

**CITY OF SANTA BARBARA  
CITY COUNCIL**

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



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

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

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

**JANUARY 29, 2013  
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. - Finance Committee Meeting, David Gebhard Public Meeting Room, 630 Garden Street
- 12:30 p.m. - Ordinance Committee Meeting, Council Chamber
- 2:00 p.m. - City Council Meeting

### **FINANCE COMMITTEE MEETING - 12:30 P.M. IN THE DAVID GEBHARD PUBLIC MEETING ROOM, 630 GARDEN STREET (120.03)**

**Subject: December 31, 2012, Investment Report And December 31, 2012, Fiscal Agent Report**

Recommendation: That the Finance Committee recommend that Council:

- A. Accept the December 31, 2012, Investment Report; and
  - B. Accept the December 31, 2012, Fiscal Agent Report.
- (See Council Agenda Item No. 2)

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

**Subject: Municipal Code Amendments For Implementation Of Nonresidential Growth Management Program**

Recommendation: That the Ordinance Committee consider proposed amendments to the Municipal Code for implementation of the Nonresidential Growth Management Program and forward the ordinance amendments to the City Council for introduction and adoption. This item is being continued from initial discussion on January 15, 2013.

## 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 January 8 and 15, 2013, and the regular meeting of January 22, 2013 (cancelled).

**2. Subject: December 31, 2012, Investment Report And December 31, 2012, Fiscal Agent Report (260.02)**

Recommendation: That Council:

- A. Accept the December 31, 2012, Investment Report; and
- B. Accept the December 31, 2012, Fiscal Agent Report.

**3. Subject: Resolution Authorizing Execution Of Grant Agreement In The Amount Of \$300,000 With The State Coastal Conservancy For Construction Of The Mission Creek Fish Passage Project - Lower Caltrans Channel (540.14)**

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 for a Grant in the Amount of \$300,000 from the State Coastal Conservancy for the Mission Creek Fish Passage Project - Lower Caltrans Channel.

## **CONSENT CALENDAR (CONT'D)**

### NOTICES

4. The City Clerk has on Thursday, January 24, 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 concludes the Consent Calendar.**

## **REPORT FROM THE FINANCE COMMITTEE**

## **REPORT FROM THE ORDINANCE COMMITTEE**

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### COMMUNITY DEVELOPMENT DEPARTMENT

5. **Subject: Transfer Of Real Property From The Successor Agency To The Former Redevelopment Agency Of The City Of Santa Barbara To The City Of Santa Barbara (620.03)**

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 For Public Parking and All Related Purposes All Right, Title and Interest to the "Governmental Purpose" Real Property Described Herein Owned by the Successor Agency to 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; and
- B. That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting and Assuming for Public Parking and All Related Purposes All Right, Title and Interest to the "Governmental Purpose" Real Property Described Herein Owned by the Successor Agency to the Former Redevelopment Agency of the City of Santa Barbara to the City of Santa Barbara and Authorizing the City Administrator to Execute Such Agreements and Related Documents as Necessary to Effectuate Such Transfer of Real Property Interests to the City of Santa Barbara.

## **COUNCIL AND STAFF COMMUNICATIONS**

## COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

### CLOSED SESSIONS

**6. Subject: Fire Chief Appointment (520.03)**

Recommendation: That Council hold a closed session, pursuant to Section 54957 of the Government Code, to consider a public employee appointment.

Title: Fire Chief

Scheduling: Duration, 20 minutes; anytime

Report: Anticipated

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

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

**8. 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 *Jeannetta Ann Purdue Rizkalla And Tarek Ramzi Rizkalla, v. City Of Santa Barbara, et al.*, SBSC Case No.1383789.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

**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 *On Patrol with SBPD, Inc., vs. City of Santa Barbara, City of Santa Barbara vs. On Patrol with SBPD, Inc., Ira Distenfield, Linda Distenfield, et al.*, SBSC Case No. 1385228.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

### ADJOURNMENT

CITY OF SANTA BARBARA

**FINANCE COMMITTEE**

MEETING AGENDA

DATE: January 29, 2013

Dale Francisco, Chair

TIME: 12:30 P.M.

Bendy White

PLACE: David Gebhard Public Meeting Room  
630 Garden Street

Cathy Murillo

James L. Armstrong  
City Administrator

Robert Samario  
Finance Director

**ITEM TO BE CONSIDERED:**

**Subject: December 31, 2012, Investment Report And December 31, 2012, Fiscal Agent Report**

Recommendation: That the Finance Committee recommend that Council:

- A. Accept the December 31, 2012, Investment Report; and
  - B. Accept the December 31, 2012, Fiscal Agent Report.
- (See Council Agenda Item No. 2)

CITY OF SANTA BARBARA

**ORDINANCE COMMITTEE MEETING**

MEETING AGENDA

DATE: January 29, 2013  
TIME: 12:30 p.m.  
PLACE: Council Chambers

Grant House, Chair  
Frank Hotchkiss  
Randy Rowse

Office of the City  
Administrator

Office of the City  
Attorney

Nina Johnson  
Assistant To City Administrator

Stephen P. Wiley  
City Attorney

**ITEM FOR CONSIDERATION**

**Subject: Municipal Code Amendments For Implementation Of Nonresidential Growth Management Program**

Recommendation: That the Ordinance Committee consider proposed amendments to the Municipal Code for implementation of the Nonresidential Growth Management Program and forward the ordinance amendments to the City Council for introduction and adoption. This item is being continued from initial discussion on January 15, 2013.



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING January 8, 2013 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

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

### 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, Deputy City Clerk Susan Tschech.

### CEREMONIAL ITEMS

1. Subject: Employee Recognition - Service Award Pins (410.01)

Recommendation: That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through January 31, 2013.

#### Documents:

January 8, 2013, report from the Assistant City Administrator.

#### Speakers:

Staff: City Administrator James Armstrong, Award Recipient Michael Garcia.

(Cont'd)

1. (Cont'd)

By consensus, the Council approved the recommendation, and the following employees were recognized:

5-Year Pin

Dale Francisco, Mayor and Council Office  
Norbert Castel De Oro, Finance  
Benjamin Ahrens, Police  
Christopher Martinez, Police  
Brian Sathre, Police  
Thomas Van Eyck, Police  
Eric Maple, Public Works  
James Winslow, Public Works  
Kenneth Young, Public Works  
Robert Blackstone, Airport

15-Year Pin

Susan Segura, Police  
Keld Hove, Police  
Jeffrey James, Public Works

20-Year Pin

Christopher Auringer, Fire  
Christopher Mailes, Fire  
Jeff Brent, Public Works  
Robert Ummels, Public Works  
David Dorey, Waterfront

25-Year Pin

Mark Vierra, Police  
Jill Beecher, Police  
Michael Garcia, Parks and Recreation

30-Year Pin

Alfonso Espinoza, Public Works

**PUBLIC COMMENT**

Speakers: k8 Longstory; Jessilee Coley, Common Ground; Julio R.; Hansen; Nancy McCradie; Dr. R. Johns, PhD.; Rogelio Trujillo; Geof Bard.

**CONSENT CALENDAR (Item Nos. 2 – 9)**

The title of the resolution related to Item No. 6 was read.

Motion:

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

Vote:

Unanimous roll call vote.

2. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meetings of December 11 and 18, 2012, December 25, 2012 (cancelled), and January 1, 2013 (cancelled).

Action: Approved the recommendation.

3. Subject: Approval Of Lease Agreement With School District For Eastside Library Property (330.04)

Recommendation: That Council authorize the City Administrator to negotiate and execute a Lease Agreement with the Santa Barbara Unified School District, for a lease term ending April 30, 2016, regarding a portion of the Eastside Library and Franklin Center real property, located at 1102 and 1136 East Montecito Street, in a form of lease acceptable to the City Attorney.

Action: Approved the recommendation; Agreement No. 24,336 (January 8, 2013, report from the Public Works Director).

4. Subject: Contract For Design Of The De La Guerra Street Bridge Replacement Project (530.04)

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Drake Haglan and Associates in the amount of \$559,348 for design services for the De La Guerra Street Bridge Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$55,935 for extra services of Drake Haglan and Associates that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Contract No. 24,337 (January 8, 2013, report from the Public Works Director).

5. Subject: Contract For Design Of The Gutierrez Street Bridge Replacement Project (530.04)

Recommendation: That Council authorize the Public Works Director to execute a professional services contract with Drake Haglan and Associates in the amount of \$591,294 for design services for the Gutierrez Street Bridge Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$59,129 for extra services of Drake Haglan and Associates that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Contract No. 24,338 (January 8, 2013, report from the Public Works Director).

6. Subject: Records Destruction For Waterfront Department (160.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the Waterfront Department in the Administration Office.

Action: Approved the recommendation; Resolution No. 13-001 (January 8, 2013, report from the Waterfront Director; proposed resolution).

7. Subject: Fiscal Year 2013 Interim Financial Statements For The Five Months Ended November 30, 2012 (250.02)

Recommendation: That Council accept the Fiscal Year 2013 Interim Financial Statements for the Five Months Ended November 30, 2012.

Action: Approved the recommendation (January 8, 2013, report from the Finance Director).

## NOTICES

8. The City Clerk has on Thursday, January 3, 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.
9. Received a letter of resignation from Rental Housing Mediation Task Force Member Parvaneh Givi; the vacancy will be part of the next recruitment for City Advisory Groups.

This concluded the Consent Calendar.

