As National Crime Victims' Rights Week (120.04)

Action: Proclamation presented to Joyce Dudley, Santa Barbara District Attorney.

### PUBLIC COMMENT

Speakers: Kenneth Loch; Erika Martin del Campo and Elsa Granados, Santa Barbara Rape Crisis Center; Andrea RastaMom.

Councilmember House entered the meeting at 2:11 p.m.

## **CONSENT CALENDAR (Item Nos. 2 - 13)**

The titles of the ordinances related to the Consent Calendar were read.

Motion:

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

Vote:

Unanimous roll call vote.

## **CITY COUNCIL**

### **2. Subject: Minutes**

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of March 13, 2012.

Action: Approved the recommendation.

### **3. Subject: Lease Agreement With Mike Pyzel, Marine Surveyor (330.04)**

Recommendation: That Council approve a three-year lease agreement with two one-year options with Mike Pyzel, at a monthly rent of \$417 or six percent of gross sales, whichever is greater, for a marine surveyor's office at 125 Harbor Way, Suite 23.

Action: Approved the recommendation; Agreement No. 24,111 (April 24, 2012, report from the Waterfront Director).

### **4. Subject: Lease Agreement With The Harbor Market (330.04)**

Recommendation: That Council approve a five-year lease agreement with Lisa Clagg, doing business as Harbor Market, for the 676 square foot convenience store located at 125 Harbor Way, Suite 8, at a base rent of \$2,159.75 per month, subject to an annual Cost of Living adjustment or 6% of gross sales, whichever is greater.

Action: Approved the recommendation; Agreement No. 24,112 (April 24, 2012, report from the Waterfront Director).

5. Subject: Introduction Of Ordinance For A Lease Agreement With The Regents Of The University Of California For The UCSB Sailing Facility (330.04)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Five-Year Lease Agreement with One Five-Year Option with the Regents of the University of California, at a Monthly Rent of \$1,998.40, for Approximately 5,563 Square Feet of Water Area Adjacent to the Sea Landing Rock Groin in the Santa Barbara Harbor, Effective June 1, 2012.

Action: Approved the recommendation (April 24, 2012, report from the Waterfront Director; proposed ordinance).

6. Subject: Adoption Of Ordinance For Agreements To Use Recycled Water (540.13)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the Agreements Between the City of Santa Barbara and Pilgrim Terrace Homes, Montecito Country Club, Nineteenth District Agricultural Association and Santa Barbara Zoological Foundation to Use the City's Recycled Water System for Delivery of the City's Recycled Water.

Action: Approved the recommendation; Ordinance No. 5585; Agreement Nos. 24,113-24,116.

7. Subject: Contract For Construction Of Safe Routes To School Modoc And Portesuello Intersection Improvements Project (530.04)

Recommendation: That Council:

- A. Accept State Safe Routes to School Program funding in the total amount of \$218,275;
- B. Authorize the increase of estimated revenues and appropriations in the Fiscal Year 2012 Streets Fund by \$218,275, for the Safe Routes to School Modoc and Portesuello Intersection Improvements Project;
- C. Reprogram up to \$40,000 of existing appropriations in the Streets Fund for School Zone Safety Improvements to Safe Routes to School Modoc and Portesuello Intersection Improvements Project;
- D. Award a contract with Aguilera Brothers Construction, Inc., in their low bid amount of \$196,477.50 for construction of the Safe Routes to School Modoc and Portesuello Intersection Improvements Project, Bid No. 3627; and
- E. Authorize the Public Works Director to execute the contract and approve expenditures up to \$31,400 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.

(Cont'd)

7. (Cont'd)

Speakers:

- Staff: Supervising Transportation Engineer Derrick Bailey, City Attorney Stephen Wiley.
- Member of the Public: Eva Inbar, Coalition for Sustainable Transportation Director.

