

**CITY OF SANTA BARBARA  
CITY COUNCIL**

**Helene Schneider**  
*Mayor*  
**Randy Rowse**  
*Mayor Pro Tempore*  
**Grant House**  
*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>

**NOVEMBER 12, 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](http://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
- 12:30 p.m. - Ordinance Committee Meeting, Council Chamber
- 2:00 p.m. - City Council Meeting
- 4:00 p.m. - Interviews for City Advisory Groups (Estimated Time)

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

#### **Subject: Fiscal Year 2014 First Quarter Interim Financial Statements (120.03)**

Recommendation: That the Finance Committee recommend that Council:

- A. Hear a report from staff on the status of revenues and expenditures in relation to budget for the three months ended September 30, 2013;
- B. Accept the Fiscal Year 2014 Interim Financial Statements for the Three Months Ended September 30, 2013; and
- C. Approve the proposed first quarter adjustments to Fiscal Year 2014 appropriations and estimated revenues as detailed in the attached Schedule of Proposed First Quarter Adjustments.

(See Council Agenda Item No.10)

### **ORDINANCE COMMITTEE MEETING - 12:30 P.M. IN THE COUNCIL CHAMBER (120.03)**

#### **Subject: Interim Air Quality Design Standards For Development Near Highway 101 (120.03)**

Recommendation that the Ordinance Committee:

- A. Consider a draft ordinance establishing interim air quality design standards for development near Highway 101, to implement Policy ER7 of the 2011 General Plan; and
- B. Forward the draft ordinance for Planning Commission review and subsequent City Council adoption.

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

### **CALL TO ORDER**

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

### **CEREMONIAL ITEMS**

**1. Subject: Employee Recognition - Service Award Pins (120.04)**

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 November 30, 2013.

### **CHANGES TO THE AGENDA**

### **PUBLIC COMMENT**

### **CONSENT CALENDAR**

**2. Subject: Minutes**

Recommendation: That Council waive the reading and approve the minutes of the regular meetings of October 22 and 29, 2013 and the regular meeting of November 5, 2013 (cancelled).

**3. Subject: Appropriation Of Miscellaneous Grants Funds For Scheduling Software Upgrade (170.04)**

Recommendation: That Council:

- A. Appropriate \$20,000 in the Fiscal Year 2014 Police Department Miscellaneous Grants Fund from available reserves for the purchase of an upgrade and service package for the InTime Scheduling software; and
- B. 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 \$20,000 to InTime for a software upgrade and annual maintenance for the following four fiscal years, in accordance with approved budgets.

## CONSENT CALENDAR (CONT'D)

### 4. **Subject: Appropriation Of Asset Forfeiture Funds For The Purchase Of A System Upgrade And Digital Forensic Equipment (520.04)**

Recommendation: That Council:

- A. Appropriate \$8,668 in the Fiscal Year 2014 Police Department Police Asset Forfeiture Fund from available reserves for the purchase of an upgrade for the NEC fingerprint workstation;
- B. Appropriate \$8,632 in the Fiscal Year 2014 Police Department Police Asset Forfeiture Fund from available reserves for the purchase of a Micro Systemation XRY software for the forensic analysis of mobile device digital data evidence;
- C. Find it in the City's best interest to waive the formal bid process as authorized in Municipal Code Section 4.52.080(k) and authorize the City's General Services Manager to issue a sole source purchase order to NEC for an upgrade to the fingerprint workstation; and
- D. Find it in the City's best interest to waive the formal bid process as authorized in Municipal Code Section 4.52.080(k) and authorize the City's General Services Manager to issue a sole source purchase order to Micro Systemation for the XRY software application used to perform secure forensic extraction of digital data.

