

**CITY OF SANTA BARBARA  
CITY COUNCIL**

**Helene Schneider**  
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**Frank Hotchkiss**  
*Mayor Pro Tempore*  
**Grant House**  
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**Dale Francisco**  
*Finance Committee Chair*  
**Cathy Murillo**  
**Randy Rowse**  
**Bendy White**



**James L. Armstrong**  
*City Administrator*

**Stephen P. Wiley**  
*City Attorney*

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

**NOVEMBER 20, 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](http://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
- 4:00 p.m. - Interviews for City Advisory Groups (Estimated Time)

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

#### **Subject: Erosion And Sediment Control Ordinance**

Recommendation: That the Ordinance Committee:

- A. Consider a proposed ordinance of the City of Santa Barbara adding Chapter 22.85 to the Santa Barbara Municipal Code relating to Erosion and Sediment Control Standards for Construction; and
- B. Make a recommendation to the City Council for Ordinance adoption.

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

#### **CALL TO ORDER**

#### **PLEDGE OF ALLEGIANCE**

#### **ROLL CALL**

#### **CEREMONIAL ITEMS**

- 1. **Subject: Proclamation Congratulating Soroptimist International Of Santa Barbara For Its "Workplace Campaign To End Domestic Violence". (120.04)**

#### **CHANGES TO THE AGENDA**

#### **PUBLIC COMMENT**

## CONSENT CALENDAR

2. **Subject: Adoption Of Zoning Ordinance Amendment, Municipal Code Section 28.87.300, Pertaining To Non-Residential Construction Projects (640.09)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Section 28.87.300 of Chapter 28.87 of Title 28 of the Municipal Code Regarding Limitations on Non-Residential Development Within the City.

3. **Subject: October 2012 Investment Report (260.02)**

Recommendation: That Council accept the October 2012 Investment Report.

4. **Subject: Donation Of Public Education Equipment (210.01)**

Recommendation: That Council:

- A. Accept the donation of public education equipment from the Santa Barbara Firefighters Alliance to the City of Santa Barbara Fire Department, valued at approximately \$13,000; and
- B. Authorize the General Services Manager to prepare all documentation required to donate surplus fire public education equipment to the City of Santa Maria, California.

5. **Subject: Update Of The Conflict Of Interest Code Resolution To Include New And Deleted Positions Subject To Disclosure Requirements (110.04)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the Conflict of Interest Code of the City of Santa Barbara, Incorporating by Reference the Fair Political Practices Commission's Model Code, and Rescinding Resolution No. 10-102, in Order to Add or Delete Classifications Subject to Disclosure.

6. **Subject: Police Mobile Data Computer (MDC) Upgrade Project (520.04)**

Recommendation: That Council:

- A. 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 General Services Manager to issue a Purchase Order to Data 911 in the amount of \$129,944 for the purchase of the Police Mobile Data Computer Hardware;

(Cont'd)

## CONSENT CALENDAR (CONT'D)

### 6. (Cont'd)

- B. 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 General Services Manager to issue a Purchase Order to In Motion Technology in the amount of \$82,481 for the purchase of a Police Mobile Routers; and
- C. Appropriate \$212,425 in the Vehicle Replacement Fund from reserves accumulated from Police and Fire Department contributions designated to support mobile technologies and upgrades.

### 7. **Subject: Contract For Fiscal Year 2013 Closed Circuit Television Inspection Services For The Wastewater Collection System (540.13)**

Recommendation: That Council authorize the Public Works Director to execute a professional services agreement with Advanced Sewer Technologies in the amount of \$142,123 for Closed Circuit Television inspection services for the City's wastewater collection system, and authorize the Public Works Director to approve expenditures of up to \$14,212 for extra services that may result from necessary changes in the scope of work.

### 8. **Subject: Contract For Construction For Fiscal Year 2012-13 Access Ramp Project (530.04)**

Recommendation: That Council:

- A. Award a contract with Tierra Contracting, waiving minor irregularities, in their low base bid amount of \$138,420, for construction of the Fiscal Year 2012-13 Access Ramp Project, Bid No. 3652;
- B. Authorize the Public Works Director to execute the contract and approve expenditures up to \$17,500 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; and
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting Street Easements for the Installation and Use of Public Sidewalk Access Ramps and Related Improvements on Portions of the Real Property Commonly Known as 315 Meigs Road, Authorizing the City Public Works Director to Execute Same, and Consenting to the Recordation by the City Clerk of Said Street Easement Deed in the Official Records, County of Santa Barbara.

## CONSENT CALENDAR (CONT'D)

**9. Subject: Contract For Design Services For Wastewater Improvement Projects (540.13)**

Recommendation: That Council authorize the Public Works Director to execute a standard City Professional Services contract, in a form acceptable to the City Attorney, with MNS Engineers in the amount of \$250,000 for engineering design services for various Wastewater Projects.

**10. Subject: Increase Of Purchase Order For Dewatering Equipment At The Cater Water Treatment Plant (540.10)**

Recommendation: That Council approve a \$20,000 increase to existing Purchase Order No. 077502 with Rain for Rent, Inc., for the rental of a dewatering mixer tank at the Cater Water Treatment Plant.