## **REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Dale Francisco reported that the Committee met to consider a Staff recommendation for modification to the terms of City financing for the El Patio affordable housing project. The Committee approved the recommendation, which will be forwarded to the full Council next week.

## **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.

(Cont'd)

10. (Cont'd)

Documents:

- January 8, 2013, report from the Chief of Police.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Chief of Police Camerino Sanchez, City Attorney Stephen Wiley.
- Members of the Public: Dorothy Littlejohn, Geof Bard.

Discussion:

Chief of Police Sanchez discussed the department's efforts, in coordination with the School District, to increase school safety in response to the shooting incident in Newtown, Connecticut. He also reviewed statistics and trends for Part 1 Crimes (with an emphasis on burglary), Part 2 Crimes, calls for service, and gang incidents. Finally, he spoke about the status and accomplishments of programs such as Restorative Policing, Citizens Academy, and Coffee with a Cop. Councilmembers' questions were answered.

## **MAYOR AND COUNCIL REPORTS**

11. Subject: Appointment Of Mayor Pro Tempore, Ordinance And Finance Committees, Council Liaisons To Advisory Groups, And Members Of Regional Agencies (130.01)

Recommendation: That Council consider the appointment of a Mayor Pro Tempore, Chairs and Members of the Ordinance and Finance Committees, Council Liaisons to Advisory Groups, and Members of Regional Agencies.

Documents:

January 8, 2013, report from the City Administrator.

Speakers:

Members of the Public: Alan Bleecker, Milpas Action Task Force.

Motion:

Mayor Schneider/Councilmember Francisco to appoint Councilmember Rowse as Mayor Pro Tempore.

Vote:

Unanimous voice vote.

(Cont'd)

11. (Cont'd)

Motion:

Councilmembers Rowse/Hotchkiss to appoint Councilmembers Hotchkiss, House and Rowse to the Ordinance Committee, with Councilmember House to serve as Chair; and appoint Councilmembers Francisco, Murillo and White to the Finance Committee, with Councilmember Francisco to serve as Chair.

Vote:

Unanimous voice vote.

Motion:

Councilmembers White/Rowse to appoint Councilmembers Hotchkiss and Murillo as liaisons to the Milpas Action Task Force.

Vote:

Unanimous voice vote.

Motion:

Councilmembers Hotchkiss/White to make the following appointments of Council liaisons to and members of Advisory Groups, Council Committees, City-Related Agencies, and Regional Agencies.

Vote:

Unanimous voice vote.

Advisory Groups

Airport Commission (incl. Airport Noise Abatement Committee).....	Rowse
Architectural Board of Review .....	Francisco; Alternate: House
Arts Advisory Committee.....	Hotchkiss
Building and Fire Code Board of Appeals.....	House
Civil Service Commissioners, Board of.....	House
Community Development and Human Services Committee .....	Hotchkiss
Community Events and Festivals Committee .....	Murillo
Creeks Advisory Committee.....	Hotchkiss; Alternate: House
Downtown Parking Committee .....	Rowse; Alternate: House
Fire and Police Commissioners, Board of .....	White
Fire and Police Pension Commissioners, Board of.....	Murillo
Harbor Commissioners, Board of .....	Hotchkiss
Historic Landmarks Commission .....	Francisco
Housing Authority Commission .....	Murillo
Library Board .....	Francisco
Living Wage Advisory Committee.....	Murillo
Neighborhood Advisory Council .....	Murillo, White
Parks and Recreation Commission .....	Murillo
Planning Commission .....	White
Rental Housing Mediation Task Force .....	Murillo; Alternate: House
Santa Barbara Sister Cities Board.....	Schneider
Santa Barbara Youth Council.....	Murillo

(Cont'd)

11. (Cont'd)

Advisory Groups (Cont'd)

Single Family Design Board ..... Francisco; Alternate: House  
Transportation and Circulation Committee ..... Murillo; Alternate: House  
Water Commissioners, Board of.....White

Council Committees

Committee on Legislation..... Francisco, House, White  
Commuter Rail Exploration ..... Francisco, House, Schneider  
Finance Committee ..... Francisco (Chair), Murillo, White; Alternate: Schneider  
Mayor Pro Tempore .....Rowse  
Ordinance Committee ..... Hotchkiss, House (Chair), Rowse; Alternate: Schneider  
Sustainability Council Committee ..... Schneider, Rowse, White

City-Related Agencies

Coast Village Business Association ..... House  
Conference and Visitors Bureau ..... House  
Downtown Organization ..... House; Alternate: White  
Greater Santa Barbara Lodging Association .....Francisco; Alternate: Rowse  
Looking Good Santa Barbara Committee..... Hotchkiss  
Milpas Action Task Force ..... Hotchkiss, Murillo  
Presidio Joint Powers Committee..... Francisco  
Santa Barbara Beautiful .....White  
Santa Barbara Film Commission..... House

Regional Agencies

Beach Erosion Authority for Clean Oceans and Nourishment ..... House  
Cachuma Conservation Release Board ..... Francisco; Alternate: White  
Cachuma Operation and Maintenance Board..... Francisco; Alternate: White  
Central Coast Collaborative on Homelessness ..... Schneider, Francisco; Alt.: Murillo, Hotchkiss  
Central Coast Water Authority..... Francisco; Alternate: White  
City/County Affordable Housing Task Group ..... Francisco, Murillo  
City/County Solid Waste Task Group ..... Schneider, White; Alternate: Rowse  
Community Action Commission .....House (rep. by Comm. Dev. Staff)  
Los Angeles-San Diego Rail Corridor Agency (LOSSAN) .....Alternate: Schneider  
Santa Barbara County Air Pollution Control Dist. Bd. of Directors ....Schneider; Alternate: House  
Santa Barbara County Association of Governments (SBCAG).....Schneider; Alternate: House  
Santa Barbara Metropolitan Transit District Board ..... Murillo; Alternate: House  
South Coast Gang Task Force Leadership Council..... Schneider; Alternate: Francisco

NOTE:

- The Zone One Solid Waste Franchise Ad Hoc Subcommittee was removed from the list since its work has been completed.

**RECESS**

The Mayor recessed the meeting at 3:53 p.m. in order for the Council to reconvene in closed session for Item Nos. 12 and 13; she stated no reportable action is anticipated.

## CLOSED SESSIONS

12. 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 before the State Public Employee Relations Board is SEIU Local 620 v. City of Santa Barbara, PERB Case Number LA-CE-745-M.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

Documents:

January 8, 2013, report from the City Attorney.

Time:

3:55 p.m. – 4:12 p.m.

No report made.

13. 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 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 8, 2013, report from the Assistant City Administrator.

Time:

4:12 p.m. – 5:10 p.m.

No report made.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 5:10 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

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

ATTEST: \_\_\_\_\_  
SUSAN TSCHECH, CMC  
DEPUTY CITY CLERK



# 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



**CITY OF SANTA BARBARA  
CITY COUNCIL MINUTES**

**REGULAR MEETING  
January 22, 2013  
COUNCIL CHAMBER, 735 ANACAPA STREET**

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The regular meeting of the City Council, scheduled for 2:00 p.m. on January 22, 2013, was cancelled by the Council on November 6, 2012.

The next regular meeting of the City Council is scheduled for January 29, 2013, at 2:00 p.m. in the Council Chamber.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

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

ATTEST: \_\_\_\_\_  
SUSAN TSCHECH, CMC  
CITY CLERK SERVICES MANAGER



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** January 29, 2013  
**TO:** Mayor and Councilmembers  
**FROM:** Treasury Division, Finance Department  
**SUBJECT:** December 31, 2012, Investment Report And December 31, 2012, Fiscal Agent Report

**RECOMMENDATION:** That Council:

- A. Accept the December 31, 2012, Investment Report; and
- B. Accept the December 31, 2012, Fiscal Agent Report.

### DISCUSSION:

On a quarterly basis, staff submits a comprehensive report on the City's portfolio and related activity pursuant to the City's Annual Statement of Investment Policy. The current report covers the investment activity for the period of October through December 2012.

At December 31, 2012, financial markets posted solid gains for the year, despite modest equity losses during the fourth quarter. Negative investor sentiment was strongest during November prior to the presidential elections and again in December due to uncertainty over the "Fiscal Cliff" set to occur in January 2013.

The "Fiscal Cliff" refers to a series of federal tax increases under the expiring 2010 Tax Relief Act, coupled with required federal spending cuts under the Budget Control Act of 2011. The combined impact of these two events would have negative consequences for the economy by lowering personal income through income and payroll tax increases, increasing corporate taxes due to expiring tax credits, and likely resulting in an increase in unemployment. National unemployment remained unchanged at 7.8 percent in December.

In the fourth quarter, the Dow Jones Industrial Average (DJIA) index, measuring the stock performance of 30 industrial "blue-chip" companies, decreased 1.74 percent from the previous quarter, but increased 10.24 percent for the year. The S&P 500, composed of 500 "large-cap" companies across various sectors, decreased 0.38 percent from the previous quarter, but increased 16.0 percent for the year. The NASDAQ Composite, which largely measures technology stocks, was down 3.1 percent for the quarter, but up 15.91 percent for the year.

The Consumer Price Index (CPI-U) is a general measure of inflation showing the average change in prices of goods and services purchased by households over time. The 12-month change in CPI-U increased 1.7 percent in December, down slightly from the 2.0 percent increase at the end of last quarter. The December increase was due to increases in most major indexes, most notably prices in food and shelter, which offset a decline in the gasoline index.

