

**CITY OF SANTA BARBARA
CITY COUNCIL**

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Dale Francisco
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James L. Armstrong
City Administrator

Stephen P. Wiley
City Attorney

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

**MARCH 5, 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 for rebroadcasts of Finance and Ordinance Committee meetings, and for any changes to the replay schedule.

ORDER OF BUSINESS

- 12:00 p.m. - Finance Committee Meeting, David Gebhard Public Meeting Room,
630 Garden Street
2:00 p.m. - City Council Meeting

SPECIAL FINANCE COMMITTEE MEETING - 12:00 P.M. IN THE DAVID GEBHARD PUBLIC MEETING ROOM, 630 GARDEN STREET (120.03)

1. Subject: Professional Services Agreements - Financial Advisory Services And Bond Counsel And Disclosure Services (240.03)

Recommendation: That the Finance Committee:

- A. Hear a report from staff regarding the potential sale of Water Fund certificates of participation ("COPs") to refinance existing debt and the proposed hiring of a financial advisory firm and bond and disclosure counsel firm to assist in the potential issuance of Water, Wastewater and Waterfront Fund COPs; and
- B. Recommend to Council approval, subject to approval as to form by the City Attorney, of a professional services agreement with Orrick, Herrington & Sutcliff, LLP, for bond and disclosure counsel services in an amount not to exceed \$255,000 for all three potential transactions, and a professional services agreement with KNN Public Finance for financial advisory services in an amount not to exceed \$195,000 for all three potential transactions, with the costs of these services payable from the proceeds of the COPs if, and at such time as, the COPs are issued.

2. Subject: Six-Year Capital Improvement Program - Fiscal Year 2014 Through 2019 (230.01)

Recommendation: That the Finance Committee receive a report on the Six-Year Capital Improvement Program for Fiscal Year 2014 through 2019.

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

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 March 31, 2013.

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

2. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of February 19, 2013 (cancelled).

3. Subject: Contract For Construction For De La Vina At Figueroa Intersection Improvements Project (530.04)

Recommendation: That Council:

- A. Accept a Federal Highway Safety Improvement Program grant in the total amount of \$326,300;
- B. Authorize the increase of estimated revenues and appropriations in the Fiscal Year 2013 Streets Fund by \$326,300 for the De La Vina at Figueroa Intersection Improvements Project;
- C. Award a contract with Lash Construction, Inc., in their low bid amount of \$271,443.75 for construction of the De La Vina at Figueroa Intersection Improvements Project, Bid No. 3667; and

(Cont'd)

CONSENT CALENDAR (CONT'D)

3. (Cont'd)

- D. Authorize the Public Works Director to execute the contract and approve expenditures up to \$27,144 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment.

4. **Subject: Professional Services Contract With Goodwin Simon Strategic Research For Water Quality Public Opinion Research (540.11)**

Recommendation: That Council authorize the Parks and Recreation Director to execute a professional services contract with Goodwin Simon Strategic Research in the amount of \$40,200 to conduct public opinion research related to creek restoration, water quality, and sources of creek and ocean water pollution.

5. **Subject: Appropriation Of K-9 Funds And K-9 Purchase (800.01)**

Recommendation: That Council:

- A. Appropriate \$24,700 from the Police K-9 Unit Trust Fund, from available reserves, to the Police K-9 Account for the purchase of a Police canine and related equipment, training, and program costs; and
- B. Find it in the City's best interest to waive the formal bid procedure as authorized by Municipal Code §4.52.080 (k) and approve the purchase of a new canine, equipment, and related training from Mission Canines.

6. **Subject: Purchase Of Two "Trikkies" - Tactical Patrol/ Beat Coordinator Units (520.04)**

Recommendation: That Council:

- A. Accept a donation in the amount of \$8,000 from the Santa Barbara Police Foundation; and
- B. Approve an increase in appropriations and estimated revenues in the amount of \$8,000 in Fiscal Year 2013 to the General Fund, Police Department, budget for the purchase of two "Trikkies".

