

**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>

**JULY 16, 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

- 12:30 p.m. - Finance Committee Meeting, David Gebhard Public Meeting Room,
630 Garden Street
2:00 p.m. - City Council Meeting

FINANCE COMMITTEE MEETING - 12:30 P.M. IN THE DAVID GEBHARD PUBLIC MEETING ROOM, 630 GARDEN STREET (120.03)

Subject: Amendment To The Airport Promissory Note (120.03)

Recommendation: That the Finance Committee recommend that Council authorize the Finance Director to execute, in a form acceptable to the City Attorney, an Amendment to the Airport Promissory Note dated July 14, 2012, in the original amount of \$7.3 million, to reduce the interest rate from 7% to 3.5% on the outstanding balance of \$5,603,519.97 for the remaining 16 years of the 20-year term.

(See Council Agenda Item No. 21)

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 regular meetings of June 25 and July 9, 2013 (Cancelled).

2. Subject: Fiscal Year 2013 Interim Financial Statements For The Eleven Months Ended May 31, 2013 (250.02)

Recommendation: That Council Accept the Fiscal Year 2013 Interim Financial Statements for the Eleven Months Ended May 31, 2013.

3. Subject: Adoption Of Ordinance Authorizing An Alternative Power Public Water And Wastewater Agency Agreement (540.13)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Authorizing the Execution and Delivery of a Renewable and Alternative Power Public Water and Wastewater Agency Agreement With Southern California Edison, Inc., for the Purpose of Selling Electricity Generated at the City's Conduit Hydroelectric Plant, and Authorizing Related Actions.

4. Subject: Agreement For Operation Of The Granada Garage Bicycle Station And Bikestation Module At City Parking Lot 3 (550.05)

Recommendation: That Council authorize the Public Works Director to execute a one-year agreement with Bikestation to operate the bicycle parking facility, located in the Granada Garage, and the bicycle parking module at City Parking Lot 3 with a base contract of \$17,000 per year for operating costs and membership management, with an option for an annual renewal for four additional years; and up to \$8,000 for participation in community events as an annual incentive for marketing and outreach to increase new annual members.

CONSENT CALENDAR (CONT'D)

5. Subject: Acquisition Of Real Property At 230 W. Cota Street 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 230 W. Cota Street, 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, and Record Said Real Property Interests in the Official Records of the County of Santa Barbara;
- B. Appropriate \$72,834.50 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 acquisition of 230 W. Cota Street in the total amount of \$635,000.

6. Subject: Software Maintenance Services for Regional Law Enforcement Telecommunications System (520.04)

Recommendation: That Council find it in the City's best interest to waive the bidding process as provided in Municipal Code 4.52.070(k) and authorize the General Services Manager to issue a purchase order to Level II, Inc. in the amount of \$34,067 for software maintenance services for the California Law Enforcement Telecommunications Systems (CLETS) Joint Powers Agreement (JPA) Message Switching, Journaling, and Billing Applications for Fiscal Year 2014 and the four following fiscal years, in accordance with approved budgets.

7. Subject: Software Maintenance Services From Versaterm Records Management and Dispatch Software Systems Applications (520.04)

Recommendation: That Council find it in the City's best interest to waive the bidding process as provided in Municipal Code 4.52.070 (k) and authorize the General Services Manager to issue a purchase order in the amount of \$205,434 to Versaterm Software Systems for software maintenance services for the following Versadex applications: Computer Aided Dispatch (CAD), Mobile Data Computer (MDC), Records Management System (RMS), and Mobile Report Entry (MRE) for Fiscal Year 2014 and the following four fiscal years, in accordance with approved budgets.

CONSENT CALENDAR (CONT'D)

8. Subject: Appropriation Of Funds From The K9 Unit Trust (520.04)

Recommendation: That Council appropriate \$29,500 from the Police K9 Unit Trust Fund reserves to cover Fiscal Year 2014 expenses related to the annual care, maintenance and training for the K9 Program.

9. Subject: Funding of Final Judgment in the Ruben Barajas, et, al. v. City of Santa Barbara (SBSC Case No. 1383054.) (160.03)

Recommendation: That Council:

- A. Approve a payment out of the Self-Insurance Fund for damages in the amount of \$636,546 in connection with the above-referenced Barajas case; and
- B. Defer the final funding decision to a future Council discussion on the use of one-time General Fund revenues as recommended by the Finance Committee.

10. Subject: Extension Of Pre-Qualified Providers List For Supervisory Control And Data Acquisition Services At Water And Wastewater Facilities (540.01)

Recommendation: That Council review and extend the pre-qualified providers list for Supervisory Control and Data Acquisition Services at Water and Wastewater Facilities.

11. Subject: Approval Of Equipment Standardization List For The Water Resources Division (540.01)

Recommendation: That Council find it to be in the City's best interest to approve an Equipment Standardization List for the Water Resources Division for the next three-year period, in accordance with Section 4.52.070 (L) of the Municipal Code.