As shown in the table to the right, yields on Treasury notes with a maturity of greater than one year were slightly higher during the quarter. Longer term maturities saw the highest increases, although the increases were modest. Yields on shorter term Treasuries declined only slightly. Federal Reserve interest forecasts anticipate that yields will remain at these exceptionally low levels at least through the end of 2014, but more likely now into calendar year 2015. The State of California's Local Agency Investment Fund (LAIF) yield decreased slightly, by 3 basis points, by the end of the quarter.

U.S. Treasury Market					
	9/30/2012	10/31/2012	11/30/2012	12/31/2012	Cumulative Change
3 Month	0.10%	0.11%	0.08%	0.05%	-0.05%
6 Month	0.14%	0.16%	1.30%	0.11%	-0.03%
1 Year	0.17%	0.18%	1.80%	0.16%	-0.01%
2 Year	0.23%	0.30%	0.25%	0.25%	0.02%
3 Year	0.31%	0.38%	0.34%	0.36%	0.05%
4 Year	0.47%	0.55%	0.47%	0.54%	0.07%
5 Year	0.62%	0.72%	0.61%	0.72%	0.10%
10 Year	1.65%	1.72%	1.62%	1.78%	0.13%
30 Year	2.82%	2.85%	2.81%	2.95%	0.13%
LAIF	0.35%	0.32%	0.32%	0.32%	-0.03%

### Investment Activity

As shown in the Investment Activity table below, the City invested \$10 million in "AAA" rated Federal Agency callable securities. The City also purchased two United States Treasury Notes totaling \$4 million. The purchases replaced \$14 million in securities that matured or were called by issuers during the quarter before the final maturity date. In

Issuer	Face Amount	Purchase Date	Final Maturity	Call Date	Yield To Call	Yield To Maturity
<i>Purchases:</i>						
United States Treasury Note (USTN)	\$ 2,000,000	10/25/12	10/31/15	-	-	0.397%
United States Treasury Note (USTN)	2,000,000	10/25/12	03/15/15	-	-	0.342%
Federal National Mortgage Association (FNMA)	2,000,000	11/08/12	11/08/17	05/08/13	1.000%	1.000%
Federal National Mortgage Association (FNMA)	2,000,000	11/08/12	11/08/17	05/08/13	1.000%	1.000%
Federal National Mortgage Association (FNMA)	2,000,000	12/12/12	12/12/17	06/12/13	1.000%	1.000%
Federal National Mortgage Association (FNMA)	4,000,000	12/26/12	12/26/17	12/26/13	1.000%	1.000%
	\$ 14,000,000					
<i>Calls:</i>						
Federal National Mortgage Association (FNMA)	\$ 2,000,000	04/24/12	04/24/17	10/24/12	1.500%	1.500%
Federal National Mortgage Association (FNMA)	2,000,000	11/09/11	11/09/16	11/09/12	1.525%	1.807%
Federal Home Loan Bank (FHLB)	2,000,000	05/28/10	05/28/15	11/28/12	2.000%	2.653%
Federal National Mortgage Association (FNMA)	2,000,000	12/28/11	12/28/16	12/28/12	1.125%	1.641%
Federal National Mortgage Association (FNMA)	2,000,000	12/28/11	12/28/16	12/28/12	1.625%	1.625%
	\$ 10,000,000					
<i>Maturities:</i>						
Federal Home Loan Bank (FHLB)	\$ 2,000,000	06/29/10	10/29/12	-	-	1.125%
Federal Home Loan Bank (FHLB)	2,000,000	01/15/10	10/30/12	-	-	1.700%
Airport Promissory Note - Partial Redemption	91,236	07/14/09	06/30/29	-	-	7.000%
	\$ 4,091,236					

addition, the portfolio also received \$91,236 in a semi-annual principal payment on the Airport promissory note at the end of December. The outstanding balance on the Airport promissory note is \$5.698 million.

### Summary of Cash and Investments

As shown in the table to the right, the book rate of return, or portfolio yield, measures the rate of return of actual earnings generated from the portfolio. During the quarter, the City's book rate of return decreased by 1.8 basis points from 1.452 percent at September 30, 2012 to 1.434 percent at December 31, 2012. The book rate of return will continue to decline through the attrition of higher-yielding securities and reinvestment at the current market rates at historic lows.

Mo. Ended	Yield	Days to Maturity
9/30/2012	1.452%	1020
10/31/2012	1.383%	980
11/30/2012	1.390%	1011
12/31/2012	1.434%	1072

The portfolio's average days to maturity, including the long-term Airport promissory note, increased by 52 days from 1020 to 1072 days. Excluding the Airport note, the portfolio's average days to maturity is 876 days, reflecting reinvestment of maturities and calls during the quarter in the one-to-five year range in accordance with the City's Annual Statement of Investment Policy. The Annual Statement of Investment Policy requires that the average days to maturity on the portfolio not exceed 912 days, excluding any investments with a final maturity longer than 5 years that were separately authorized by Council, such as the Airport promissory note.

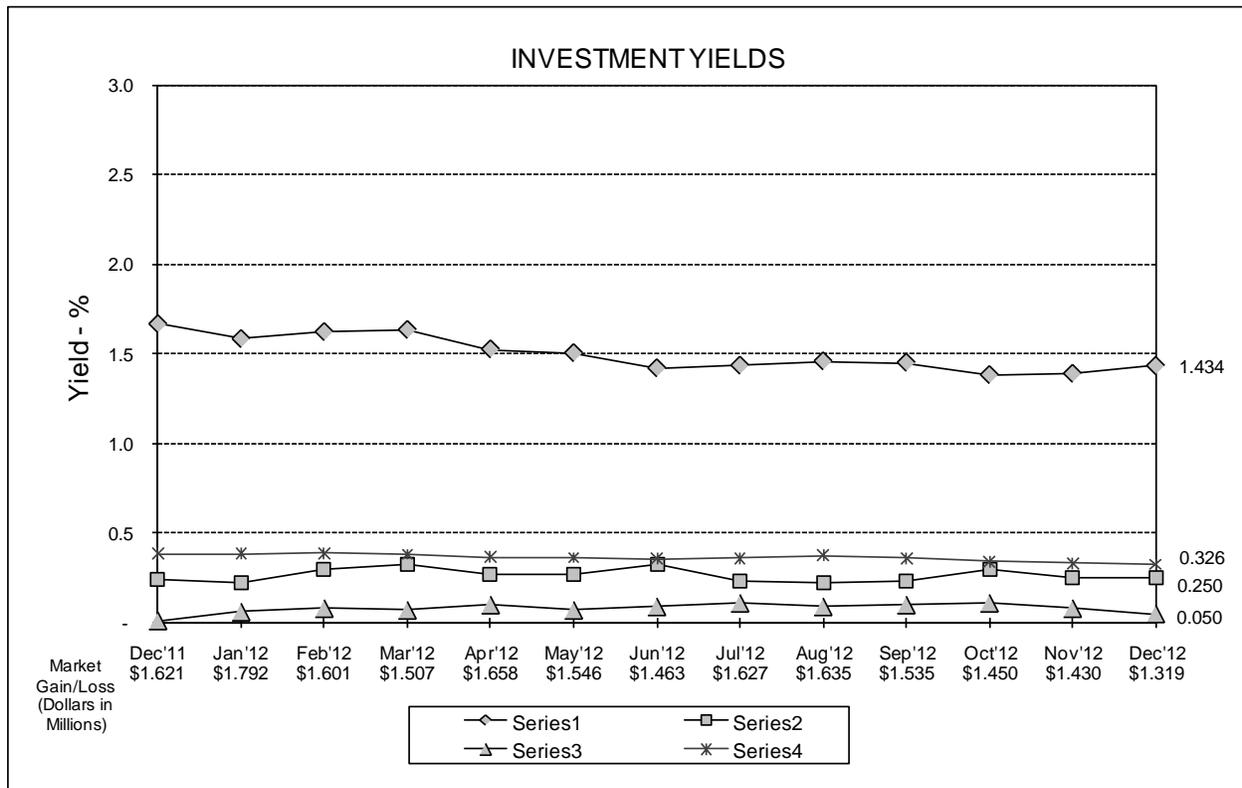
The average LAIF rate at which the City earned interest for funds invested was at 0.32 percent for the quarter ended December 31, 2012, down three basis points. The City's LAIF holdings at the end of the quarter were \$24 million and the Redevelopment Successor Agency LAIF holdings were \$6.7 million for a total of \$30.7 million. Staff expects to reinvest a portion of the LAIF balances in fixed-term or callable securities during the next quarter.

### Credit Quality on Corporate Notes

There were no changes to the corporate issuers of the medium-term notes held in the portfolio (i.e., Berkshire Hathaway Financial, General Electric Capital Corp., Proctor & Gamble, and Toyota Motor Credit) and the ratings of all corporate notes remain within the City's Investment Policy guidelines of "A" or better.

### Portfolio Market Gains/Losses

As shown in the Investment Yields chart on the next page, the City's portfolio continues to significantly outperform the three benchmark measures (the 90-day T-Bill, 2-year T-Note and LAIF). Overall, the portfolio also reflects unrealized market gains during the quarter due to lower market yields compared to the yields on securities currently held in the portfolio. At December 31, 2012, the portfolio had an overall unrealized market gain of \$1.319 million.



