

**CITY OF SANTA BARBARA
CITY COUNCIL**

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Dale Francisco
Finance Committee Chair
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Bendy White



James L. Armstrong
City Administrator

Stephen P. Wiley
City Attorney

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

**APRIL 9, 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. - Ordinance Committee Meeting, Council Chamber
2:00 p.m. - City Council Meeting

ORDINANCE COMMITTEE MEETING - 12:00 P.M. IN THE COUNCIL CHAMBER (120.03)

Subject: Historic Resources Ordinance Amendments (120.03)

Recommendation: That Ordinance Committee consider Historic and Special Design District criteria options by reviewing:

- A general proposal to amend Santa Barbara Municipal Code (SBMC) Chapter 22.22, "Historic Structures Ordinance";
- A general proposal to create a new SBMC Chapter 22.67, "Historic Landmarks Commission."

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL ITEMS

1. **Subject: Proclamation Declaring April As National Poetry Month And Declaring Chryss Yost As Poet Laureate For The City Of Santa Barbara (120.04)**
2. **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 April 30, 2013.

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

3. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of April 2, 2013 (cancelled).

4. Subject: Adoption Of Ordinance Approving Prohibition Of Commercial Vehicles Over Seven Tons On Hermosillo Road (530.05)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Section 10.36.031 of the Santa Barbara Municipal Code.

5. Subject: Introduction Of Ordinance Amending The Electronic Campaign Disclosure Filing Requirement (110.03)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Section 2.03.110 of the Santa Barbara Municipal Code Regarding the Mandatory Electronic Campaign Disclosure Filing Requirement.

6. Subject: Introduction Of Ordinances To Amend The Memoranda Of Understanding With Hourly And Treatment And Patrol (TAP) Bargaining Units (440.02)

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the Existing 2008-2012 Memorandum Of Understanding Between the City Of Santa Barbara and the Hourly Employees' Bargaining Unit to Extend the Term Through December 31, 2013 and to Reflect New Pension Requirements; and
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the 2011-2013 Memorandum of Understanding Between the City of Santa Barbara and the Patrol Officers' and Treatment Plants' Bargaining Units (TAP Units) to Include Appendix H Regarding the Transfer of Meter Readers to the Bargaining Unit.

CONSENT CALENDAR (CONT'D)

7. Subject: Introduction Of Ordinance For Firefighters Memorandum Of Understanding Extension Through June 30, 2014 (440.02)

Recommendation: That Council ratify a 12-month extension to the 2007-2013 Memorandum of Understanding between the City and the Santa Barbara City Firefighters' Association, by introduction and subsequent adoption of, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Extending the 2007-2013 Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara City Firefighters' Association through June 30, 2014.

8. Subject: Reallocation Of \$190,000 Fiscal Year 2013 Capital Outlay Funds For The Parks And Recreation Infrastructure Safety Improvement Program (230.01)

Recommendation: That Council approve the reallocation of \$190,000 from the Lower Mesa Lane Steps Replacement Project to the Park Infrastructure Safety Improvement Program in the Fiscal Year 2013 Capital Outlay Fund.

9. Subject: Approval Of Contract For Bathymetric Survey Of Gibraltar Reservoir (540.09)

Recommendation: That Council authorize the Public Works Director to execute a professional services contract to MNS Engineers, Inc., in the amount of \$28,510 and in a form of agreement acceptable to the City Attorney, to perform a bathymetric survey of Gibraltar Reservoir, and approve expenditures of \$2,851 for extra services that may result from necessary changes in the scope of work, for a total of \$31,361.

10. Subject: Purchase Order With UCP Work, Incorporated (570.03)

Recommendation: That Council find it in the City's best interest to waive the formal bid procedure as authorized by Municipal Code Section 4.52.070 (L), and authorize the General Services Manager to issue a purchase order to UCP Work, Incorporated for janitorial services at the Waterfront for Fiscal Year 2014 in an amount not to exceed \$238,500 and for Fiscal Year 2015 in an amount not to exceed \$243,000.

CONSENT CALENDAR (CONT'D)

11. Subject: Concession Agreement Amendment With M/E, Inc. (330.04)

Recommendation: That Council approve and authorize the Airport Director to execute this first amendment to Concession Agreement No. 23,446 with M/E, Inc., dba Santa Barbara News & Gift, amending Article 2, "Leased Premises" to add an additional 130 square feet, for storage of inventory, in the Airline Terminal, at 500 James Fowler Road, at the Santa Barbara Airport effective April 9, 2013.