12. Subject: Resolution Authorizing Execution Of A Grant Agreement In The Amount Of \$10,000 With The U.S. Fish And Wildlife Service For Installation Of Native Trees On Mission Creek At The Caltrans Channels (530.03)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Parks and Recreation Director, or Designee, to Execute an Agreement and any Amendments for a Grant in the Amount of \$10,000 from the U.S. Fish and Wildlife Service for installation of native trees on Mission Creek at the Caltrans Channels; and

(Cont'd)

CONSENT CALENDAR (CONT'D)

12. (Cont'd)

- B. Increase the appropriation and estimated revenue by \$10,000 in the Creeks Capital Fund for the Mission Creek Fish Passage Project at the CalTrans Channels.

13. **Subject: Agreement For Franceschi Park Resident Caretaker (570.05)**

Recommendation: That Council authorize the Parks and Recreation Director to execute a Caretaker Rental Agreement, for which the value of services performed for the City by virtue of his presence at Franceschi Park will serve as the in lieu payment of rent, currently \$451.89 per month, for Franceschi Park with Jeffery Miller through July 31, 2014.

14. **Subject: Implement Negotiated Change to Firefighters Pension Contribution Method (440.03)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara for Paying and Reporting the Value of Employer Paid Member Contributions for Certain Firefighters Association Employees to the California Public Employees Retirement System, Effective June 29, 2013.

15. **Subject: Professional Services Agreement For The Enhanced Chemical Wastewater Treatment Pilot Project (540.13)**

Recommendation: That Council approve and authorize the Public Works Director to execute a City Professional Services contract with Brown and Caldwell in the amount of \$38,708 for engineering services for the Enhanced Chemical Wastewater Treatment Pilot Project, and authorize the Public Works Director to approve expenditures of up to \$3,870 for extra services of Brown and Caldwell that may result from necessary changes in the scope of work.

16. **Subject: Grant Agreement With South Coast Community Media Access Center (510.04)**

Recommendation: That Council authorize the Finance Director to execute a grant agreement, in a form acceptable to the City Attorney, with the South Coast Community Media Access Center for management of the public and educational access television channels in an amount of \$288,800 plus an amount not to exceed \$126,000 for public, educational and government access (PEG) capital expenditures, covering the period from July 1, 2013 to June 30, 2014.

CONSENT CALENDAR (CONT'D)

17. Subject: Introduction Of Storm Water Management Ordinance And Adoption Of Storm Water Guidance Manual (540.01)

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 22.87 to Title 22 of the Santa Barbara Municipal Code Relating to Storm Water Management for Development and Redevelopment Projects; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the City of Santa Barbara Storm Water BMP Guidance Manual dated July 2013.

18. Subject: Municipal Code Amendments For Implementation Of The Average Unit-Size Density (AUD) Incentive Program (640.02)

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adding Chapter 28.20 to the Santa Barbara Municipal Code and Amending Sections 28.43.040, 28.66.050, 28.69.050, 28.72.050, 28.73.050 to Implement the City's 2011 General Plan Average Unit-Size Density Incentive Program; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting Environmental Findings Pursuant to the California Environmental Quality Act Regarding the Implementation of the Average Unit-Size Density Incentive Program.

19. Subject: Introduction Of Ordinance For Grant Of Easement At 960 East Mountain Drive (330.03)

Recommendation: That Council introduce, and subsequently adopt, An Ordinance of the Council of the City of Santa Barbara Authorizing the City Administrator to Execute and Record a Non-Exclusive Driveway Easement, in a Form of Agreement Approved by the City Attorney, over an Unused Portion of City Property Known as Gould Park, [Assessor's Parcel Number (APN) 011-010-002] for Roadway Access, Maintenance of Roadway Improvements, Subsurface Utilities, and Related Purposes Benefitting the Property Known as 960 East Mountain Drive, APN 011-250-023, both Parcels Being Located in the County of Santa Barbara.

CONSENT CALENDAR (CONT'D)

NOTICES

20. The City Clerk has on Thursday, July 11, 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

FINANCE DEPARTMENT

21. Subject: Amendment To The Airport Promissory Note (210.01)

Recommendation: That Council authorize the Finance Director to execute, in a form acceptable to the City Attorney, an Amendment to the Airport Promissory Note dated July 14, 2012, in the original amount of \$7.3 million, to reduce the interest rate from 7% to 3.5% on the outstanding balance of \$5,603,519.97 for the remaining 16 years of the 20-year term.

PUBLIC WORKS DEPARTMENT

22. Subject: Report From Santa Barbara Metropolitan Transit District (150.05)

Recommendation: That Council hear a report from the Santa Barbara Metropolitan Transit District regarding potential impacts to transit service in the City due to the California Pension Reform Act of 2012.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

23. **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

24. **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 General Bargaining Unit.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

25. **Subject: Conference with Real Property Negotiators (330.03)**

Recommendation: That Council hold a closed session pursuant to Government Code Section 54956.8 to consider the possible purchase of real property.

Real Property: 3742 Foothill Road, Santa Barbara, California, APN 055-020-034.

City Negotiators: Cameron Benson, Creeks Manager; Stephen P. Wiley, City Attorney; and N. Scott Vincent, Assistant City Attorney.

Negotiating Parties: Brigette von dem Hagen for property owner Sandra De Forrest Trust.

Under Negotiation: Price and terms of purchase of real property.

Scheduling: Duration, 20 Minutes; anytime

Report: None anticipated

ADJOURNMENT