On a quarterly basis, staff reports the five securities with the largest percentage of unrealized losses when comparing book value to market value. There were only two securities trading below purchase price at the end of the quarter. Market losses occur when current market yields rise above the yields on securities held in the portfolio. However, because securities in the City's portfolio are held to maturity, no market losses would be realized.

Issuer	Face Amount	Maturity	\$ Mkt Change	% Mkt Change
FEDERAL NATL MORTGAGE ASSN	\$2,000,000	03/28/17	-\$1,860	-0.09%
FEDERAL NATL MORTGAGE ASSN	\$2,000,000	04/12/17	-\$200	-0.01%

On a quarterly basis, staff also reports all securities with monthly market declines of greater than 1 percent compared to the prior month. There were no securities in the portfolio with a market decline of greater than 1 percent compared to the prior month.

The following confirmations are made pursuant to California Code Sections 53600 et seq.: (1) the City's portfolio as of December 31, 2012, is in compliance with the City's Statement of Investment Policy; and (2) there are sufficient funds available to meet the City's expenditure requirements for the next six months.

### **Fiscal Agent Investments**

In addition to reporting requirements for public agency portfolios, a description of any of the agency's investments under the management of contracted parties is also required on a quarterly basis. Attachment 2 includes bond funds and the police and fire service retirement fund as of December 31, 2012.

**ATTACHMENTS:** 1. December 31, 2012, Investment Report  
2. December 31, 2012, Fiscal Agent Report

**PREPARED BY:** Jill Taura, Treasury Manager

**SUBMITTED BY:** Robert Samario, Finance Director

**APPROVED BY:** City Administrator's Office

**CITY OF SANTA BARBARA**  
**Activity and Interest Report**  
December 31, 2012

**INVESTMENT ACTIVITY**

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**PURCHASES OR DEPOSITS**

12/5 LAIF Deposit - City	\$ 2,000,000
12/12 Federal National Mortgage Association (FNMA)	2,000,000
12/26 Federal National Mortgage Association (FNMA)	<u>4,000,000</u>
<b>Total</b>	<b>\$ 8,000,000</b>

**SALES, MATURITIES, CALLS OR WITHDRAWALS**

12/12 LAIF Withdrawal - City	\$ (2,000,000)
12/13 LAIF Withdrawal - City	(3,000,000)
12/20 LAIF Withdrawal - City	(7,000,000)
12/28 Federal National Mortgage Association (FNMA) - Call	(2,000,000)
12/28 Federal National Mortgage Association (FNMA) - Call	(2,000,000)
12/31 Airport Promissory Note - Partial Redemption	<u>(91,236)</u>
<b>Total</b>	<b>\$ (16,091,236)</b>

**ACTIVITY TOTAL**

**\$ (8,091,236)**

**INVESTMENT INCOME**

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**POOLED INVESTMENTS**

Interest Earned on Investments	\$ 194,236
Amortization	(15,093)
Interest on SBB&T Accounts	<u>1,002</u>
<b>Total</b>	<b>\$ 180,144</b>

**REDEVELOPMENT SUCCESSOR AGENCY INVESTMENTS**

Interest Earned on Investments (LAIF)	<b><u>\$ 1,855</u></b>
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**INCOME TOTAL**

**\$ 181,999**



**CITY OF SANTA BARBARA**

**Investment Portfolio**

**December 31, 2012**

DESCRIPTION	PURCHASE	MATURITY	QUALITY RATING		STATED	YIELD AT	FACE	BOOK	MARKET	BOOK	COMMENTS
	DATE	DATE	MOODY'S	S & P							
<b>LOCAL AGENCY INVESTMENT FUNDS</b>											
LOCAL AGENCY INVESTMENT FUND	-	-	-	-	0.326	0.326	24,000,000.00	24,000,000.00	24,000,000.00	0.00	
LOCAL AGENCY INV FUND/RDAS	-	-	-	-	0.326	0.326	6,700,000.00	6,700,000.00	6,700,000.00	0.00	
<b>Subtotal, LAIF</b>							<b>30,700,000.00</b>	<b>30,700,000.00</b>	<b>30,700,000.00</b>	<b>0.00</b>	
<b>CERTIFICATES OF DEPOSIT</b>											
MONTECITO BANK & TRUST	11/18/11	11/18/13	-	-	0.800	0.800	2,000,000.00	2,000,000.00	2,000,000.00	0.00	
SANTA BARBARA BANK & TRUST	08/31/12	08/31/15	-	-	1.230	1.247	2,000,000.00	2,000,000.00	2,000,000.00	0.00	
SANTA BARBARA BANK & TRUST	08/31/12	08/31/17	-	-	1.490	1.511	4,000,000.00	4,000,000.00	4,000,000.00	0.00	
<b>Subtotal, Certificates of deposit</b>							<b>8,000,000.00</b>	<b>8,000,000.00</b>	<b>8,000,000.00</b>	<b>0.00</b>	
<b>TREASURY SECURITIES - COUPON</b>											
U S TREASURY NOTE	10/25/12	10/31/15	Aaa	AA+	1.250	0.397	2,000,000.00	2,047,938.10	2,051,100.00	3,161.90	
U S TREASURY NOTE	10/25/12	03/15/15	Aaa	AA+	0.375	0.342	2,000,000.00	2,001,440.51	2,004,380.00	2,939.49	
<b>Subtotal, Treasury Securities</b>							<b>4,000,000.00</b>	<b>4,049,378.61</b>	<b>4,055,480.00</b>	<b>6,101.39</b>	
<b>FEDERAL AGENCY ISSUES - COUPON</b>											
FEDERAL FARM CREDIT BANK	02/10/11	02/10/14	Aaa	AA+	1.375	1.375	2,000,000.00	2,000,000.00	2,026,600.00	26,600.00	
FEDERAL FARM CREDIT BANK	03/01/12	03/01/17	Aaa	AA+	1.260	1.260	2,000,000.00	2,000,000.00	2,003,960.00	3,960.00	Callable 03/01/13, then cont.
FEDERAL FARM CREDIT BANK	08/15/12	08/15/17	Aaa	AA+	0.980	0.980	2,000,000.00	2,000,000.00	2,007,720.00	7,720.00	Callable 08/15/13, then cont.
FEDERAL FARM CREDIT BANK	03/05/09	03/04/13	Aaa	AA+	2.600	2.600	2,000,000.00	2,000,000.00	2,008,640.00	8,640.00	
FEDERAL FARM CREDIT BANK	05/08/09	04/08/13	Aaa	AA+	2.200	2.200	2,000,000.00	2,000,000.00	2,011,220.00	11,220.00	
FEDERAL FARM CREDIT BANK	02/16/11	02/16/16	Aaa	AA+	2.570	2.570	2,000,000.00	2,000,000.00	2,132,900.00	132,900.00	
FEDERAL FARM CREDIT BANK	09/13/12	09/13/17	Aaa	AA+	1.020	1.020	2,000,000.00	2,000,000.00	2,000,160.00	160.00	Callable, continuous
FEDERAL HOME LOAN BANK	04/15/10	10/15/13	Aaa	AA+	2.000	2.000	2,000,000.00	2,000,000.00	2,028,980.00	28,980.00	
FEDERAL HOME LOAN BANK	08/05/10	09/12/14	Aaa	AA+	1.375	1.375	2,000,000.00	2,000,000.00	2,038,060.00	38,060.00	
FEDERAL HOME LOAN BANK	09/17/09	12/13/13	Aaa	AA+	3.125	2.440	2,000,000.00	2,012,282.92	2,056,200.00	43,917.08	
FEDERAL HOME LOAN BANK	04/05/10	11/29/13	Aaa	AA+	2.000	2.000	2,000,000.00	2,000,000.00	2,033,480.00	33,480.00	
FEDERAL HOME LOAN BANK	09/26/11	08/28/13	Aaa	AA+	1.000	0.381	1,000,000.00	1,004,058.45	1,005,550.00	1,491.55	
FEDERAL HOME LOAN BANK	09/17/09	09/13/13	Aaa	AA+	4.375	2.272	2,000,000.00	2,027,993.76	2,058,780.00	30,786.24	
FEDERAL HOME LOAN BANK	02/22/10	12/13/13	Aaa	AA+	3.125	2.130	2,000,000.00	2,018,055.40	2,056,200.00	38,144.60	
FEDERAL HOME LOAN BANK	02/09/11	01/29/15	Aaa	AA+	1.750	1.750	2,000,000.00	2,000,000.00	2,060,260.00	60,260.00	
FEDERAL HOME LOAN BANK	04/15/11	05/27/15	Aaa	AA+	2.000	2.000	2,000,000.00	2,000,000.00	2,080,120.00	80,120.00	
FEDERAL HOME LOAN BANK	09/26/11	10/30/13	Aaa	AA+	2.000	0.400	1,500,000.00	1,519,831.55	1,522,890.00	3,058.45	
FEDERAL HOME LOAN MTG CORP	03/28/12	03/28/17	Aaa	AA+	1.210	1.210	2,000,000.00	2,000,000.00	2,004,080.00	4,080.00	Callable 03/28/13, once
FEDERAL HOME LOAN MTG CORP	01/06/11	02/25/14	Aaa	AA+	1.375	1.375	2,000,000.00	2,000,000.00	2,026,880.00	26,880.00	
FEDERAL HOME LOAN MTG CORP	03/28/12	03/28/17	Aaa	AA+	1.350	1.350	2,000,000.00	2,000,000.00	2,030,480.00	30,480.00	Callable 03/28/14, once
FEDERAL HOME LOAN MTG CORP	02/21/12	02/21/17	Aaa	AA+	1.300	1.300	2,000,000.00	2,000,000.00	2,023,180.00	23,180.00	Callable 02/21/14, once
FEDERAL HOME LOAN MTG CORP	04/23/12	04/17/15	Aaa	AA+	0.500	0.534	2,000,000.00	1,998,446.44	2,008,180.00	9,733.56	

