

**CITY OF SANTA BARBARA
CITY COUNCIL**

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City Administrator

Stephen P. Wiley
City Attorney

City Hall
735 Anacapa Street
<http://www.SantaBarbaraCA.gov>

**OCTOBER 29, 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
- 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: September 30, 2013, Investment Report And September 30, 2013, Fiscal Agent Report (120.03)

Recommendation: That the Finance Committee recommend that Council:

- A. Accept the September 30, 2013, Investment Report; and
- B. Accept the September 30, 2013, Fiscal Agent Report.

(See Council Agenda Item No. 4)

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 meeting of October 15, 2013.

2. Subject: Adoption Of 2013 Fire Code Ordinance (520.03)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Repealing Santa Barbara Municipal Code Chapter 8.04 and Adopting a New Chapter 8.04 Adopting by Reference the 2013 Edition of the California Fire Code, as Published by the California Building Standards Commission, Including Appendix Chapter 4 and Appendices B, BB, C, CC and H of That Code, with Local Amendments.

3. Subject: Adoption Of 2013 Building Code Ordinance (640.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Santa Barbara Municipal Code Chapter 22.04, Adopting by Reference the California State Building Codes and Other Related Codes; Adopting Local Revisions to Those Codes; and Repealing Ordinance Number 5536.

4. Subject: September 30, 2013, Investment Report And September 30, 2013, Fiscal Agent Report (260.02)

Recommendation: That Council:

- A. Accept the September 30, 2013, Investment Report; and
- B. Accept the September 30, 2013, Fiscal Agent Report.

5. Subject: Request For Designation Of 1130 State Street (Santa Barbara Museum Of Art) As A Community Benefit Project (640.09)

Recommendation: That Council find the proposed expansion of the Santa Barbara Museum of Art a Community Benefit Project pursuant to Santa Barbara Municipal Code (SBMC) §28.85.020.A. and allocate 8,990 square feet of non-residential floor area to the project from the Community Benefit category.

CONSENT CALENDAR (CONT'D)

6. **Subject: Introduction 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 introduce and subsequently 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.

7. **Subject: Capital Improvement Projects: First Quarter Report For Fiscal Year 2014 (230.01)**

Recommendation: That Council receive a report on the City's Capital Improvement Projects for the First Quarter of Fiscal Year 2014.

8. **Subject: Increase In Construction Change Order Authority For The Punta Gorda Street Bridge Replacement Project (530.04)**

Recommendation: That Council authorize an increase in the Public Works Director's Change Order Authority to approve expenditures for extra work for the Punta Gorda Street Bridge Replacement Project, Contract No. 24,514, in the amount of \$160,000, for a total Project expenditure authority of \$3,432,037.

9. **Subject: Resolution Of Intent To Amend Solid Waste Franchise Agreement With MarBorg Industries, Inc. (510.04)**

Recommendation: That Council adopt, by reading of title only, A Resolution Of The Council Of The City Of Santa Barbara Declaring Its Intention To Amend The Ten-Year Exclusive Franchise For Citywide Solid Waste Collection And Disposal Services In The City Granted By The City To MarBorg Industries, Inc., A California Corporation, On February 12, 2013 By City Ordinance No. 5608.

NOTICES

10. The City Clerk has on Thursday, October 24, 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.
11. Receipt of communication advising of vacancy created on the Community Development and Human Services Committee with the resignation of James Cook; the vacancy will be part of the next City Advisory Group recruitment.

This concludes the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PARKS AND RECREATION DEPARTMENT

12. Subject: Interview And Appointment Of Youth Intern Applicant To The Parks And Recreation Commission (570.08)

Recommendation: That Council:

- A. Interview applicant Andrew Rodriguez for the position of Youth Intern to the Parks and Recreation Commission; and
- B. Request that Mayor Schneider appoint Andrew Rodriguez to the position of Youth Intern to the Parks and Recreation Commission.

PUBLIC HEARINGS

13. Subject: Appeal Of Historic Landmarks Commission Approval Of 1330 Chapala Street (640.07)

Recommendation: That Council deny the appeal of Margaret Cafarelli, Agent for Urban Developments, LLC, of the application of Peikert + RRM Design Group, and uphold the Historic Landmarks Commission's Project Design Approval for the proposed mixed-use project consisting of 33 new apartments, 2 new commercial units, a new partially below grade parking garage, and alterations to the existing at-grade parking lot, incorporating the changes to the site plan and Parking Management Plan that have since been proposed by the Applicant.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

CITY ADMINISTRATOR

14. Subject: Citywide Performance Highlights For Fiscal Year 2013 And Comparative Indicators Report (170.01)

Recommendation: That Council:

- A. Receive a summary of department performance management results and highlights for Fiscal Year 2013; and
- B. Receive a report on how the City of Santa Barbara compares with similar California communities on key indicators.

MAYOR AND COUNCIL REPORTS

15. 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 12, 2013, and November 19, 2013.

(Estimated Time: 4:00 p.m.)

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

16. 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. Pending litigation considered is: *Sheri Markley v. City of Santa Barbara*, WCAB case number ADJ7009222.

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

17. 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. Pending litigation considered is: *Alvin Jerome James v. City of Santa Barbara*, WCAB case numbers ADJ7481425.

Scheduling: Duration, 10 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 (d)(1) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is *Santa Barbara Patients' Collective Health Cooperative v. City of Santa Barbara, et al.*, USDC Case No. CV10-6534 DDP(RCx).

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

ADJOURNMENT