



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING April 9, 2013 COUNCIL CHAMBER, 735 ANACAPA STREET

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 12:00 p.m.)

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Dale Francisco (2:06 p.m.), 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.

CEREMONIAL ITEMS

- Subject: Proclamation Declaring April As National Poetry Month And Declaring Chryss Yost As Poet Laureate For The City Of Santa Barbara (120.04)**

Speakers:

Members of the Public: Barry Spacks, Perie Longo, David Starkey, Paul Willis, Chryss Yost.

Action: The Proclamation was presented to Poet Laureate Chryss Yost, Ginny Brush and the City's previous Poet Laureates.

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.

Documents:

April 9, 2013, report from the Assistant City Administrator.

Speakers:

Staff: City Administrator James Armstrong, Award Recipients Kathryn Sangster and Stephen McCullough.

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

5-Year Pin

Margarita Morello, Accounting Coordinator, Finance Department
Alelia Parenteau, Administrative Analyst II, Public Works Department

15-Year Pin

Frances McDonald, Office Specialist II, Parks and Recreation Department
Enrique Alvarez, Irrigation Systems Tech, Parks and Recreation Department
Karla Megill, Executive Assistant, Parks and Recreation Department

20-Year Pin

Santos Escobar, Jr., Parks Manager, Parks and Recreation Department

25-Year Pin

Aurelio Arroyo, Lead Meter Reader / Water Distributer, Public Works Department
Peter Whittington, Irrigation Systems Tech, Parks and Recreation Department
Kathryn Sangster, Admin / Clerical Supervisor, Waterfront Department
Stephen McCullough, Harbor Patrol Supervisor, Waterfront Department

CHANGES TO THE AGENDA

Item Removed from Agenda

City Attorney Wiley stated that the following item was being removed from the agenda:

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

PUBLIC COMMENT

Speakers: Scott Wenz, CARS Are Basic; Bob Hansen; Nancy McCradie; Vanessa Patterson, Executive Director of the Foundation of Santa Barbara City College; David Daniel Diaz; Phil Conran; K8 longstory.

CONSENT CALENDAR (Item Nos. 3 – 17)

The titles of the resolutions and ordinances related to the Consent Calendar were read.

Motion:

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

Vote:

Unanimous roll call vote.

3. Subject: Minutes

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

Action: Approved the recommendation.

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.

Action: Approved the recommendation; Ordinance No. 5611.

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.

Action: Approved the recommendation (April 9, 2013, report from the Assistant City Administrator; proposed ordinance).

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.

Action: Approved the recommendations (April 9, 2013, report from the Assistant City Administrator; proposed ordinances).

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.

Action: Approved the recommendation (April 9, 2013, report from the Assistant City Administrator; proposed ordinance).

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.

Action: Approved the recommendation (April 9, 2013, report from the Parks and Recreation Director).

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.

Action: Approved the recommendation; Contract No. 24,467 (April 9, 2013, report from the Public Works Director).

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.

Action: Approved the recommendation (April 9, 2013, report from the Waterfront Director).

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.

Action: Approved the recommendation; Agreement No. 23,446.1 (April 9, 2013, report from the Airport Director).

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.

Action: Approved the recommendation; Resolution No. 13-017 (April 9, 2013, report from the Public Works Director; proposed resolution).

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.

Action: Approved the recommendations; Resolution No. 13-018; Agreement Nos. 24,468 and 24,469 (April 9, 2013, report from the Public Works Director; proposed resolution).

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.

Action: Approved the recommendation (April 9, 2013, report from the Finance Director; proposed ordinance).

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 concluded the Consent Calendar.

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Grant House reported that the Committee met to hear a Staff presentation on an ordinance regarding Historic and Special Design Districts. He stated that the item will continue to be heard at the Committee's April 16 meeting.

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.

Documents:

- April 9, 2013, report from the Assistant City Administrator/Community Development Director.
- Proposed Resolutions.
- Affidavit of Publication.
- PowerPoint presentation prepared and made by Staff.