**CITY OF SANTA BARBARA**

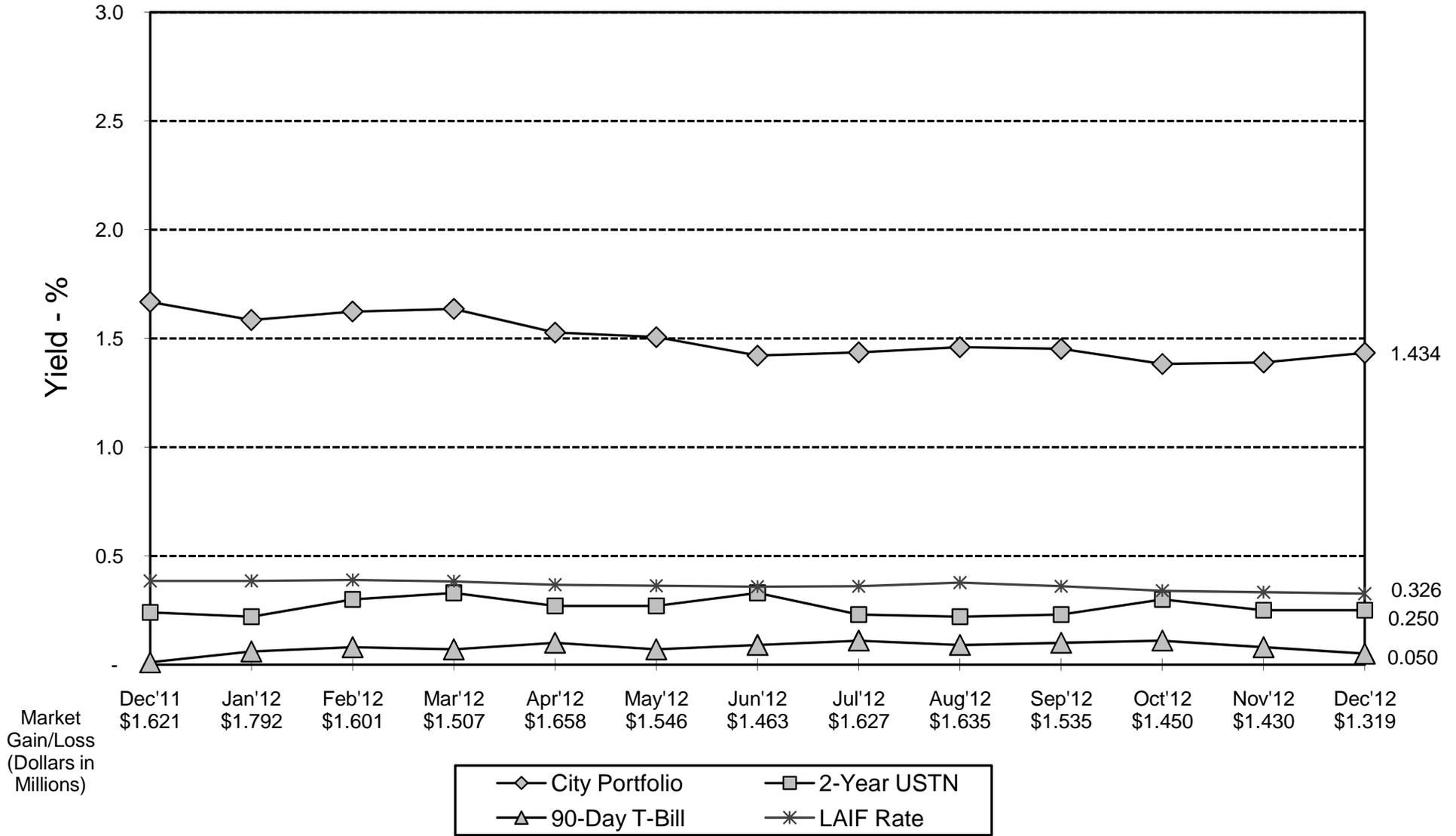
**Investment Portfolio**

**December 31, 2012**

DESCRIPTION	PURCHASE	MATURITY	QUALITY RATING		STATED	YIELD AT	FACE	BOOK	MARKET	BOOK	COMMENTS
	DATE	DATE	MOODY'S	S & P							
FEDERAL HOME LOAN MTG CORP	06/12/12	06/12/17	Aaa	AA+	1.250	1.250	2,000,000.00	2,000,000.00	2,022,040.00	22,040.00	Callable 06/12/14, then qtrly
FEDERAL HOME LOAN MTG CORP	07/24/12	07/24/17	Aaa	AA+	1.125	1.125	2,000,000.00	2,000,000.00	2,007,620.00	7,620.00	Callable 07/24/13, then qtrly
FEDERAL HOME LOAN MTG CORP	05/24/12	05/24/17	Aaa	AA+	1.200	1.200	2,000,000.00	2,000,000.00	2,005,880.00	5,880.00	Callable 05/24/13, then qtrly
FEDERAL HOME LOAN MTG CORP	08/28/12	08/28/17	Aaa	AA+	1.030	1.030	2,000,000.00	2,000,000.00	2,003,060.00	3,060.00	Callable 02/28/13, then qtrly
FEDERAL HOME LOAN MTG CORP	09/12/12	09/12/17	Aaa	AA+	1.000	1.000	2,000,000.00	2,000,000.00	2,005,680.00	5,680.00	Callable 09/12/13, then qtrly
FEDERAL HOME LOAN MTG CORP	02/11/11	04/02/14	Aaa	AA+	4.500	1.615	2,000,000.00	2,070,182.14	2,104,840.00	34,657.86	
FEDERAL HOME LOAN MTG CORP	06/07/12	06/07/17	Aaa	AA+	1.300	1.300	2,000,000.00	2,000,000.00	2,008,220.00	8,220.00	Callable 06/07/13, then qtrly
FEDERAL NATL MORTGAGE ASSN	10/28/11	10/28/16	Aaa	AA+	1.500	1.521	2,000,000.00	1,999,175.00	2,020,860.00	21,685.00	Callable 10/28/13, once
FEDERAL NATL MORTGAGE ASSN	01/25/12	01/25/17	Aaa	AA+	1.000	1.256	2,000,000.00	1,999,933.33	2,001,100.00	1,166.67	SU 1.5%, Callable 01/25/13, then qtrly
FEDERAL NATL MORTGAGE ASSN	11/17/10	11/17/14	Aaa	AA+	1.300	1.300	2,000,000.00	2,000,000.00	2,038,780.00	38,780.00	
FEDERAL NATL MORTGAGE ASSN	06/27/11	06/27/16	Aaa	AA+	2.000	2.000	2,000,000.00	2,000,000.00	2,013,940.00	13,940.00	Callable 06/27/13, once
FEDERAL NATL MORTGAGE ASSN	08/28/12	08/28/17	Aaa	AA+	1.150	1.150	2,000,000.00	2,000,000.00	2,010,500.00	10,500.00	Callable 08/28/13, then qtrly
FEDERAL NATL MORTGAGE ASSN	12/12/12	12/12/17	Aaa	AA+	1.000	1.000	2,000,000.00	2,000,000.00	2,001,060.00	1,060.00	Callable 06/12/13, then qtrly
FEDERAL NATL MORTGAGE ASSN	04/12/12	04/12/17	Aaa	AA+	1.400	1.400	2,000,000.00	2,000,000.00	1,999,800.00	(200.00)	Callable 04/12/13, then qtrly
FEDERAL NATL MORTGAGE ASSN	11/08/12	11/08/17	Aaa	AA+	1.000	1.000	2,000,000.00	2,000,000.00	2,002,000.00	2,000.00	Callable 05/08/13, then qtrly
FEDERAL NATL MORTGAGE ASSN	11/08/12	11/08/17	Aaa	AA+	1.000	1.000	2,000,000.00	2,000,000.00	2,002,000.00	2,000.00	Callable 05/08/13, then qtrly
FEDERAL NATL MORTGAGE ASSN	03/28/12	03/28/17	Aaa	AA+	1.125	1.332	2,000,000.00	2,000,000.00	1,998,140.00	(1,860.00)	SU 1.125%-2.25%, Call 03/28/13, then qtrly
FEDERAL NATL MORTGAGE ASSN	12/26/12	12/26/17	Aaa	AA+	1.000	1.000	4,000,000.00	4,000,000.00	4,000,360.00	360.00	Callable 12/26/13, then qtrly
FEDERAL NATL MORTGAGE ASSN	09/21/10	09/21/15	Aaa	AA+	2.000	2.000	2,000,000.00	2,000,000.00	2,088,840.00	88,840.00	
FEDERAL NATL MORTGAGE ASSN	12/10/10	10/26/15	Aaa	AA+	1.625	2.067	2,000,000.00	1,976,393.74	2,070,460.00	94,066.26	
FEDERAL NATL MORTGAGE ASSN	04/18/11	04/18/16	Aaa	AA+	2.500	2.500	2,000,000.00	2,000,000.00	2,013,000.00	13,000.00	Callable 04/18/13, once
FEDERAL NATL MORTGAGE ASSN	01/30/12	01/30/17	Aaa	AA+	1.300	1.300	2,000,000.00	2,000,000.00	2,001,780.00	1,780.00	Callable 01/30/13, then qtrly
FEDERAL NATL MORTGAGE ASSN	06/01/12	05/29/15	Aaa	AA+	0.650	0.650	<u>2,000,000.00</u>	<u>2,000,000.00</u>	<u>2,002,920.00</u>	<u>2,920.00</u>	Callable 05/29/13, once
<b>Subtotal, Federal Agencies</b>							<u>90,500,000.00</u>	<u>90,626,352.73</u>	<u>91,647,400.00</u>	<u>1,021,047.27</u>	
<b>CORPORATE/MEDIUM TERM NOTES</b>											
BERKSHIRE HATHAWAY FIN	12/15/10	12/15/15	Aa2	AA+	2.450	2.530	2,000,000.00	1,995,566.67	2,102,560.00	106,993.33	
GENERAL ELECTRIC CAPITAL CORP	11/10/10	11/09/15	A1	AA+	2.250	2.250	2,000,000.00	2,000,000.00	2,065,420.00	65,420.00	
GENERAL ELECTRIC CAPITAL CORP	01/07/11	01/07/14	A1	AA+	2.100	2.100	2,000,000.00	2,000,000.00	2,032,820.00	32,820.00	
PROCTOR & GAMBLE	09/20/11	11/15/15	Aa3	AA-	1.800	1.085	2,000,000.00	2,040,045.89	2,067,460.00	27,414.11	
TOYOTA MOTOR CREDIT	09/26/11	09/15/16	Aa3	AA-	2.000	1.800	<u>2,000,000.00</u>	<u>2,014,108.04</u>	<u>2,073,500.00</u>	<u>59,391.96</u>	
<b>Subtotal, Corporate Securities</b>							<u>10,000,000.00</u>	<u>10,049,720.60</u>	<u>10,341,760.00</u>	<u>292,039.40</u>	
<b>SB AIRPORT PROMISSORY NOTE (LT)</b>											
SANTA BARBARA AIRPORT	07/14/09	06/30/29	-	-	7.000	7.000	<u>5,697,948.77</u>	<u>5,697,948.77</u>	<u>5,697,948.77</u>	<u>0.00</u>	
<b>Subtotal, SBA Note</b>							<u>5,697,948.77</u>	<u>5,697,948.77</u>	<u>5,697,948.77</u>	<u>0.00</u>	
<b>TOTALS</b>							<u>148,897,948.77</u>	<u>149,123,400.71</u>	<u>150,442,588.77</u>	<u>1,319,188.06</u>	

