

**CITY OF SANTA BARBARA
CITY COUNCIL**

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Mayor Pro Tempore
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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>

**MAY 21, 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

- 11:00 a.m. - Special Finance Committee Meeting, David Gebhard Public Meeting Room, 630 Garden Street
2:00 p.m. - City Council Meeting

SPECIAL FINANCE COMMITTEE MEETING - 11:00 A.M. IN THE DAVID GEBHARD PUBLIC MEETING ROOM, 630 GARDEN STREET (120.03)

- 1. Subject: Loan to Peoples' Self-Help Housing Corporation for a New Affordable Housing Project at 510-520 N. Salsipuedes and 601 E. Haley Street (120.03)**

Recommendation: That the Finance Committee recommend to the City Council approval of a request from Peoples' Self-Help Housing Corporation (PSHHC) for \$900,000 of Home Investment Partnership Program (HOME) funds for the construction of low income rental housing at 510-520 N. Salsipuedes Street and 601 E. Haley Street (Haley and Salsipuedes Apartments).

- 2. Subject: Finance Committee Review Of The Proposed Two-Year Financial Plan For Fiscal Years 2014 And 2015 (120.03)**

Recommendation: That the Finance Committee hear a report from staff on the Proposed Two-Year Financial Plan for Fiscal Years 2014 and 2015, including the Recommended Budget for Fiscal Year 2014.

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 special meeting of May 6, 2013, and the regular meeting of May 7, 2013.

2. Subject: Records Destruction For Community Development 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 Community Development Department in the Administration, Housing and Human Services Division.

3. Subject: April 2013 Investment Report (260.02)

Recommendation: That Council accept the April 2013 Investment Report.

4. Subject: Introduction Of Ordinance For The Approval Of Encroachments At 33 West Victoria Street (330.10)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving an Encroachment Permit to Luria - New Vic LLC, a California Limited Liability Company, and Ensemble Theatre Company, Inc., a California Non-Profit Corporation, for the Property Known as 33 West Victoria Street and 1236 Chapala Street, Santa Barbara County Assessor's Parcel Number 039-181-001, Which Is Owned by Child Abuse Listening Mediation, Inc., a California Non-Profit Public Benefit Corporation, for Site Improvements That Will Encroach into the Public Right-of-Way and City Parking Lot No. 5, and Authorizing the City Administrator to Execute Same.

CONSENT CALENDAR (CONT'D)

5. Subject: Contract For Construction For The Chapala Street Bridge Replacement Project (530.04)

Recommendation: That Council:

- A. Award a contract with Granite Construction Company in their low bid amount of \$1,411,510 for construction of the Chapala Street Bridge Replacement Project, Bid No. 3590;
- B. Authorize the Public Works Director to execute the contract in the amount of \$1,411,510 with Granite Construction Company and approve expenditures up to \$141,151 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;
- C. Authorize the Public Works Director to execute a contract with MNS Engineers, Incorporated, in the amount of \$478,596 for construction management services, and approve expenditures of up to \$16,404 for extra services of MNS Engineers that may result from necessary changes in the scope of work;
- D. Authorize the Public Works Director to execute a contract with Drake Haglan and Associates in the amount of \$45,080 for design support services during construction;
- E. Accept Federal Highway Administration Grant funding in the total amount of \$2,188,562 to cover the cost of construction;
- F. Increase appropriations and estimated revenues by \$2,188,562 in the Fiscal Year 2013 Streets Capital Fund for the Chapala Street Bridge Replacement Project funded by the Federal Highway Administration Grant;
- G. Authorize an increase in appropriations of \$50,000 in the Streets Fund from revenues received through the sale of surplus properties acquired for completed bridge replacement projects to cover final City costs for the design and right-of-way phases of this Project;
- H. Authorize an increase in appropriations of \$24,537 in the Measure A Fund from available Measure A Fund reserves to cover the cost of work not eligible for reimbursement during the construction phase of this Project; and
- I. Increase appropriations and estimated revenues by \$2,000 in the Streets Capital Fund to cover the cost of work not eligible for reimbursement during the construction phase of this Project funded from a fee for granting Crown Castle a utility easement.

