

**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>

**OCTOBER 9, 2012
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 Title 17 Amendments Related To Harbor Operations
(570.03)**

Recommendation: That Ordinance Committee forward a recommendation to City Council to approve an ordinance amending Municipal Code Title 17 related to Harbor Operations.

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL ITEMS

1. Subject: Solar Design Recognition Awards 2012 (630.06)

Recommendation: That Council receive a report regarding the 2012 Solar Design Recognition Awards.

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

2. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of September 25, 2012.

3. Subject: Subpoenas Of Records For Telecommunications Utility Users Tax (UUT) Audits (350.05)

Recommendation: That Council approve the issuance of Subpoenas to Sprint Telephony LLP, Level 3 Communications, and TW Telecom of California LP for records in connection with Telecommunications Utility Users Tax Audits.

4. Subject: Increase In Change Order Authority For Headworks Screening Replacement Project At El Estero Wastewater Treatment Plant (540.13)

Recommendation: That Council authorize an increase in the Public Works Director's Change Order Authority to approve expenditures for extra work for the Headworks Screening Replacement Project at the El Estero Wastewater Treatment Plant, Contract No. 23,881, in the amount of \$222,411 for a total contract expenditure authority of \$4,746,851.

5. Subject: Introduction Of Ordinance For A Lease Agreement With Brophy & Sons, Inc. (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 23-Year Lease Dated as of November 16, 2012, with Brophy & Sons, Inc., Doing Business As Brophy Brothers Restaurant and Clam Bar and On The Alley, at an Average Base Rent of \$35,800 Per Month or 10% of Gross Sales, Whichever is Greater.

6. Subject: Santa Barbara Police Foundation Donation (520.04)

Recommendation: That Council:

- A. Accept a donation in the amount of \$3,000 from the Santa Barbara Police Foundation, and
- B. Increase estimated revenues and appropriations by \$3,000 in the Police Asset Forfeiture and Miscellaneous Grants Fund for the installation of motorcycle patrol rifles funded from the Santa Barbara Police Foundation donation.

CONSENT CALENDAR (CONT'D)

NOTICES

7. The City Clerk has on Thursday, October 4, 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.
8. Received a Notice from the Housing Authority of the City of Santa Barbara that it will be updating its Conflict of Interest Code pursuant to Government Code Section 87306.
9. That pursuant to Government Code Section 87306, the City of Santa Barbara will be updating its Conflict of Interest Code no later than December 18, 2012.

This concludes the Consent Calendar.

REPORT FROM THE ORDINANCE COMMITTEE

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

POLICE DEPARTMENT

10. Subject: Police Department Update (520.04)

Recommendation: That Council receive an oral presentation from the Police Chief regarding the Santa Barbara Police Department.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

11. 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 Management Association and the new Fire Management Association, and regarding discussions with certain unrepresented managers about salaries and fringe benefits.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

ADJOURNMENT