Market values have been obtained from the City's safekeeping agent, Santa Barbara Bank and Trust (SBB&T). SBB&T uses Interactive Data Pricing Service, Bloomberg and DTC.

# INVESTMENT YIELDS



**CITY OF SANTA BARBARA  
Fiscal Agent Investments  
December 31, 2012**

	CASH & CASH EQUIVALENTS Book & Market	Guaranteed Investment Contracts (GIC) Book & Market	STOCKS		BONDS		US GOVT & AGENCIES		TOTALS	
			Book	Market	Book	Market	Book	Market	Book	Market
<b>BOND FUNDS</b>										
<i>RESERVE FUNDS</i>										
2004 RDA - Housing Bonds	60,134.01	-	-	-	-	-	-	-	60,134.01	60,134.01
2002 Municipal Improvement - Refunding COPs	13,920.39	547,530.00	-	-	-	-	-	-	561,450.39	561,450.39
2002 Water - Refunding COPs	24,277.30	1,088,268.76	-	-	-	-	-	-	1,112,546.06	1,112,546.06
1994 Water - Revenue Bonds	19,907.87	757,680.00	-	-	-	-	-	-	777,587.87	777,587.87
2002 Waterfront - Reference COPs	207.44	1,393,262.50	-	-	-	-	-	-	1,393,469.94	1,393,469.94
Subtotal, Reserve Funds	118,447.01	3,786,741.26	-	-	-	-	-	-	3,905,188.27	3,905,188.27
<i>PROJECT FUNDS</i>										
2001 RDA Bonds	2,366,037.23	-	-	-	-	-	-	-	2,366,037.23	2,366,037.23
2003 RDA Bonds	8,505,964.59	-	-	-	-	-	-	-	8,505,964.59	8,505,964.59
2004 Sewer Revenue Bonds	1,842,118.18	1,357,140.00	-	-	-	-	-	-	3,199,258.18	3,199,258.18
2009 Airport Bonds	4,474,212.00	-	-	-	-	-	-	-	4,474,212.00	4,474,212.00
Subtotal, Project Funds	17,188,332.00	1,357,140.00	-	-	-	-	-	-	18,545,472.00	18,545,472.00
Subtotal Bond Funds	17,306,779.01	5,143,881.26	-	-	-	-	-	-	22,450,660.27	22,450,660.27
<b>POLICE/FIRE - SVC RETIREMENT FUND</b>										
Police/Fire Funds	43,019.39	-	197,024.05	265,950.35	264,208.62	265,202.95	-	-	504,252.06	574,172.69
	43,019.39	-	197,024.05	265,950.35	264,208.62	265,202.95	-	-	504,252.06	574,172.69
<b>TOTAL FISCAL AGENT INVESTMENTS</b>	<u>17,349,798.40</u>	<u>5,143,881.26</u>	<u>197,024.05</u>	<u>265,950.35</u>	<u>264,208.62</u>	<u>265,202.95</u>	<u>-</u>	<u>-</u>	<u>22,954,912.33</u>	<u>23,024,832.96</u>

- Notes:  
(1) Cash & cash equivalents include money market funds.  
(2) Market values have been obtained from the following trustees: US Bank, Bank of New York and Santa Barbara Bank & Trust



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** January 29, 2013

**TO:** Mayor and Councilmembers

**FROM:** Creeks Division, Parks and Recreation Department

**SUBJECT:** Resolution Authorizing Execution Of Grant Agreement In The Amount Of \$300,000 With The State Coastal Conservancy For Construction Of The Mission Creek Fish Passage Project – Lower Caltrans Channel

### **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 for a Grant in the Amount of \$300,000 from the State Coastal Conservancy for the Mission Creek Fish Passage Project – Lower Caltrans Channel.

### **DISCUSSION:**

Mission Creek provides the best opportunity for steelhead trout restoration in the City of Santa Barbara. Mission Creek contains high quality spawning and rearing habitat within the stream channels in the mid and upper watershed. Currently, rainbow trout (freshwater version of steelhead trout) live in the upper stream channel and historically, Mission Creek supported a healthy steelhead trout population. Over the last ten years, there have been frequent sightings of steelhead trout attempting to migrate upstream without success due to barriers within the stream channel.

The large concrete flood control channels along Mission Creek, known as the “CalTrans Channels”, are significant barriers to upstream steelhead trout migration. Removing these barriers will help provide access for steelhead trout to 3.9 miles of creek channel, which include two miles of moderate to high quality spawning and rearing habitat. Phase I of the construction, which included fish passage modifications to the upper (0.3 mile long) channel, was completed in July 2012. Phase II will involve fish passage modifications to the lower (0.8 mile long) channel. Pending available funds, Phase II will be constructed during the summer of 2013.

Council Agenda Report  
Resolution Authorizing Execution Of Grant Agreement In The Amount Of \$300,000 With  
The State Coastal Conservancy For Construction Of The Mission Creek Fish Passage  
Project – Lower Caltrans Channel  
January 29, 2013  
Page 2

Because Mission Creek is naturally a seasonal creek, the ability of fish to swim through the constructed passage will be limited to periods of time during rainfall and for short periods of time after the cessation of rainfall when there is sufficient flow in the creek.

Over the last six years, the Creeks Division has worked with the California Department of Fish and Game (CDFG), National Oceanic and Atmospheric Administration (NOAA), Santa Barbara County Flood Control District, Environmental Defense Center, and community members to remove barriers to endangered steelhead trout migration and restore riparian habitat in Mission Creek. The Creeks Division is now reaching out to new partners such as the State Coastal Conservancy in order to successfully complete the important fish passage restoration work on Mission Creek.

The Creeks Division has been awarded a \$300,000 grant from the State Coastal Conservancy for Phase II construction. In order to execute the grant agreement and receive the grant funds, a resolution from the City Council is required.

**BUDGET/FINANCIAL INFORMATION:**

The construction cost estimate for the fish passage modifications to the Lower Caltrans Channel is \$4,200,000. The Creeks Division will be receiving \$300,000 in grant funding through the State Coastal Conservancy. The remaining amount would be funded with a combination of \$1.7 million in California Department of Fish and Wildlife grant funding, a \$775,000 grant from the Wildlife Conservation Board, Measure B matching funds, and other private and public grant sources.

**SUSTAINABILITY IMPACT:**

The purpose of the project is to improve steelhead trout migration in Mission Creek during and shortly after rain events when adequate natural stream flows exist. These efforts will contribute to local, regional, and federal objectives of removing migration barriers for the federally endangered steelhead trout.

