

**CITY OF SANTA BARBARA
CITY COUNCIL**

Helene Schneider
Mayor
Frank Hotchkiss
Mayor Pro Tempore
Grant House
Ordinance Committee Chair
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>

**DECEMBER 11, 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.

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

1. **Subject: Minutes**

Recommendation: That Council waive the reading and approve the minutes of the regular meetings of November 27, 2012 (cancelled), and December 4, 2012.

2. **Subject: Introduction of Erosion and Sedimentation Control Ordinance (640.04)**

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adding Chapter 22.85 to the Santa Barbara Municipal Code Relating to Erosion and Sedimentation Control Standards for Construction; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the Building and Safety Division Erosion and Sedimentation Control Program.

3. **Subject: Adoption Of Ordinance For Renewal Of Agreement 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 Renewal of an Agreement Between the City of Santa Barbara and Elings Park Dated as of January 10, 2013, for the Use and Delivery of the City's Recycled Water at Elings Park.

CONSENT CALENDAR (CONT'D)

4. Subject: Resolution Of Intent To Award A Franchise Agreement To MarBorg Industries, Inc. (510.04)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring Its Intention to Grant a Ten-Year Exclusive Franchise for Citywide Solid Waste Collection and Disposal Services in the City to MarBorg Industries, Inc., A California Corporation.

5. Subject: Resolution Authorizing Execution Of Grant Agreement In The Amount Of \$1,889,299 With The State Of California For Low Impact Development Storm Water Infiltration Project (540.10)

Recommendation: That Council 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 Negotiate and Execute an Agreement, and Any Amendments Thereto, with the State of California for the Low Impact Development (LID) Storm Water Infiltration Project.

6. Subject: Fiscal Year 2013 Interim Financial Statements For The Four Months Ended October 31, 2012 (250.02)

Recommendation: That Council accept the Fiscal Year 2013 Interim Financial Statements for the Four Months Ended October 31, 2012.

7. Subject: Approval Of Final Map And Execution Of Agreements For 1255 Coast Village Road (640.08)

Recommendation: That Council approve and authorize the City Administrator to execute and record Final Map Number 20,805 and standard agreements relating to the approved subdivision at 1255 Coast Village Road, and authorize the City Engineer to record a recital document stating that the public improvements have been completed and that the previously recorded Land Development Agreement may be removed from the title document after the public improvements are complete.

8. Subject: Approval Of Parcel Map And Execution Of Agreements For 1533 San Miguel Avenue (640.08)

Recommendation: That Council approve and authorize the City Administrator to execute and record Parcel Map Number 20,799 and standard agreements relating to the approved subdivision at 1533 San Miguel Avenue.

CONSENT CALENDAR (CONT'D)

9. Subject: Contract For Asset Management Program Support Services For El Estero Wastewater Treatment Plant (540.13)

Recommendation: That Council authorize the Public Works Director, subject to approval as to form by the City Attorney, to execute a contract with Carollo Engineers, Inc., in the amount of \$247,802 to provide Asset Management Program support services for the El Estero Wastewater Treatment Plant, and authorize the Public Works Director to approve expenditures of up to \$24,780 for extra services of Carollo Engineers that may result from necessary changes in the scope of work, for a total not-to-exceed amount of \$272,582.

10. Subject: Contract For Construction Of The Corporate Yard Well Replacement Project (540.10)

Recommendation: That Council:

- A. Award a contract with Layne Christensen Co. in their bid amount of \$978,000 for construction of the Corporate Yard Well Replacement Project, Bid No. 3659, and authorize the Public Works Director to execute the contract and approve expenditures up to \$117,360 to cover any cost increases that may result from contract change orders and differences between estimated bid quantities and actual quantities measured for payment;
- B. Authorize the Public Works Director to execute a contract with Pueblo Water Resources in the amount of \$150,454 for construction support services, and approve expenditures of up to \$15,046 for extra services of Pueblo Water Resources that may result from necessary changes in the scope of work; and
- C. Authorize the City Administrator to execute, subject to approval as to form by the City Attorney, an amendment to the document entitled "Declaration of Covenants, Conditions and Restrictions" entered into between the Redevelopment Agency of the City of Santa Barbara and Transition House, Inc. in 1992 to extend the term thereof for an additional period of 40 years.

11. Subject: Extension Of Agreement For Southern California Edison Energy Management Grant (630.06)

Recommendation: That Council authorize the Public Works Director to execute an amendment to the Flight 5.6 Agreement with Southern California Edison to extend the date of the agreement from December 31, 2012, to December 31, 2014.

CONSENT CALENDAR (CONT'D)

12. **Subject: Increase To Contract For Self-Check/Radio Frequency Identification System (570.04)**

Recommendation: That Council:

- A. Authorize the Library Director to increase the contract with Bibliotheca in the amount of \$149,794.38 to trade-up nine self-check kiosks to models with significantly improved design and functionality, and purchase 9 additional staff stations;
- B. Authorize the Library Director to approve additional services that may be identified during the contract in an amount not to exceed \$14,900;
- C. Authorize the Library Director to negotiate and execute an amendment to the contract with Bibliotheca in a form acceptable to the City Attorney and an amount not to exceed \$164,694.38;
- D. Appropriate \$113,219.90 in the Fiscal Year 2013 Library Department, General Fund, operating budget funded from a transfer from the Miscellaneous Library Trust Account for the improved self-check kiosks with improved functionality, and additional staff stations at the Central and Eastside Libraries; and
- E. Appropriate \$51,474.48 from the County Library Reserve Fund for the same system at the Goleta Valley Branch Library.

13. **Subject: Introduction Of Ordinance For 2012-2013 Police Management Memorandum Of Understanding (440.02)**

Recommendation: That Council ratify the Memorandum of Understanding between the City of Santa Barbara and the Santa Barbara Police Management Association for the period of July 1, 2012, through December 31, 2013, by introduction and subsequent adoption of, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting the 2012-2013 Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara Police Management Association.

NOTICES

- 14. The City Clerk has on Thursday, December 6, 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.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

15. Subject: Annual Wastewater Collection System Report (540.13)

Recommendation: That Council hear a report from staff on the wastewater collection system maintenance and management activities for Calendar Year 2012.

MAYOR AND COUNCIL REPORTS

16. Subject: Appointments To City Advisory Groups (140.05)

Recommendation: That Council make appointments to the City's advisory groups.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

17. 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 considered is: **Stanley Thompson v. City of Santa Barbara, WCAB case numbers ADJ7241417, ADJ7240125, and ADJ6825246.**

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

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 considered is: **Hector Balboa v. City of Santa Barbara, WCAB case number unassigned.**

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

CLOSED SESSIONS (CONT'D)

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