Action: Approved the recommendations; Agreement No. 24,117 (April 24, 2012, report from the Public Works Director; PowerPoint presentation prepared and made by staff; Letters regarding the project received by Public Works staff, submitted by the City Principal Civil Engineer).

8. Subject: Appropriation Of Court Ordered Forfeited Funds To The Investigative Division's Special Investigative Fund (520.04)

Recommendation: That Council:

- A. Accept \$18,451 of court ordered forfeited funds; and
- B. Approve an increase in estimated revenue and appropriations in the Police Asset Forfeiture and Grants Fund.

Action: Approved the recommendation (April 24, 2012, report from the Chief of Police).

9. Subject: Integrated Pest Management 2011 Annual Report (330.01)

Recommendation: That Council accept the Integrated Pest Management (IPM) 2011 Annual Report.

Speakers:

Staff: Parks Manager Santos Escobar

Action: Approved the recommendation (April 24, 2012, report from the Parks and Recreation Director).

10. Subject: Airport Parking Control Management System (550.08)

Recommendation: That Council find it in the City's best interest to waive the formal bid process, as authorized by Municipal Code 4.52.070 L., and authorize the City's General Services Manager to issue a purchase order with Amano McGann, Inc. (Amano), in an amount not-to-exceed \$167,450 to provide and install Airport Parking Revenue Control Equipment in the Airline Terminal Parking Lot System.

(Cont'd)

10. (Cont'd)

Speakers:

Staff: Assistant Airport Director Hazel Johns.

Action: Approved the recommendation (April 24, 2012, report from the Airport Director).

11. Subject: March 31, 2012, Investment Report And March 31, 2012, Fiscal Agent Report (260.02)

Recommendation: That Council:

- A. Accept the March 31, 2012, Investment Report; and
- B. Accept the March 31, 2012, Fiscal Agent Report.

Action: Approved the recommendations (April 24, 2012, report from the Finance Director).

## NOTICES

- 12. The City Clerk has on Thursday, April 19, 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.
- 13. Received a letter of resignation from Rental Housing Mediation Task Force Member Trudy Paul; the vacancy will be part of the current City Advisory Group recruitment.

This concluded the Consent Calendar.

## **REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Dale Francisco reported that the Committee received the March 31, 2012, Investment Report, and a detailed analysis of current and projected revenues that will be used to prepare recommendations to the Council for future budget hearings.

## **REPORT FROM THE ORDINANCE COMMITTEE**

Ordinance Committee Chair Grant House reported that the Committee met for the second time to review the single-use bag ordinance. The Committee made revisions and unanimously forwarded the proposed ordinance to Council for consideration as a project for environmental review, and for endorsement as the model ordinance for referral to Beach Erosion Authority for Clean Oceans and Nourishment (BEACON).

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### **COMMUNITY DEVELOPMENT DEPARTMENT**

14. Subject: Santa Barbara Cottage Hospital And Neighborhood Update (610.04)

Recommendation: That Council hear an update from the Santa Barbara Cottage Hospital (SBCH) representatives and receive comments from interested members of the public.

Documents:

- April 24, 2012, report from the Assistant City Administrator/Community Development Director.
- PowerPoint presentation prepared and made by Santa Barbara Cottage Hospital staff.
- Undated list of attendees submitted by Santa Barbara Cottage Hospital.

Speakers:

- Staff: City Planner Betty Weiss, City Administrator Jim Armstrong
- Santa Barbara Cottage Hospital: President and Chief Executive Officer Ron Werft, Chief of Medical Services Dr. Curtis Pickert.
- Members of the Public: Beth Bailey; Nick Kalionzes; Kathryn Kalionzes; Mary Zeldis; Ivan Girling.

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

### **RECESS:**

3:38 p.m. - 3:45 p.m. Councilmember White returned at 3:46 p.m. and Councilmember House returned at 3:51 p.m.

### **PUBLIC WORKS DEPARTMENT**

15. Subject: Pavement Management Program Update (550.08)

Recommendation: That Council receive a staff report on the Pavement Management Program.