**PREPARED BY:** Cameron Benson, Creeks Restoration/Clean Water Manager

**SUBMITTED BY:** Nancy L. Rapp, Parks and Recreation Director

**APPROVED BY:** City Administrator's Office

RESOLUTION NO: \_\_\_\_\_

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 AMENDEMENTS FOR A GRANT IN THE AMOUNT OF \$300,000 FROM THE STATE COASTAL CONSERVANCY FOR THE MISSION CREEK FISH PASSAGE PROJECT – LOWER CALTRANS CHANNEL

WHEREAS, funds were made available to the State Coastal Conservancy for the protection and restoration of endangered fish and wildlife habitat within coastal watersheds; and

WHEREAS, the City of Santa Barbara intends to construct a fish passage project on Mission Creek at the lower Caltrans flood control channel;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

SECTION 1. The Parks and Recreation Director, or designee, of the City of Santa Barbara is hereby authorized to negotiate and execute an agreement between the City of Santa Barbara and the State Coastal Conservancy for the Mission Creek Fish Passage Project - Lower Caltrans Channel.

SECTION 2. The Council further commits to the terms and conditions specified in the grant agreement.

SECTION 3. The Council appoints the Parks and Recreation Director, or designee, as representative of the City of Santa Barbara to conduct negotiations, execute and submit all documents including, but not limited to, applications, agreements, amendments, payment requests and other documents which may be necessary for the completion of the proposed project.



# CITY OF SANTA BARBARA

## JOINT COUNCIL AND SUCCESSOR AGENCY AGENDA REPORT

**AGENDA DATE:** January 29, 2013

**TO:** Council Members and Successor Agency Members

**FROM:** Administration, Community Development Department

**SUBJECT:** Transfer Of Real Property From The Successor Agency To The Former Redevelopment Agency Of The City Of Santa Barbara To The City Of Santa Barbara

### RECOMMENDATIONS:

- 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 For Public Parking and All Related Purposes All Right, Title and Interest to the "Governmental Purpose" Real Property Described Herein Owned by the Successor Agency to 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; and
- B. That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting and Assuming for Public Parking and All Related Purposes All Right, Title and Interest to the "Governmental Purpose" Real Property Described Herein Owned by the Successor Agency to the Former Redevelopment Agency of the City of Santa Barbara to the City of Santa Barbara and Authorizing the City Administrator to Execute Such Agreements and Related Documents as Necessary to Effectuate Such Transfer of Real Property Interests to the City of Santa Barbara.

### BACKGROUND:

Over the years, the Redevelopment Agency of the City of Santa Barbara has successfully carried out its mission to eliminate blight and provide affordable housing within the Central City Redevelopment Project Area (CCRP). In order to accomplish this mission, redevelopment agencies across the state were provided many tools by which parcels owned by differing interests could be assembled and effectively redeveloped through agreements, such as owner participation agreements and disposition and development agreements, entered into with private property owners, developers, cities and housing providers. The increased property values created by

these redevelopment efforts generated the tax increment that was then reinvested into further projects and programs.

In order to assemble the property needed to carry-out the many redevelopment projects within the CCRP, the Redevelopment Agency acquired real property from many differing entities including the City of Santa Barbara, the state of California and private owners. In some cases, the property was acquired with tax increment funds and in other cases it was acquired with state bond funds or other programs including Parking and Business Improvement Area Assessments.

In most cases, the property was assembled and developed for public use purposes such as public parking facilities, public parks, public infrastructure improvements, transportation centers and public safety facilities. In other cases, the property was assembled and developed, in cooperation with private developers, for commercial revitalization such as the Paseo Nuevo retail mall. Finally, in a few cases the Agency purchased the property because its availability created an opportunity for the Agency for future development.

#### **DISCUSSION:**

As mandated by Assembly Bill 1X 26, on February 1, 2012, the Redevelopment Agency of the City of Santa Barbara, along with all other California redevelopment agencies, dissolved. Successor agencies have since stepped into the shoes of the former redevelopment agencies to manage the dissolution process, and oversight boards have been appointed to oversee the activities of the successor agencies. Assembly Bill 1484 was enacted to clarify AB 1X 26. Pursuant to AB 1484, a successor agency's oversight board may direct a successor agency to transfer assets owned by the former redevelopment that were constructed and used for a governmental purpose to the appropriate public agency.

As part of the redevelopment dissolution process, on September 20, 2012 the Oversight Board to the Successor Agency to the former Redevelopment Agency of the City of Santa Barbara adopted Resolution No. 005 approving the transfer of all but two properties (Paseo Nuevo and the Calle Cesar Chavez property) to the City of Santa Barbara. The Resolution, along with appropriate documentation, was submitted to the California Department of Finance for consideration. On November 16, 2012, the Department of Finance issued its decision and rejected the transfer of the parking lots, the Railroad Depot properties and the Bath Street Properties to the City, stating that the transfers did not qualify as "governmental purpose" property. The Department approved transfer of the Chase Palm Park Expansion area and the Ortega Water Treatment Facility to the City of Santa Barbara.

In response to the Department of Finance decision, the Successor Agency submitted a request to "meet and confer" with Department and a request that the Department reconsider its November 16<sup>th</sup> decision as it pertained to those properties rejected for transfer. The request to meet was granted and on December 19, 2012, Assemblymember Das Williams, Mayor Helene Schneider, the City Administrator, the City Attorney, and the Assistant City Administrator met with representatives of the Department of Finance. At that meeting, representatives from the Department of

Finance agreed to review the original decision based on the discussion and the clarifying information that was presented.

On January 22, 2013, the City received a revised determination from the Department of Finance. In the revised determination, the Department of Finance withdrew its objection to the transfer of the parking lots to the City of Santa Barbara. The Department found that, based on the unique Parking and Business Improvement Area Assessment, which was formed in 1971, the parking lot parcels should be maintained as governmental purpose and were eligible for immediate transfer to the City. The Department, however, continued to object to the transfer of the Railroad Depot properties and the Bath Street properties to the City because, it found, these properties had not been constructed and used for a governmental purpose.

The action before the Successor Agency and the City Council today is to formally transfer the parking lot properties to the City of Santa Barbara. The Successor Agency and City Council adopted Resolution Nos. 12-082 and 12-084, respectively, on November 20, 2012 to transfer the Chase Palm Park Expansion and Ortega Treatment Facility properties to the City. The four remaining groups of properties (Paseo Nuevo, Railroad Depot, Calle Cesar Chavez, and Bath Street) will be included in the Successor Agency's Long Range Property Management Plan that is currently under preparation.

**PREPARED BY:** Brian J. Bosse, Waterfront Business Manager  
**SUBMITTED BY:** Paul Casey, Assistant City Administrator  
**APPROVED BY:** City Administrator's Office

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA CONVEYING AND ASSIGNING FOR PUBLIC PARKING AND ALL RELATED PURPOSES ALL RIGHT, TITLE AND INTEREST TO THE "GOVERNMENTAL PURPOSE" REAL PROPERTY DESCRIBED HEREIN OWNED BY THE SUCCESSOR AGENCY TO 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.

WHEREAS, in accordance with Assembly Bill No. 1X 26, as amended by Assembly Bill No. 1484 ("Dissolution Act"), the Redevelopment Agency of the City of Santa Barbara ("RDA") dissolved on February 1, 2012 and the Successor Agency to the former RDA assumed all of the authority, rights, powers, duties, and obligations previously vested in the RDA;

WHEREAS, an Oversight Board to the Successor Agency to the former RDA has been duly formed as required by the Dissolution Act;

WHEREAS, in accordance with Health and Safety Code Section 34181(a) of the Dissolution Act, on September 20, 2012, at a duly noticed public meeting, the Oversight Board adopted Resolution No. 005 finding that the property described below was constructed and used for a "governmental purpose" and directing the Successor Agency to transfer ownership of those assets to the City of Santa Barbara;

WHEREAS, Oversight Board Resolution No. 005 was transmitted to the California Department of Finance on October 12, 2012;

WHEREAS, on January 22, 2013, the California Department of Finance determined that the properties subject to this Resolution should be maintained as governmental purpose and were eligible for immediate transfer to the City of Santa Barbara; and

WHEREAS, in accordance with the direction of the Oversight Board, as approved by the Department of Finance, the Successor Agency hereby conveys and assigns to the City of Santa Barbara all right, title and interest in the "governmental purpose" property described herein owned by the Successor Agency to the former RDA.

NOW, THEREFORE, THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The above recitations are true and correct.

