



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING November 20, 2012 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:00 p.m. (The Finance Committee, which ordinarily meets at 12:30 p.m., did not meet on this date. The Ordinance 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, City Clerk Services Manager Gwen Peirce.

CEREMONIAL ITEMS

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

Action: Proclamation presented to Robbin Behrens, President-Elect of Soroptimist International of Santa Barbara.

CHANGES TO THE AGENDA

Item Removed from Agenda

City Administrator James Armstrong stated that the following item was being removed from the agenda:

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

PUBLIC COMMENT

Speakers: Kenneth Loch, k8 longstory.

ITEM REMOVED FROM THE CONSENT CALENDAR

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.

Mayor Schneider and Councilmember Murillo stated that they live within 500' of the project area and announced their abstention.

Documents:

- November 20, 2012, report from the Public Works Director.
- Proposed resolution.

The title of the resolution was read.

Speaker:

Staff: Public Works Director Christine Andersen.

(Cont'd)

8. (Cont'd)

Motion:

Councilmembers White/Hotchkiss to approve the recommendations; Agreement No. 24,304; Resolution No. 12-079.

Vote:

Unanimous roll call vote (Abstentions: Councilmember Murillo and Mayor Schneider).

CONSENT CALENDAR (Item Nos. 2 – 7 and 9 – 12)

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

Motion:

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

Vote:

Unanimous roll call vote.

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.

Action: Approved the recommendation; Ordinance No. 5604.

3. Subject: October 2012 Investment Report (260.02)

Recommendation: That Council accept the October 2012 Investment Report.

Action: Approved the recommendation (November 20, 2012, report from the Finance Director).

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

(Cont'd)

4. (Cont'd)

- 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.

Action: Approved the recommendations (November 20, 2012, report from the Fire Chief).

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.

Speakers:

Staff: City Attorney Stephen Wiley.

Action: Approved the recommendation; Resolution No. 12-078, revised to add the word "Mayor" under the list of Positions in Exhibit A (November 20, 2012, report from the Assistant City Administrator/Administrative Services Director; proposed resolution).

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;
- 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.

Action: Approved the recommendations (November 20, 2012, report from the Police Chief).

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.

Speakers:

Staff: Principal Engineer Joshua Haggmark.

Action: Approved the recommendation; Agreement No. 24,303 (November 20, 2012, report from the Public Works Director).

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.

Action: Approved the recommendation; Agreement No. 24,305 (November 20, 2012, report from the Public Works Director).

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.

Action: Approved the recommendation (November 20, 2012, report from the Public Works Director).

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;

(Cont'd)

11. (Cont'd)

- 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.

Speakers:

Staff: Library Services Manager Scott Love.

Action: Approved the recommendations; Resolution No. 12-080 (November 20, 2012, report from the Library Director; proposed resolution).

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 concluded the Consent Calendar.

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Grant House reported that the Committee met to review a draft ordinance adding Chapter 22.85 to the Santa Barbara Municipal Code relating to erosion and sediment control standards for construction and will be referring this ordinance to the entire Council at a future meeting.

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.

(Cont'd)

13. (Cont'd)

Documents:

- November 20, 2012, report from the Airport Director.
- PowerPoint Presentation prepared and made by the Consultant.

Speakers:

- Staff: Airport Director Karen Ramsdell.
- Consultants: Jim Harris, Coffman Associates; Christine Eberhard, CommuniQuest.

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

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

Recommendation: That Council:

- Reject the bid protest submitted by Granite Construction Company;
- 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;
- 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
- 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.

Documents:

- November 20, 2012, report from the Public Works Director.
- Bid Protest Documents.
- PowerPoint Presentation prepared and made by Staff.

Speakers:

- Staff: Assistant Public Works Director/City Engineer Pat Kelly; Supervising Engineer Owen Thomas; City Attorney Stephen Wiley.

(Cont'd)

14. (Cont'd)

Speakers (Cont'd):

- Members of the Public: Thomas Green, John Madonna Construction Company; John Madonna, John Madonna Construction Company; Brian Larinan, Granite Construction Company.

