



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING July 16, 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 met at 12:30 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, City Clerk Services Manager Gwen Peirce.

PUBLIC COMMENT

Speakers: Kenneth Loch; Dr. Gary Linker, Center for Successful Aging; Dr. Robert Johns.

ITEMS REMOVED FROM CONSENT CALENDAR

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.

Councilmember White stated that he would abstain from voting on this item due to a potential conflict of interest related to his familial relationship to the owners of the property at 960 East Mountain Drive.

Documents:

- July 16, 2013, report from the Parks and Recreation Director.
- Proposed ordinance.

The title of the ordinance was read.

Motion:

Councilmembers House/Rowse to approve the recommendation.

Vote:

Majority voice vote (Noes: Councilmember Murillo; Abstentions: Councilmember White).

CONSENT CALENDAR (Item Nos. 1-17 and 20)

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

Motion:

Councilmembers House/Franciso to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

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).

Action: Approved the recommendation.

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.

Action: Approved the recommendation (July 16, 2013, report from the Finance Director).

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.

Action: Approved the recommendation; Ordinance No. 5627; Agreement No. 24,501.

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.

Action: Approved the recommendation; Agreement No. 24,563 (July 16, 2013, report from the Public Works Director).

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;
(Cont'd)

5. **(Cont'd)**

- 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.

Action: Approved the recommendations; Resolution No. 13-062; Agreement No. 24,564 (July 16, 2013, report from the Public Works Director; proposed resolution).

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.

Action: Approved the recommendation (July 16, 2013, report from the Finance Director).

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.

Action: Approved the recommendation (July 16, 2013, report from the Police Chief).

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.

(Cont'd)

8. (Cont'd)

Action: Approved the recommendation (July 16, 2013, report from the Police Chief).

9. Subject: Funding of Final Judgment in the Ruben Barajas, et, al. v. City of Santa Barbara (SBSC Case No. 1383054) (350.05)

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.

Action: Approved the recommendations (July 16, 2013, report from the Finance Director).

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.

Action: Approved the recommendation (July 16, 2013, report from the Public Works Director).

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.

Action: Approved the recommendation (July 16, 2013, report from the Public Works Director).

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
- 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.

Action: Approved the recommendations; Resolution No. 13-063; Agreement No. 24,565 (July 16, 2013, report from the Parks & Recreation Director; proposed resolution).

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.

Action: Approved the recommendation; Agreement No. 24,566 (July 16, 2013, report from the Parks & Recreation Director).

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.

Action: Approved the recommendation; Resolution No. 13-064 (July 16, 2013, report from the Assistant City Administrator; proposed resolution).

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.

Action: Approved the recommendation; Contract No. 24,567 (July 16, 2013, report from the Public Works Director).

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.

Action: Approved the recommendation; Agreement No. 24,568 (July 16, 2013, report from the Finance Director).

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.

Action: Approved the recommendations; Resolution No. 13-065 (July 16, 2013, report from the Parks & Recreation Director; proposed ordinance and resolution).

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 concluded the Consent Calendar.

ITEMS REMOVED FROM CONSENT CALENDAR (CONT'D)

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.

Documents:

- July 16, 2013, report from the Community Development Director.
- Proposed Ordinance.
- Proposed Resolution.
- July 15, 2013, letter from Trevor J. Martinson.

Speakers:

- Staff: Principal Planner John Ledbetter.
- Members of the Public: Susan Shank; Paul Hernadi, Citizens Planning Association; Joe Rution, Allied Neighborhood Association; Toby Bradley and Erik Taiji, Santa Barbara Association of Realtors.

Motion:

Councilmembers Murillo/House to approve the recommendations; Resolution No. 13-066.

Vote:

Majority roll call vote (Noes: Councilmember Francisco).

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dale Francisco reported that the Committee received a report on a proposed amendment to the Airport Promissory Note that would reduce the interest rate from 7% to 3.5%. This issue will be presented to the full Council as Agenda Item No. 21.

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.

Documents:

July 16, 2013, report from the Finance Director.

Speakers:

Staff: Finance Director Robert Samario.

Motion:

Councilmembers White/Francisco to approve the recommendation.

Vote:

Unanimous voice vote.

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.

Documents:

- July 16, 2013, report from the Public Works Director.
- PowerPoint presentation prepared and made by Santa Barbara Metropolitan Transit District staff.

Speakers:

- Staff: Transportation Manager Browning Allen.

(Cont'd)

22. (Cont'd)

Speakers: (Cont'd)

- Santa Barbara Metropolitan Transit District: General Manager Sherrie Fisher, Assistant General Manager Jerry Estrada, Manager of Planning George Amoon.

The Council received the report and their questions were answered.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Murillo reported on her attendance at the following meetings and events:
 - Youth Council meeting where Committee assignments were made;
 - Pacific Pride Festival;
 - Housing Authority meeting;
 - Reina del Mar, Native Daughters of the Golden West, Fiesta Tea; and
 - Appreciation luncheon for Fire Department Volunteers.
- Councilmember White commented on his attendance at a Water Commission meeting where a discrepancy in the accounting of water was discussed.

RECESS

The Mayor recessed the meeting at 3:51 p.m. in order for the Council to reconvene in closed session for Item Nos. 23, 24 and 25; she stated that no reportable action is anticipated.

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

Documents:

July 16, 2013, report from the City Attorney.

Time:

3:53 p.m. – 4:10 p.m. All Councilmembers were present.

No report made.

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

Documents:

July 16, 2013, report from the Assistant City Administrator.

Time:

4:10 p.m. – 4:30 p.m. All Councilmembers were present.

No report made.

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

Documents:

July 16, 2013, report from the Parks and Recreation Director and City Attorney.

Time:

4:30 p.m. – 5:10 p.m. All Councilmembers were present.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 5:10 p.m. in memory of Joshua Canning.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST:

GWEN PEIRCE, CMC
CITY CLERK SERVICES MANAGER