12. Subject: Measure A Five-Year Local Program Of Projects For Fiscal Years 2014 - 2018 (670.05)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the Measure A Five-Year Local Program of Projects for Fiscal Years 2014 - 2018.

13. Subject: Acquisition Of Real Property For The Cota Street Bridge Replacement Project (330.03)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara to Acquire and Accept In Fee The Real Property Interests Located at 536 Bath and 221 W. Cota Streets, Relating to the Cota Street Bridge Replacement Project, and Authorize the Public Works Director to Execute Such Agreements and Documents as Necessary for the Acquisition and Acceptance of Said Real Property Interests, in a Form Acceptable to the City Attorney, and Record Said Real Property Interests in the Official Records of the County of Santa Barbara; and
- B. Appropriate \$144,522 in the Streets Capital Fund from revenues received through the sale of surplus properties acquired for completed bridge replacement projects to the Cota Street Bridge Replacement Project in order to fund the City's match for the acquisitions at 536 Bath and 221 W. Cota Streets.

CONSENT CALENDAR (CONT'D)

14. Subject: Introduction Of Ordinance To Approve An Installment Sale Agreement, Trust Agreement and Continuing Disclosure Agreement In Connection With The Potential Sale Of Water Revenue Refunding Certificates Of Participation (240.04)

Recommendation: That Council introduce, by reading of title only, an Ordinance of the City of Santa Barbara Authorizing the Execution and Delivery by the City of an Installment Sale Agreement, a Trust Agreement and a Continuing Disclosure Agreement in Connection with the Execution and Delivery of City of Santa Barbara Water Revenue Refunding Certificates of Participation, Series 2013, and Authorizing Related Actions.

NOTICES

15. The City Clerk has on Thursday, April 4, 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.
16. Recruitment for City Advisory Groups
- A. The City Clerk's Office will accept applications through Monday, May 6, 2013 at 5:30 p.m. to fill scheduled vacancies on various City Advisory Groups and the unscheduled vacancies resulting from resignations received in the City Clerk's Office through Wednesday, April 17, 2013;
 - B. The City Council will conduct interviews of applicants for vacancies on various City Advisory Groups on Tuesday, May 21, 2013 at 4:00 p.m. (Estimated Time), Tuesday, June 4, 2013 at 4:00 p.m. (Estimated Time), and Tuesday, June 18, 2013 at 6:00 p.m.; and
 - C. The City Council will make appointments to fill the vacancies on various City Advisory Groups on Tuesday, June 25, 2013.
17. Received a letter advising of a vacancy created on the Water Commission with the departure of Commissioner Landon Neustadt; the vacancy will be part of the next City Advisory Groups recruitment.

This concludes the Consent Calendar.

REPORT FROM THE ORDINANCE COMMITTEE

PUBLIC HEARINGS

18. Subject: Proposed Designation Of Two Landmarks: Stark House At 1709 Overlook Lane And The Veterans Memorial At 112 West Cabrillo Boulevard (640.06)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating the Stark House at 1709 Overlook Lane (Assessor's Parcel Number 015-192-016) a City Landmark; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating the Veterans Memorial at 112 West Cabrillo Boulevard (Assessor's Parcel Number 033-101-013) a City Landmark.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

AIRPORT DEPARTMENT

19. Subject: Proposed Marine Corps Tribute (560.01)

Recommendation: That Council approve and authorize the Airport Director to execute an agreement in a form acceptable to the City Attorney with the Pierre Claeysens Veterans' Museum and Library Foundation to transfer the right, title, and interest to the Marine Corps Tribute to the City.

CITY ADMINISTRATOR

20. Subject: Professional Services Agreement with Godbe Research (170.01)

Recommendation: That Council:

- A. Approve and authorize the City Administrator to negotiate and execute a not to exceed, \$30,015 contract for professional services with Godbe Research to conduct a comprehensive opinion poll related to a possible revenue generating ballot measure;
- B. Allocate \$30,015 from the General Fund appropriated reserves to the City Administrator's Office Fiscal Year 2013 General Fund budget to cover the cost of the survey; and
- C. Appoint a three member ad hoc committee to work with staff and the consultant to craft the opinion survey.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

21. 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 *Sian Harden v. City of Santa Barbara, et al.*, SBSC No. 1385957.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

22. 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