Motion:

Councilmembers House/Hotchkiss to reject the bid protest by Granite Construction Company and approve recommendations B, C and D; Agreement Nos. 24,306 – 24,307.

Vote:

Unanimous voice vote.

RECESS

3:48 p.m. – 4:00 p.m.

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)

Documents:

October 30, 2012, report from the Assistant City Administrator/ Administrative Services Director.

Speakers:

The following applicants were interviewed:

Access Advisory Committee:

Martha Degasis

Airport Commission:

John Busby

Architectural Board of Review:

Sarah Anthony

Thiep Cung

Juliette Sponsel

Penn Smith

Andy Roteman

Community Development and Human Services Committee:

Rocky Jacobson

Patricia "Max" Rorty

Michael Just

(Cont'd)

17. (Cont'd)

Speakers (Cont'd):

Downtown Parking Committee:

Gene McKnight

Fire and Police Commission:

Adam Maingot

Diego Torres-Santos

Fire and Police Pension Commission:

Michael Jacobs

Harbor Commission:

Adam Maingot

Measure P Committee:

David Bearman, M.D.

Metropolitan Transit District Board:

Kristie Shubin

David Tabor

John Britton

Rental Housing Mediation Task Force:

Justin Dillum

Santa Barbara Youth Council:

Alexis Flores

Sister Cities Board:

Marti Correa de Garcia

Transportation and Circulation Committee:

Sebastian Aldana, Jr.

Cynthia Boche

Edward France

Water Commission:

Landon Neustadt

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

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.

Documents:

- November 20, 2012, report from the Finance Director.
- PowerPoint Presentation prepared and made by Staff.

(Cont'd)

16. (Cont'd)

Speakers:

- Staff: Employee Relations Manager Kristy Schmidt, Environmental Services Manager Matt Fore.
- Members of the Public: Mario Borgatello, MarBorg Industries.

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

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)

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

(Cont'd)

15. (Cont'd)

- 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.

Documents:

- November 20, 2012, report from the Assistant City Administrator/Community Development Director.
- Proposed Resolutions.

The titles of the resolutions were read.

Speakers:

Staff: Assistant City Administrator/Community Development Director Paul Casey, City Attorney Stephen Wiley.

Motion:

Councilmembers Hotchkiss/House to approve the recommendations, directing staff to staff to continue with efforts to reconcile issues with the State regarding certain properties defined as "Governmental Purpose"; Resolution Nos. 12-081, 12-082 (as revised), 12-083 and 12-084 (as revised).

Vote:

Unanimous roll call vote.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Hotchkiss reported that he attended the Valle Verde Ground Breaking and Reception; spoke regarding the recent remodel of the McDonald's on State Street across from the Granada Theatre; and reported that Southern California Edison has reinstated the Holiday Tree on State Street.
- Councilmember White mentioned a recent Mesa Village meeting that he attended regarding the Las Positas Tennis Courts; and reported on his attendance at a Neighborhood Advisory Council meeting regarding projects to be considered for CDBG funding.
- Councilmember Rowse reported on a recent Mesa Village meeting he attended regarding the neighborhood sobering centers; and mentioned the Plaque Dedication at the Lockheed Manufacturing Company that he had attended.

(Cont'd)

Information (Cont'd):

- Councilmember Murillo spoke regarding a panel discussion she attended on homelessness and services for vulnerable populations.
- Mayor Schneider reported on a recent League of Cities Leaders' Meeting she attended in Sacramento and spoke regarding a LOSSAN meeting in Los Angeles on the rail corridor from San Diego to San Luis Obispo. She also announced that Jason Nelson, U.S. Army, presented her with a flag that was flown in Afghanistan on September 11, 2012 in honor of the City of Santa Barbara.
- Councilmember House reported on a recent Santa Barbara County Association of Governments meeting he attended regarding the use of funding for projects throughout the County.

CHANGES TO THE AGENDA

Item Removed from Agenda

City Administrator James Armstrong requested that the following item be removed from the agenda:

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

ADJOURNMENT

Mayor Schneider adjourned the meeting at 7:18 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST: _____
GWEN PEIRCE, CMC
CITY CLERK SERVICES MANAGER