### 5. **Subject: Request To Restate And Amend Covenant On Property Located At 203, 215, And 221 Hitchcock Way ("Rancho Franciscan Apartments") (330.01)**

Recommendation: That Council approve a Restated and Amended Declaration of Covenants, Conditions, and Restrictions Imposed on Real Property ("Covenant") to Comply with Housing and Urban Development (HUD) Requirements Concerning Age Discrimination and Subordination of the Covenant to a New HUD Insured Loan During the Term of the Loan and Authorize the Community Development Director to Execute Such Agreements and Related Documents, Subject to Approval as to Form by the City Attorney, as Necessary.

### 6. **Subject: Avigation And Noise Easement For 7000 Hollister Avenue, Goleta (560.14)**

Recommendation: That Council:

- A. Approve and authorize the City Administrator to execute and record a grant deed of avigation and noise easement and agreement imposing conditions on real property by and between Goleta Hollister, LLC and the City of Santa Barbara; and

(Cont'd)

**6. (Cont'd)**

- B. Adopt, by reading of title only, A Resolution of the Council of the City Of Santa Barbara Accepting an Avigation and Noise Easement Imposing Conditions on Real Property known as Assessor's Parcel Numbers 073-030-020 and 073-030-021.

**7. Subject: Cancellation Of Certain Council Meetings In 2014 (120.02)**

Recommendation: That Council cancel the regular Council Meetings on the following dates: January 21, February 18, April 1, May 27, July 8, August 19, August 26, September 2, December 2, December 23, December 30, 2014.

**8. Subject: Adoption Of Ordinance Amending Lease With Richones Inc., Doing Business As Chuck's Waterfront Grill, For Office Space At 113 Harbor Way (330.04)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving Lease Amendment Number One to Lease Number 23,328 with Richones Inc., Doing Business As Chuck's Waterfront Grill, for Office Space Located at 113 Harbor Way #145 and #150 at a Monthly Rate of \$2,519.

NOTICES

9. The City Clerk has on Thursday, November 7, 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**

**REPORT FROM THE ORDINANCE COMMITTEE**

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### **FINANCE DEPARTMENT**

#### **10. Subject: Fiscal Year 2014 First Quarter Interim Financial Statements (120.03)**

Recommendation: That Council:

- A. Hear a report from staff on the status of revenues and expenditures in relation to budget for the three months ended September 30, 2013;
- B. Accept the fiscal year 2014 Interim Financial Statements for the Three Months Ended September 30, 2013; and
- C. Approve the proposed first quarter adjustments to Fiscal Year 2014 appropriations and estimated revenues as detailed in the attached Schedule of Proposed First Quarter Adjustments.

### **COMMUNITY DEVELOPMENT DEPARTMENT**

#### **11. Subject: Emergency Shelter Zoning Discussion (640.09)**

Recommendation: That Council provide direction to Community Development staff related to the implementation of Senate Bill 2 (SB2), (as enacted in 2007 as Government Code Section 65583), requiring that every municipality identify zoning intended to encourage and facilitate "emergency shelters".

### **PUBLIC HEARINGS**

#### **12. Subject: General Plan Safety Element Update (610.04)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the 2013 Safety Element Update to the General Plan and Making Environmental Findings Pursuant to the California Environmental Quality Act.

### **MAYOR AND COUNCIL REPORTS**

#### **13. 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 November 19, 2013.  
(Estimated Time: 4:00 p.m.)

## COUNCIL AND STAFF COMMUNICATIONS

### COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

#### CLOSED SESSIONS

**14. Subject: Conference with Legal Counsel - Pending Litigation (160.03)**

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (d)(1) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is *Donald Sipple, and New Cingular Wireless PSC LLC, et al., v. The City of Alameda, California, et al.*, LASC Case No. BC432270

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

**15. 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 General Bargaining Unit, Treatment and Patrol Bargaining Units, Hourly Bargaining Unit, Police Management Association, and regarding salaries and fringe benefits for certain unrepresented management and confidential employees.

Scheduling: Duration, 45 minutes; anytime

Report: None anticipated

#### ADJOURNMENT