



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING January 15, 2013 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, 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.

### PUBLIC COMMENT

Speakers: Dr. Robert L. Johns, Geof Bard, Don MacNevin, Katherine Anne Smith, Bob Hansen.

### CONSENT CALENDAR (Item Nos. 1 – 5)

Motion:

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

Vote:

Unanimous voice vote.

**1. Subject: Contract For Preliminary Design Services For Aeration Basin System Improvements, Phase 2 (540.13)**

Recommendation: That Council authorize the Public Works Director to execute a contract, in a form approved by the City Attorney, with Brown and Caldwell in the amount of \$259,215 for preliminary design services for the Aeration Basin System Improvements Project, Phase 2, and authorize the Public Works Director to approve expenditures of up to \$25,921 for extra services of Brown and Caldwell that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Contract No. 24,340 (January 15, 2013, report from the Public Works Director).

**2. Subject: Renewal Of Maintenance And Support For Advanced Utility Systems Software (170.04)**

Recommendation: That Council approve a renewal of the technical support and maintenance agreement with Advanced Utility Systems Software for the utility billing system software for five years in an annual amount not to exceed \$49,621 in the first year (Fiscal Year 2013) and increasing by no more than 5% per year in years two through five.

Action: Approved the recommendation (January 15, 2013, report from the Assistant City Administrator).

**3. Subject: Parks and Recreation Community (PARC) Foundation Contributions (570.05)**

Recommendation: That Council:

- A. Accept a contribution from the Parks and Recreation Community (PARC) Foundation in the amount of \$48,868 for Parks and Recreation Department programs;
- B. Increase Fiscal Year 2013 General Fund appropriations and estimated revenues for the Parks and Recreation Department in the amount of \$4,368; and
- C. Increase Fiscal Year 2013 Miscellaneous Grants Fund appropriations and estimated revenues for the Parks and Recreation Department in the amount of \$44,500.

Action: Approved the recommendations (January 15, 2013, report from the Parks and Recreation Director).

**4. Subject: Approval Of Emergency Purchase Order For Cater Water Treatment Plant Replacement Flocculation Variable Frequency Drives (540.10)**

Recommendation: That Council approve an emergency purchase order to Steven Engineering in the amount of \$26,266 to replace two Flocculation Variable Frequency Drives at the Cater Water Treatment Plant.

Action: Approved the recommendation (January 15, 2013, report from the Public Works Director).

NOTICES

5. The City Clerk has on Thursday, January 10, 2013, 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 reviewed a draft ordinance that would amend the Municipal Code for implementation of the Nonresidential Growth Management Program. He stated that the Committee has continued this item for further discussion to the January 29, 2013 Ordinance Committee meeting.

**CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

COMMUNITY DEVELOPMENT DEPARTMENT

**6. Subject: Loan Modification Request On Property Located At 4006, 4007 And 4021 Via Lucero Street ("El Patio") (620.06)**

Recommendation: That Council:

- A. Approve a Restatement of the 1994 Loan Agreement Funded with Redevelopment Agency Housing Set-aside and Socioeconomic Mitigation Program (SEMP) Funds;
- B. Approve a Restatement of the Deed of Trust to secure the Restated Loan;
- C. Approve a New Affordable Housing Covenant with an Extended Term of an Additional 27 Years; and
- D. Authorize the Community Development Director to Execute Such Agreements and Related Documents, Subject to Approval as to Form by the City Attorney, as Necessary.

(Cont'd)

**6. (Cont'd)**

Documents:

- January 15, 2013, report from the Assistant City Administrator.
- PowerPoint Presentation prepared and made by Staff.

Speakers:

- Staff: Assistant City Administrator Paul Casey, Housing Program Specialist David Rowell.
- Applicant: Bill Wagner, Owner and Developer of El Patio Gardens.

Motion:

Councilmembers House/Francisco to approve the recommendations with a clarification of the loan terms and an amendment to the term of the new affordable housing covenant.