(Cont'd)

18. (Cont'd)

Documents (Cont'd):

- April 3, 2013, letter from Alastair Winn.
- April 9, 2013, handout from Bob Handy.
- April 9, 2013, handout from John Ramieri.

The titles of the resolutions were read.

Public Comment Opened:

2:39 p.m.

Speakers:

- Staff: Urban Historian Nicole Hernandez.
- Members of the Public: Bob Handy, Robert Burke, Ron Dexter, William Connell, John Ramieri, Kellem de Forest, Santa Barbara County Architect Robert Ooley.

Public Comment Closed:

3:01 p.m.

Motion:

Councilmembers House/Francisco to approve the recommendations;
Resolution Nos. 13-019 and 13-020.

Vote:

Unanimous roll call vote.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

AIRPORT DEPARTMENT

19. Subject: Proposed Marine Corps Tribute (610.03)

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.

Documents:

- April 9, 2013, report from the Airport Director.
- PowerPoint presentation prepared and made by Staff and Artist.
- April 4, 2013, email from Fred Lopez.
- April 5, 2013, email from Michel Nellis.
- April 5, 2013, letter from Santa Barbara County Supervisor Salud Carbajal.
- April 7, 2013, email from P.R. Schenck.

(Cont'd)

19. (Cont'd)

Documents (Cont'd):

- April 8, 2013, emails from Denison Bacon, Walt and Wendy Clapp, Brian Smith, Major Jose A. Ramirez (Ret), and Russell E. Mueller.

Speakers:

- Staff: Airport Director Karen Ramsdell.
- Artist: Douglas Lochner.
- Airport Commission: Chair Bruce Miller.
- Visual Arts in Public Places Committee: Jacqueline Dyson.
- Arts Advisory Committee: Robert Adams.
- Members of the Public: John Blankenship; Ginny Brush, Executive Director of Santa Barbara County Arts Commission; Joseph Narkevitz; Rita Ferri, Santa Barbara County Arts Commission; Fred Lopez; Jack Harris; Jose Ramirez; Dennis Merenbach; Peter Shank; Kellem de Forest.

Motion:

Councilmembers White/Hotchkiss to approve the recommendation; Agreement No. 24,470.

Vote:

Unanimous voice vote.

RECESS

3:58 p.m. – 4:08 p.m.

CITY ADMINISTRATOR

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

Recommendation: That Council:

- 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;
- 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
- Appoint a three member ad hoc committee to work with staff and the consultant to craft the opinion survey.

Documents:

April 9, 2013, report from the Assistant City Administrator.

Speakers:

Staff: Assistant City Administrator Marcelo A. López. (Cont'd)

20. (Cont'd)

Motion:

Councilmembers House/Rowse to not move forward with conducting the proposed opinion poll.

Vote:

Majority voice vote (Noes: Councilmember Murillo).

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember White reported on the following meetings:
 - Fire and Police Commission meeting regarding the Whiskey Richards Dance Permit, which the Commission suspended for 60 days, which decision the owner has appealed to the City Council;
 - Eastside Traffic Workshop regarding issues of traffic on the Eastside;
 - Water Commission meeting, where issues of a water shortage and capital projects taking place at the El Estero Wastewater Treatment Plant were discussed.
- Councilmember Murillo reported on a recent Juvenile Justice Task Force meeting regarding mental health services being provided to juveniles. She also spoke regarding the Eastside Library mural opening and a recent Youth Advisory Council meeting.
- Councilmember Hotchkiss spoke regarding the Opening of the Old Spanish Days Fiesta event. He mentioned the visits from cruise ships and their passengers.
- Councilmember House reported on a luncheon at Presidio Springs where a discussion was held on a residential and treatment facility for transitioning mentally ill and drug-addicted homeless individuals into affordable housing.

RECESS

Mayor Schneider recessed the meeting at 4:47 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 22, and she stated that no reportable action is anticipated.

CLOSED SESSION

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

(Cont'd)

22. (Cont'd)

Documents:

April 9, 2013, report from the Assistant City Administrator.

Time:

4:48 p.m. – 5:12 p.m.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 5:12 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST: _____
GWEN PEIRCE, CMC
CITY CLERK SERVICES MANAGER