Documents:

- April 24, 2012, report from the Public Works Director.
- PowerPoint presentation prepared and made by staff.

Speakers:

Staff: Principal Civil Engineer John Ewasiuk, Public Works Director Christine Andersen, City Administrator Jim Armstrong.

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

16. Subject: Measure A Five-Year Local Program Of Projects For Fiscal Years 2013 - 2017 (530.04)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the Measure A Five-Year Local Program of Projects for Fiscal Years 2013 - 2017.

Documents:

- April 24, 2012, report from the Public Works Director.
- Proposed Resolution.
- PowerPoint presentation prepared and made by staff.

The title of the Resolution was read.

Speakers:

Staff: Principal Civil Engineer John Ewasiuk, Transportation Manager Browning Allen.

Motion:

Councilmembers House/Murillo to approve the recommendation; Resolution No. 12-025.

Vote:

Unanimous roll call vote.

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

Information:

- Councilmember White reported on the April 18, 2012, Sustainability Council Committee meeting where they discussed the Resource Recovery Park. He also mentioned that staff presented 44 City projects for water and energy conservation, and water pollution control at the meeting.
- Councilmember Hotchkiss reported that the Arts Advisory Committee raised \$30,000 towards a new chromatic gate. The Chamber of Commerce has promised \$10,000 so only \$2,000 more is needed for the project.
- Mayor Schneider commended City staff for the work on their booths at the local Earth Day event over the weekend.

## **RECESS**

Mayor Schneider recessed the meeting at 5:10 p.m. in order for Council to reconvene in closed session for Agenda Item Nos. 18 - 20, and she stated there would be no reportable action taken during the closed sessions.

## CLOSED SESSIONS

18. 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. Pending litigation: Workers' compensation claim: John Culbertson v. City of Santa Barbara, Case Number ADJ7889487.

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

Documents:

April 24, 2012, report from the Finance Director.

Time:

5:13 p.m. - 5:18 p.m.

No report made.

19. 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 City's General bargaining unit, the City's Supervisory bargaining unit, the SBPD Police Officers Association, and the SBPD Police Management Association, and regarding discussions with confidential City employees and unrepresented management about salaries and fringe benefits.

Scheduling: Duration, 45 minutes; anytime

Report: None anticipated

Documents:

April 24, 2012, report from the Assistant City Administrator/Administrative Services Director.

Time:

5:18 p.m. - 5:48 p.m.

No report made.



20. Subject: Conference With Legal Counsel - Potential Litigation (160.03.)

Recommendation: That Council hold a closed session to consider the possible initiation of litigation pursuant to subsection (c) of Section 54956.9 of the Government Code and take appropriate action as needed (one potential case).

Scheduling: Duration: 15 minutes; anytime

Report: None anticipated

Documents:

April 24, 2012, report from the City Attorney.

Time:

5:48 p.m. - 6:08 p.m.

No report made.

#### **ITEM REMOVED FROM AGENDA**

By consensus, the following agenda item was continued to the meeting of May 1, 2012.

17. Subject: Conference With Real Property Negotiators - 1221 Anacapa Street (Granada Parking Garage) (330.03)

Recommendation: That Council hold a closed session pursuant to the authority of Government Code Section 54956.8 to consider real property negotiations regarding the possible sale or lease of parking spaces to the County of Santa Barbara concerning the real property known as 1221 Anacapa Street.

Property: 1221 Anacapa Street (APN 039-183-046 and 039-183-054).

City Negotiator: City Administrator's office and the City Attorney's office.

Negotiation Party: County Executive Officer, Santa Barbara County.

Under Negotiation: Price, rent, terms of sale or lease.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

#### **ADJOURNMENT**

Mayor Schneider adjourned the meeting at 6:08 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

ATTEST:

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HELENE SCHNEIDER  
MAYOR

\_\_\_\_\_  
SARAH FOX  
DEPUTY CITY CLERK