



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING March 5, 2013 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:02 p.m. (The Finance Committee met at 12:00 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 Deborah L. Applegate.

### 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.

Documents:

March 5, 2013, report from the Assistant City Administrator.

Speakers:

Staff: City Administrator James Armstrong.

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

(Cont'd)

1. (Cont'd)

5-Year Pin

Jessica Grant, Project Planner, Public Works Department

10-Year Pin

Thomas Doolittle, Information Systems Manager, Information Systems Department

John Nielsen, Laboratory Analyst II, Public Works Department

15-Year Pin

N. Scott Vincent, Assistant City Attorney III, City Attorney's Office

Barbara Sansone, Executive Assistant, Police Department

Eric Beecher, Police Sergeant, Police Department

Frank Dealy, Reservoir & Dam Care / Distribution Operator, Public Works Department

Dale Escobar, Wastewater Collection System Operator - Technician I, Public Works Department

Milislav Pavlovic, Senior Control Systems Operations Specialist, Public Works Department

25 Year Pin

Carol Schmitter, Administrative Specialist, Police Department

Eric Johnson, Water Distribution Operator / Emergency Services, Public Works Department

Andrea Crippa, Senior Airport Maintenance Worker, Airport Department

35 Year Pin

William Veazey, Fire Engineer, Fire Department

**PUBLIC COMMENT**

Speakers: Ben Shalout, D. Rowbottom.

**ITEMS REMOVED FROM CONSENT CALENDAR**

6. **Subject: Purchase Of Two "Trikes" - 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 "Trikes".

Documents:

March 5, 2013, report from the Chief of Police.

Speakers:

Members of the Public: Craig Case, Santa Barbara Police Foundation; Bill Collyer, Santa Barbara Downtown Organization.

(Cont'd)

**6. (Cont'd)**

Motion:

Councilmembers Rowse/House to approve the recommendations.

Vote:

Unanimous voice vote.

**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
- 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.

Documents:

March 5, 2013, report from the Public Works Director.

Speakers:

Staff: Supervising Transportation Engineer Derrick Bailey.

Motion:

Councilmembers House/Murillo to approve the recommendations; Agreement No. 24,379.

Vote:

Majority voice vote (Noes: Councilmembers Francisco, Hotchkiss, Rowse).

**CONSENT CALENDAR (Item Nos. 2, 4, 5, 7-10)**

The titles of the resolutions related to Item No. 8 were read.

Motion:

Councilmembers House/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 meeting of February 19, 2013 (cancelled).

Action: Approved the recommendation.

**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.

Action: Approved the recommendation; Agreement No. 24,380. (March 5, 2013, report from the Parks and Recreation Director).

**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.

Action: Approved the recommendations (March 5, 2013, report from the Chief of Police).

**7. Subject: Contract For Construction For The Mission Creek Fish Passage Phase 2 (Final Phase) Project (540.14)**

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;

(Cont'd)

**7. (Cont'd)**

- 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.

Action: Approved the recommendations; Agreement Nos. 24,381, 24,382, and 24,383 (March 5, 2013, report from the Public Works and Parks and Recreation Directors).

**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.

Action: Approved the recommendations; Resolution Nos. 13-008 and 13-009 (March 5, 2013, report from the Public Works Director; proposed resolutions).

**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.

Action: Approved the recommendations (February 4, 2013, letter of appeal).

**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 concluded the Consent Calendar.

**REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Dale Francisco reported that the Committee met to hear a report from staff regarding the potential sale of Water Fund certificates of participation ("COPs") and refinancing existing debt. He stated the committee will recommend to Council approval of professional services agreements with Orrick, Herrington & Sutcliff, LLP, for bond and disclosure counsel services and KNN Public Finance for financial advisory services. The Committee also received a report on the Capital improvement Program for Fiscal Years 2014 through 2019, which will be presented to Council as Agenda Item No. 12.

## 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.

Documents:

- March 5, 2013, report from the Assistant City Administrator/Community Development Director.
- Proposed Ordinance and Resolution.
- Affidavit of Publication.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: City Planner Bettie Weiss, Project Planner Beatriz Gularte, Principal Transportation Planner Rob Dayton, City Attorney Stephen Wiley.
- Members of the Public: Ralph Horowitz; Trish Allen, Suzanne Elledge Planning & Permitting Services, Inc.

Motion:

Councilmembers House/Francisco to approve the recommendations; Resolution No. 13-010.

Vote:

Unanimous roll call vote.

### **RECESS**

4:09 p.m. - 4:17 p.m.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)**

### **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.

#### Documents:

- March 5, 2013, report from the Public Works Director.
- 2012-2017 Capital Improvement Program, dated January 2011.
- PowerPoint presentation prepared and made by Staff.

#### Speakers:

- Staff: Public Works Director Christine Andersen, City Administrator James Armstrong, Assistant City Administrator/Community Development Director Paul Casey.
- Parks and Recreation Commission: Commissioner Beebe Longstreet, Chair Lesley Wiscomb.
- Neighborhood Advisory Council: City Senior Neighborhood and Outreach Services Supervisor Mark Alvarado.

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

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

#### Information:

- Councilmember White reported on the February 28<sup>th</sup> meeting of the Fire and Police Commission. He reported that Whiskey Richards received a three-month suspension of its dance permit for various infractions, and Cutty's Restaurant recently received a dance permit. At the meeting, the Fire Captain reported that there are two new positions for Captain currently advertised and eight lateral positions being offered. The Police Chief reported that all car videos have been installed and they will go live soon; he also noted there are seven new recruits in the police academy.
- Councilmember Rowse reported that he attended the opening days for both the Santa Barbara Sailing Club and the Santa Barbara Yacht Club where Mayor Schneider welcomed the first female Commodore in over 140 years of the yacht club's history.

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### Information (Cont'd)

- Councilmember Hotchkiss reported on his participation in Read Across America Week where he had the opportunity to read to local students one of the Dr. Seuss books. He also had the opportunity to tour Waterfront Parking facilities with staff where they looked at current challenges which will be addressed in the near future.
- Mayor Schneider commended the Santa Barbara - Kotor Sister Cities Committee which hosted Ratimir Martinovic, classical pianist, for his second recital at Hahn Hall at the Music Academy of the West campus in Santa Barbara.

### RECESS

Mayor Schneider recessed the meeting at 5:35 p.m. in order for the Council to reconvene in closed session for Item No. 13, and she stated that no reportable action is anticipated.

### 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

#### Documents:

March 5, 2013, report from the Assistant City Administrator.

#### Time:

5:35 p.m. - 6:10 p.m.

No report made.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 6:10 p.m. in memory of Bob Kallman, former Santa Barbara County Supervisor from 1975-1985. Mr. Kallman served as Old Spanish Days Fiesta El Presidente and was a Navy Veteran who served in World War II and the Korean War.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

ATTEST: \_\_\_\_\_

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HELENE SCHNEIDER  
MAYOR

\_\_\_\_\_  
DEBORAH L. APPLGATE  
DEPUTY CITY CLERK