SECTION 2. In accordance with Health and Safety Code section 34181(a), Resolution No. 005 adopted by the Oversight Board on September 20, 2012, and approved by the California Department of Finance on January 22, 2013, the Successor Agency does hereby authorize the conveyance and assignment of the “governmental purpose” property, described below for reference purposes, to the City of Santa Barbara:

- Parking Lots encompassing approximately 12.23 acres and including:
  - Cota Street Commuter Parking Lot (APN 031-151-018) located northwesterly of Cota Street and southwesterly of Santa Barbara Street;
  - 217 Helena Street Parking Lot (APN 033-051-020);
  - Mason Street Public Parking Lot located southeasterly of Mason Street and northerly of the operating right of way owned by the Union Pacific Railroad Company, (APN 033-113-014 and sometimes APN 033-113-022);
  - Garden Street Public Parking Lot located westerly of Garden Street, northwesterly of Cabrillo Boulevard and southerly of the operating right of way owned by the Union Pacific Railroad Company, (APN 033-113-016, 033-113-017, 033-113-018, and sometimes APN 033-113-023);
  - Parking Structure No. 10 located southwesterly of Anacapa Street and southeasterly of Ortega Street (APN 037-132-035, 037-132-036, 037-132-038);
  - Parking Lot No. 11 located northeasterly of State Street (APN 037-173-047);
  - Parking Lot No. 11 located southeasterly of Cota Street (APN 037-173-049);
  - Parking Lot No. 11 located southwesterly of Anacapa Street and northwesterly of Haley Street (APN 037-173-050);
  - Parking Lot No. 12 located southwesterly of State Street, northwesterly of U.S. Highway 101, northeasterly of Motor Way, and southeasterly of Gutierrez Street (APN 037-252-011);
  - Granada Garage (Parking Lot No. 6) located southwesterly of Anacapa Street and northwesterly of Anapamu Street (APNs 039-183-046, 039-183-053, 039-183-054);
  - Carrillo Street Commuter Parking Lot located northwesterly of Carrillo Street and southwesterly of Castillo Street (APN 039-261-009); and
  - Parking Lot No. 2 located northeasterly of Chapala Street and northwesterly of Canon Perdido Street (APNs 039-321-045, 039-321-047, 039-321-048, 039-321-051, 039-321-054, 039-321-055, 039-321-056).

SECTION 3. The Successor Agency to the Redevelopment Agency of the City of Santa Barbara hereby authorizes James Armstrong, as the Executive Director of the Successor Agency, or designee, to prepare, revise and execute, subject to approval as to form by the Agency Counsel, all documents necessary to effectuate such conveyance and assignment of said real property interests to the City of Santa Barbara.

RESOLUTION OF ACCEPTANCE NO.

California Government Code Section 27281

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA ACCEPTING AND ASSUMING FOR PUBLIC PARKING AND ALL RELATED PURPOSES ALL RIGHT, TITLE AND INTEREST TO THE "GOVERNMENTAL PURPOSE" REAL PROPERTY DESCRIBED HEREIN OWNED BY THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA TO THE CITY OF SANTA BARBARA AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE SUCH AGREEMENTS AND RELATED DOCUMENTS AS NECESSARY TO EFFECTUATE SUCH TRANSFER OF REAL PROPERTY INTERESTS TO THE CITY OF SANTA BARBARA.

WHEREAS, in accordance with Assembly Bill No. 1X 26, as amended by Assembly Bill No. 1484 ("Dissolution Act"), the Redevelopment Agency of the City of Santa Barbara ("RDA") dissolved on February 1, 2012 and the Successor Agency to the former RDA assumed all of the authority, rights, powers, duties, and obligations previously vested in the RDA;

WHEREAS, an Oversight Board to the Successor Agency to the former RDA has been duly formed as required by the Dissolution Act;

WHEREAS, in accordance with Health and Safety Code Section 34181(a) of the Dissolution Act, on September 20, 2012, at a duly noticed public meeting, the Oversight Board adopted Resolution No. 005 finding that the property described below was constructed and used for a "governmental purpose" and directing the Successor Agency to transfer ownership to the City of Santa Barbara;

WHEREAS, Oversight Board Resolution No. 005 was transmitted to the California Department of Finance on October 12, 2012;

WHEREAS, on January 22, 2013, the California Department of Finance determined that the properties subject to this Resolution should be maintained as governmental purpose and were eligible for immediate transfer to the City of Santa Barbara;

WHEREAS, the Successor Agency has adopted a resolution conveying all of the right, title and interest in the "governmental purpose" property described below owned by the Successor Agency to the former RDA to the City of Santa Barbara and authorizing the Executive Director of the Successor Agency to execute, subject to approval as to form by Agency Counsel, all documents necessary to effectuate such conveyance;

WHEREAS, Government Code Section 27281 requires that deeds conveying an interest in real property to a governmental agency for public purposes may be accepted for recordation only with the consent of the agency evidenced by a resolution;

WHEREAS, In order to accept title to any real property interest, the City of Santa Barbara must authorize acceptance and recordation of title with the County Recorder; and

WHEREAS, the City of Santa Barbara consents to and accepts all rights, title and interest to the governmental purpose real property described herein, for reference purposes only, and authorizes recordation of title with the County Recorder.

NOW, THEREFORE, THE CITY OF SANTA BARBARA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The above recitations are true and correct.

SECTION 2. In accordance with Health and Safety Code section 34181(a), Oversight Board Resolution No. 005, and the California Department of Finance determination dated January 22, 2013, the Successor Agency has been directed to convey all right, title and interest to the real property described herein to the City of Santa Barbara.

SECTION 3. The Successor Agency adopted a resolution to convey all right, title and interest to the "governmental purpose" property described herein to the City of Santa Barbara and to authorize James Armstrong as the Executive Director of the Successor Agency to take all action necessary to effectuate such conveyance.

SECTION 4. In accordance with California Government Code Section 27281, the City of Santa Barbara hereby accepts and assumes all right, title and interest to that certain real property, described below for reference purposes only, for public parking and all related purposes:

- Parking Lots encompassing approximately 12.23 acres and including:
  - Cota Street Commuter Parking Lot (APN 031-151-018) located northwesterly of Cota Street and southwesterly of Santa Barbara Street;
  - 217 Helena Street Parking Lot (APN 033-051-020);
  - Mason Street Public Parking Lot located southeasterly of Mason Street and northerly of the operating right of way owned by the Union Pacific Railroad Company, (APN 033-113-014 and sometimes APN 033-113-022);
  - Garden Street Public Parking Lot located westerly of Garden Street, northwesterly of Cabrillo Boulevard and southerly of the operating right of way owned by the Union Pacific Railroad Company, (APN 033-113-016, 033-113-017, 033-113-018, and sometimes APN 033-113-023);
  - Parking Structure No. 10 located southwesterly of Anacapa Street and

southeasterly of Ortega Street (APN 037-132-035, 037-132-036, 037-132-038);

- Parking Lot No. 11 located northeasterly of State Street (APN 037-173-047);
- Parking Lot No. 11 located southeasterly of Cota Street (APN 037-173-049);
- Parking Lot No. 11 located southwesterly of Anacapa Street and northwesterly of Haley Street (APN 037-173-050);
- Parking Lot No. 12 located southwesterly of State Street, northwesterly of U.S. Highway 101, northeasterly of Motor Way, and southeasterly of Gutierrez Street (APN 037-252-011);
- Granada Garage (Parking Lot No. 6) located southwesterly of Anacapa Street and northwesterly of Anapamu Street (APNs 039-183-046, 039-183-053, 039-183-054);
- Carrillo Street Commuter Parking Lot located northwesterly of Carrillo Street and southwesterly of Castillo Street (APN 039-261-009); and
- Parking Lot No. 2 located northeasterly of Chapala Street and northwesterly of Canon Perdido Street (APNs 039-321-045, 039-321-047, 039-321-048, 039-321-051, 039-321-054, 039-321-055, 039-321-056).

SECTION 5. The City of Santa Barbara hereby authorizes the City Administrator, or designee, to prepare, revise and execute, subject to approval as to form by the City Attorney, all documents necessary to effectuate such transfer and acceptance of said real property interests by the City of Santa Barbara and consents to the recordation by the City Clerk in the Official Records of all deeds and other documents.



Agenda Item No. 6

File Code No. 520.03

# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** January 29, 2013

**TO:** Mayor and Councilmembers

**FROM:** City Administrator's Office

**SUBJECT:** Fire Chief Appointment

**RECOMMENDATION:**

That Council hold a closed session, pursuant to Section 54957 of the Government Code to consider a public employee appointment.

Title: Fire Chief

**SCHEDULING:** Duration, 20 minutes; anytime

**REPORT:** Anticipated

**PREPARED BY:** Marcelo A. Lopez, Assistant City Administrator

**SUBMITTED BY:** James L. Armstrong, City Administrator

**APPROVED BY:** City Administrator's Office



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** January 29, 2013

**TO:** Mayor and Councilmembers

**FROM:** City Administrator's Office

**SUBJECT:** Conference With Labor Negotiator

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

**SCHEDULING:** Duration, 30 minutes; anytime

**REPORT:** None anticipated

**PREPARED BY:** Kristy Schmidt, Employee Relations Manager

**SUBMITTED BY:** Marcelo López, Assistant City Administrator

**APPROVED BY:** City Administrator's Office



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** January 29, 2013

**TO:** Mayor and Councilmembers

**FROM:** City Attorney's Office

**SUBJECT:** Conference with Legal Counsel – Pending Litigation

**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 *Jeannetta Ann Purdue Rizkalla And Tarek Ramzi Rizkalla, v. City Of Santa Barbara, et al.*, SBSC Case No.1383789.

**SCHEDULING:** Duration, 15 minutes; anytime

**REPORT:** None anticipated

**SUBMITTED BY:** Stephen P. Wiley, City Attorney

**APPROVED BY:** City Administrator's Office



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** January 29, 2013

**TO:** Mayor and Councilmembers

**FROM:** City Attorney's Office

**SUBJECT:** Conference with Legal Counsel – Pending Litigation

**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 *On Patrol with SBPD, Inc., vs. City of Santa Barbara, City of Santa Barbara vs. On Patrol with SBPD, Inc., Ira Distenfield, Linda Distenfield, et al.*, SBSC Case No. 1385228.

**SCHEDULING:** Duration, 15 minutes; anytime

**REPORT:** None anticipated

**SUBMITTED BY:** Stephen P. Wiley, City Attorney

**APPROVED BY:** City Administrator's Office