CONSENT CALENDAR (CONT'D)

7. **Subject: Contract For Construction For The Mission Creek Fish Passage Phase 2 (Final Phase) Project (530.03)**

Recommendation: That Council:

- A. Accept \$775,000 in grant funds from the California Wildlife Conservation Board for the construction of the Mission Creek Fish Passage Phase 2 Project;
- B. Accept \$300,000 in grant funds from the State Coastal Conservancy for the construction of the Mission Creek Fish Passage Phase 2 Project;
- C. Accept \$75,000 in grant funds from the Parks and Recreation Community Foundation (from the Santa Barbara Foundation) for construction of the Mission Creek Fish Passage Phase 2 Project;
- D. Increase appropriations and estimated revenue in the Creeks Capital Fund by \$1,150,000 for the Mission Creek Fish Passage Phase 2 Project;
- E. Transfer \$78,859 from the Creeks Fund's reserves to the Creeks Capital Fund and appropriate the funds to the Mission Creek Fish Passage Phase 2 Project;
- F. Note that the apparent low bid submitted by Shaw Contracting, Inc., in the amount of \$2,248,290 for the Mission Creek Fish Passage Phase 2 Project, Bid No. 3620, contained mathematical errors and they have formally withdrawn their bid;
- G. Award a contract with Schock Contracting Corporation in their low bid amount of \$2,824,000 for construction of the Mission Creek Fish Passage Phase 2 Project, Bid No.3620;
- H. Authorize the Public Works Director to execute the contract and approve expenditures up to \$282,400 to cover any construction cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment;
- I. Authorize the Public Works Director to execute a contract with HDR Engineering, Inc., in the amount of \$59,750 for construction support services, and approve expenditures of up to \$5,975 for extra services of HDR Engineering, Inc., that may result from necessary changes in the scope of work; and
- J. Authorize the Public Works Director to execute a contract with BTC Labs - Vertical Five in the amount of \$44,834 for construction support services, and approve expenditures of up to \$4,483 for extra services of BTC Labs - Vertical Five, that may result from necessary changes in the scope of work.

CONSENT CALENDAR (CONT'D)

8. Subject: Authorization To Apply For A State Revolving Fund Loan For Wastewater Capital Projects of Approximately \$20 Million (540.13)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the City Administrator to Execute and Deliver an Application to the State Water Resources Control Board for a Clean Water State Revolving Fund Financing Agreement; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Stating the City's Intent to Reimburse Expenditures Paid Prior to Either the Issuance of Obligations or the Approval by the State Water Resources Control Board of the Project Funds for the Secondary Treatment Process Improvements Project at the El Estero Wastewater Treatment Plant.

9. Subject: Set A Date For Public Hearing Regarding Architectural Board Of Review's Approval For 1911 Chino Street.

Recommendation: That Council:

- A. Set the date of March 19, 2013, at 6:00 p.m. for hearing the appeal filed by Evelyn Lee et al. of the Architectural Board of Review approval of an application for property owned by Alamar II, LLC and located at 1911 Chino Street, Assessor's Parcel No. 043-121-013, R-2 Residential Zone, General Plan Designation: Medium Density Residential. The project proposes to demolish an existing detached 600 square foot two-car garage and construct a new 1,320 square foot two-story single-family residence and attached 407 square foot two-car garage. The project is located at the rear of the 7,500 square foot lot behind the existing 990 square foot one-story single-family residence. A new driveway and two uncovered parking spaces are also proposed; and
- B. Set the date of March 18, 2013, at 1:30 p.m. for a site visit to the property located at 1911 Chino Street.

NOTICES

- 10. The City Clerk has on Thursday, February 28, 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

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

11. Subject: Municipal Code Amendments for Implementation of the Nonresidential Growth Management Program (610.04)

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara adding Chapter 28.85 to the Santa Barbara Municipal Code, deleting Sections 28.87.300 and 28.87.350, and amending Sections 28.95.010 through 28.95.070 to implement the City's 2011 General Plan Nonresidential Growth Management Program; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara adopting Amended Administrative Procedures for the implementation of the General Plan Growth Management Program and the adoption of the City Traffic Management Strategy and rescinding Resolution No. 12-075.

PUBLIC WORKS DEPARTMENT

12. Subject: Six-Year Capital Improvement Program - Fiscal Year 2014 Through 2019 (230.01)

Recommendation: That Council receive a report on the Six-Year Capital Improvement Program for Fiscal Year 2014 through 2019.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

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 Police Officers' Association, and regarding discussions with certain unrepresented managers about salaries and fringe benefits.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

ADJOURNMENT