**11. Subject: Grants From The Institute Of Museum And Library Services; California State Library; And The Junior League of Santa Barbara (570.04)**

Recommendation: That Council:

- A. Authorize the Library Director to accept a \$50,000 grant from the Institute of Museum and Library Services (IMLS) to develop and pilot a school age literacy program;
- B. Authorize the Library Director to accept a \$21,000 grant from the California State Library for the library's Adult Literacy program;
- C. Authorize the Library Director to accept a \$30,000 grant from the Junior League of Santa Barbara to fund a children's program that promotes improved literacy and homework skills for school age children and their parents;
- D. Authorize the Library Director to accept a \$4,000 grant from the Allergan Foundation to fund a community reading program;
- E. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 12-042, the Position and Salary Control Resolution for Fiscal Year 2013, affecting the Library Department effective December 1, 2012;
- F. Authorize an increase in appropriations and estimated revenues of \$105,000 in the General Fund, Library Department, representing the total grants and donations received.

## NOTICES

12. The City Clerk has on Thursday, November 15, 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.

**This concludes the Consent Calendar.**

**REPORT FROM THE ORDINANCE COMMITTEE**

**CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

AIRPORT DEPARTMENT

**13. Subject: Airport Master Plan Status Update (560.09)**

Recommendation: That Council receive a presentation by Coffman Associates on the status of the Airport Master Plan.

**14. Subject: Contract For Construction For Taxiways H, J And C Pavement Rehabilitation Project (560.04)**

Recommendation: That Council:

- A. Reject the bid protest submitted by Granite Construction Company;
- B. Award a contract with John Madonna Construction, in their low bid amount of \$2,738,767.80, for construction of the Taxiways H, J and C Pavement Rehabilitation Project, Bid No. 3675, and authorize the Public Works Director to execute the contract, subject to approval as to form by the City Attorney, and approve expenditures up to \$273,000 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;
- C. Authorize the Public Works Director to execute a contract with Tartaglia Engineering, subject to approval as to form by the City Attorney, in the amount of \$449,108 for construction support services, and approve expenditures of up to \$50,000 for extra services of Tartaglia Engineering that may result from necessary changes in the scope of work; and
- D. Increase appropriations and estimated revenue by \$1,040,508 in the Airport's Grants Fund to be funded from a transfer of reserves in the Airport Operating Fund, pending receipt of the Federal Fiscal Year 2013 Federal Aviation Authority, Airport Improvement Program grant for Phase II of Taxiways H, J and C Rehabilitation Project.

COMMUNITY DEVELOPMENT DEPARTMENT

**15. Subject: Resolutions Conveying, Assigning, Accepting And Assuming The Transfer Of Real Property And Housing Assets From The Successor Agency To The Redevelopment Agency Of The City Of Santa Barbara To The City Of Santa Barbara (620.01)**

(Cont'd)

**15. (Cont'd)**

Recommendation:

- A. That Successor Agency adopt, by reading of title only, A Resolution of the Successor Agency to the Redevelopment Agency of the City of Santa Barbara Conveying and Assigning All Right, Title and Interest to All "Housing Assets" Owned by the Former Redevelopment Agency of the City of Santa Barbara to the City of Santa Barbara and Authorizing the Executive Director to Execute Such Agreements and Related Documents as Necessary to Effectuate Such Transfer of Housing Assets to the City of Santa Barbara;
- B. That Successor Agency adopt, by reading of title only, A Resolution of the Successor Agency to the Redevelopment Agency of the City of Santa Barbara Conveying and Assigning For Public and All Related Purposes All Right, Title and Interest to All "Governmental Purpose" Real Property Owned by the Former Redevelopment Agency of the City of Santa Barbara to the City of Santa Barbara and Authorizing the Executive Director to Execute Such Agreements and Related Documents as Necessary to Effectuate Such Transfer of Real Property Interests to the City of Santa Barbara;
- C. That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting and Assuming All Right, Title and Interest to All "Housing Assets" Held by the Former Redevelopment Agency of the City of Santa Barbara and Authorizing the City Administrator, Or Designee, to Execute Such Agreements and Related Documents as Necessary to Effectuate Such Transfer of Interests to the City Of Santa Barbara; and
- D. That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting and Assuming for Public and All Related Purposes All Right, Title and Interest to All "Governmental Purpose" Real Property Owned by the Former Redevelopment Agency of the City of Santa Barbara and Authorizing the City Administrator, Or Designee, to Execute Such Agreements and Related Documents as Necessary to Effectuate Such Transfer of Real Property Interests to the City of Santa Barbara.

**FINANCE DEPARTMENT**

**16. Subject: Update On Status Of Solid Waste Franchise Negotiations With Marborg (630.01)**

Recommendation: That Council hear a staff report about the status of negotiations with MarBorg Industries in preparation for a subsequent Resolution of Intent to award a new ten-year solid waste franchise.

## **MAYOR AND COUNCIL REPORTS**

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

Recommendation: That Council hold interviews of applicants to various City Advisory Groups.

(Estimated Time: 4:00 p.m.; Continued from November 13, 2012, Agenda Item No. 13)

## **COUNCIL AND STAFF COMMUNICATIONS**

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

## **CLOSED SESSIONS**

### **18. 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, the Firefighters Association, 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

### **19. Subject: Conference With Legal Counsel - Anticipated Litigation (160.03)**

Recommendation: That Council hold a closed session to consider significant exposure to litigation (one potential case) pursuant to subsection (b)(1) of section 54956.9 of the Government Code and take appropriate action as needed.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

## **ADJOURNMENT**