CONSENT CALENDAR (CONT'D)

6. **Subject: Contract For Construction For The Zone 6 (Fiscal Year 2013) Pavement Preparation Project (530.04)**

Recommendation: That Council:

- A. Award a contract with Granite Construction Company in their low bid amount of \$1,374,015 for construction of the Zone 6 (Fiscal Year 2013) Pavement Preparation Project, Bid No. 3673;
- B. Authorize the Public Works Director to execute the contract and approve expenditures up to \$137,402 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;
- C. Authorize the Public Works Director to execute a contract with Flowers & Associates, Inc. in the amount of \$108,099 for construction support services, and approve expenditures of up to \$10,810 for extra services that may result from necessary changes in the scope of work; and
- D. Accept \$160,000 of State Local Partnership Program (SLPP) funds for the Zone 6 (Fiscal Year 2013) Pavement Preparation Project, and increase estimated revenues and appropriations by \$160,000 in the Streets Capital Fund.

7. **Subject: Contract For Construction For The Zone 6 (Fiscal Year 2013) Slurry Seal Project (530.04)**

Recommendation: That Council:

- A. Award a contract with VSS International, Inc., waiving minor irregularities, in their low bid amount of \$956,356 for construction of the Zone 6 (Fiscal Year 2013) Slurry Seal Project, Bid No. 3674;
- B. Authorize the Public Works Director to execute the contract and approve expenditures up to \$95,636 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;
- C. Authorize the Public Works Director to execute a contract with Flowers & Associates in the amount of \$141,284 for construction support services, and approve expenditures of up to \$14,128 for extra services that may result from necessary changes in the scope of work;
- D. Increase appropriations and estimated revenues by \$101,710 in the Streets Capital Fund for the Zone 6 (Fiscal Year 2013) Slurry Seal Project funded from revenues from SL Residential, Inc. and Global West Network; and
- E. Appropriate \$50,000 from reserves in the Measure A Fund for the Zone 6 (Fiscal Year 2013) Slurry Seal Project.

CONSENT CALENDAR (CONT'D)

8. Subject: Increase In Appraisal Services For The Cabrillo Boulevard Bridge Replacement Project (530.04)

Recommendation: That Council authorize an increase in the extra services amount with Schott & Company, for real estate appraisal services for the Cabrillo Boulevard Bridge Replacement Project, Contract No. 388,237 in the amount of \$15,000, for a total project expenditure authority of \$40,000.

9. Subject: Service Agreement With Thresholds To Recovery, Inc. To Operate The Sobering Center (520.04)

Recommendation: That Council approve and authorize the Chief of Police to negotiate and execute a service agreement with Thresholds to Recovery, Inc. to operate the Sobering Center in Fiscal Year 2014 with annual fees not to exceed \$202,800 and in a form approved by the City Attorney.

10. Subject: Santa Barbara Police Activities League Donation For The Police Department Youth Explorer Program (520.04)

Recommendation: That Council:

- A. Accept a donation of \$5,516 from the Santa Barbara Police Activities League for the Police Department Explorer Program; and
- B. Increase appropriations and estimated revenues in the Police Department Miscellaneous Grants Fund for the Explorer Program.

11. Subject: Parking And Business Improvement Area Annual Assessment Report For Fiscal Year 2014 - Intention to Levy (550.10)

Recommendation: That Council:

- A. Approve the Parking and Business Improvement Area Annual Assessment Report for Fiscal Year 2014; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring Council's Intention to Levy Parking and Business Improvement Area Assessment Rates for the 2014 Fiscal Year, at a Public Hearing to be Held on June 4, 2013, at 2:00 p.m.