Vote:

Unanimous voice vote.

**PUBLIC WORKS DEPARTMENT**

**7. Subject: Annual Water Supply Management Report (540.08)**

Recommendation: That Council approve and adopt the City of Santa Barbara Water Supply Management Report for the 2012 water year, finding that groundwater resources are in long-term balance in accordance with the conjunctive management element of the City's Long-Term Water Supply Plan.

Documents:

- January 15, 2013, report from the Public Works Director.
- PowerPoint Presentation prepared and made by Staff.

Speakers:

Staff: Water Resources Manager Rebecca Bjork.

Motion:

Councilmembers White/Hotchkiss to approve the recommendation.

Vote:

Majority voice vote (Noes: Councilmember Murillo).

**8. Subject: Cachuma Conservation Release Board Amended Fiscal Year 2013 Budget (540.03)**

Recommendation: That Council:

- A. Ratify the amended Fiscal Year 2013 budget for the Cachuma Conservation Release Board; and
- B. Appropriate \$234,889 from Water Fund reserves to the Water Operating Budget.

Documents:

January 15, 2013, report from the Public Works Director.

Speakers:

- Staff: Water Resources Manager Rebecca Bjork.
- Cachuma Conservation Release Board: General Manager Kate Rees.

Motion:

Councilmembers House/Hotchkiss to approve the recommendations.

Vote:

Majority voice vote (Noes: Councilmember Murillo).

**COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

Information:

- Councilmember White reported on a recent Neighborhood Advisory Council meeting where they studied a questionnaire that will be distributed to various neighborhoods, and he reported on the Courthouse Legacy Foundation meeting regarding restoration work planned for the Mural Room.
- Councilmember Hotchkiss spoke regarding his attendance at the Santa Barbara Citizens' Police Academy graduation ceremony.
- Councilmember Murillo reported on a recent Milpas Action Task Force meeting that she attended and spoke regarding a recent MTD Board meeting regarding increasing rates for Santa Barbara City College students. She expressed her appreciation to Rick Feldman for the successful Kids' Day event.
- Councilmember House reported on a recent meeting of the Community Action Commission where they approved the annual budget for a range of services and programs that are funded by the Commission.
- Councilmember Rowse spoke regarding a recent meeting of the Downtown Parking Committee, specifically regarding parking lot occupancies and trends and advertising for various parking services.
- Mayor Schneider spoke regarding the Annual Downtown Organization Luncheon, and she reported on a meeting she attended with the Housing Authority and the Federal Housing Commissioner regarding a new financing mechanism for rental assistance development. She also acknowledged former Goleta Councilmember Margaret Connell on her retirement.

## RECESS

Mayor Schneider recessed the meeting at 4:07 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 9 and 10, and she stated that no reportable action is anticipated.

## CLOSED SESSIONS

### 9. 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. The pending litigation is: ***Luke Brost as Trustee for the Luke Brost Living Trust, et al., v. City of Santa Barbara, Case No. 1342979; and Ruben Barajas and Pamela Barajas as trustees for the Ruben and Pamela Barajas Living Trust, v. City of Santa Barbara, Santa Barbara Superior Court Case No.1383054.***

Scheduling: Duration, 20 Minutes; anytime

Report: None anticipated

Documents:

January 15, 2013, report from the City Attorney.

Time:

4:10 p.m. – 5:12 p.m.

No report made.

### 10. 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, Fire Management Association and the Firefighters Association, and regarding discussions with certain unrepresented managers about salaries and fringe benefits.

Scheduling: Duration, 30 Minutes; anytime

Report: None anticipated

Documents:

January 15, 2013, report from the Assistant City Administrator.

Time:

5:12 p.m. – 5:23 p.m.

No report made.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 5:23 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

\_\_\_\_\_  
HELENE SCHNEIDER  
MAYOR

ATTEST: \_\_\_\_\_  
GWEN PEIRCE, CMC  
CITY CLERK SERVICES MANAGER