NOTICES

12. The City Clerk has on Thursday, May 16, 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

FIRE DEPARTMENT

13. Subject: Renewal Of Levy For Fiscal Year 2014 For The Wildland Fire Suppression Assessment District (290.00)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring Its Intention to Continue Vegetation Road Clearance, Implementation of a Defensible Space Inspection and Assistance Program, and Implementation of a Vegetation Management Program Within the Foothill and Extreme Foothill Zones; Declaring the Work to be of More Than General or Ordinary Benefit and Describing the District to be Assessed to Pay the Costs and Expenses Thereof; Approving the Engineer's Report; Confirming Diagram and Assessment; and Ordering Continuation of the Wildland Fire Suppression Assessment District for Fiscal Year 2014.

PUBLIC WORKS DEPARTMENT

14. Subject: State Route 225 Relinquishment Authorizations (680.04)

Recommendation: That Council:

- A. Receive an update on the State Route 225 Relinquishment;
- B. Authorize the City Administrator to execute a relinquishment agreement between the State of California Department of Transportation and the City of Santa Barbara for the relinquishment to the City of the portion of State Route 225 on Las Positas Road, Cliff Drive, and Castillo Street, subject to terms and conditions acceptable to the City Administrator and approval as to form of the agreement by the City Attorney; and
- C. Authorize the City Administrator to execute freeway maintenance agreements between the State of California Department of Transportation and the City of Santa Barbara for the Las Positas Road Overcrossing and the Castillo Street Undercrossing, subject to terms and conditions acceptable to the City Administrator and approval as to form of the agreement by the City Attorney.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

PUBLIC WORKS DEPARTMENT (CONT'D)

15. Subject: Contract For Construction For The Punta Gorda Street Bridge Replacement Project (530.04)

Recommendation: That Council:

- A. Award a contract to Shaw Contracting, Inc., in their low bid amount of \$1,865,964.50 for construction of the Punta Gorda Street Bridge Replacement Project, Bid No. 3575;
- B. Authorize the Public Works Director to execute the contract and approve expenditures up to \$186,600 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;
- C. Authorize the Public Works Director to execute a professional services agreement with Filippin Engineering in the amount of \$330,674 for construction management support services for the Punta Gorda Street Bridge Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$33,067 for extra services that may result from necessary changes in the scope of work;
- D. Authorize the Public Works Director to execute a professional services agreement with Penfield & Smith in the amount of \$13,060 for engineering (channel design) support services for the Punta Gorda Street Bridge Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$1,306 for extra services that may result from necessary changes in the scope of work;
- E. Authorize the Public Works Director to execute a professional services agreement with Drake Haglan and Associates in the amount of \$50,000 for engineering (bridge design) support services for the Punta Gorda Street Bridge Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$5,000 for extra services that may result from necessary changes in the scope of work; and
- F. Authorize the Public Works Director to execute a professional services agreement with Cardno ENTRIX in the amount of \$90,881 for environmental coordination and biological monitoring services for the Punta Gorda Street Bridge Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$9,088 for extra services that may result from necessary changes in the scope of work.

MAYOR AND COUNCIL REPORTS

16. Subject: Interviews For City Advisory Groups (140.05)

Recommendation: That Council:

- A. Hold interviews of applicants to various City Advisory Groups; and
- B. Continue interviews of applicants to June 4, 2013, and June 18, 2013.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

17. 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 Bargaining Unit, and the General Bargaining Unit, and regarding discussions with certain unrepresented employees and managers about salaries and fringe benefits.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

18. 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 (one potential case). The pending litigation is the on-going administrative hearings before the California State Water Resources Control Board regarding appropriative water rights permits 11308 and 11310.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

19. Subject: Public Employee Performance Evaluation - Government Code Section 54957 (160.01)

Recommendation: That Council hold a closed session for a Public Employee Performance Evaluation per Government Code Section 54957.

Title: City Attorney

Scheduling: Duration, 40 minutes; anytime

Report: None anticipated

(Continued from May 7, 2013)

ADJOURNMENT