



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING January 28, 2014 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, Gregg Hart, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, Interim City Attorney Sarah Knecht, Deputy City Clerk Susan Tschech.

PUBLIC COMMENT

Speakers: Scott Wenz, Cars Are Basic; Clint Orr; Steve Reynolds; Robert Burke; Phil Walker; Brandon Morse; Cruzito Herrera Cruz.

CONSENT CALENDAR (Item Nos. 1 – 12)

The titles of the ordinance and resolution related to Consent Calendar items were read.

Motion:

Councilmembers White/Rowse to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

CITY COUNCIL

1. Subject: Minutes

Recommendation: That Council waive further reading and approve the minutes of the regular meeting of January 7, and the special meeting of January 10, 2014.

Action: Approved the recommendation.

2. Subject: Introduction Of Ordinance For Amendment To Lease Agreement With La Patera Investors, LP, For Property At 80 South La Patera Lane (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 and Authorizing the Airport Director to Execute a Third Amendment to Lease No. 19,067 Between the City of Santa Barbara and La Patera Investors, LP, a California Limited Partnership, Amending Article XXIII, "Subletting and Assignment," to Allow Encumbrance of the Leasehold by an Approved Mortgagee.

Action: Approved the recommendation (January 28, 2014, report from the Acting Airport Director; proposed ordinance).

3. Subject: December 31, 2013, Investment Report And December 31, 2013, Fiscal Agent Report (260.02)

Recommendation: That Council:

- A. Accept the December 31, 2013, Investment Report; and
- B. Accept the December 31, 2013, Fiscal Agent Report.

Action: Approved the recommendations (January 28, 2014, report from the Finance Director).

4. Subject: Agreement For Parking Citation Program Analysis (520.04)

Recommendation: That Council approve and authorize the Chief of Police to execute a Professional Services Agreement with JR Parking Consultants in the amount of \$54,970 for parking citation program analysis, and authorize the Chief of Police to approve expenditures of up to \$2,700 for extra services that may result from necessary changes in the scope of work.

Speakers:

Staff: City Administrator James Armstrong, Police Business Manager Lori Pedersen.

(Cont'd)

4. (Cont'd)

Action: Approved the recommendation; Agreement No. 24,690 (January 28, 2014, report from the Chief of Police).

5. Subject: Agreements For Sanitary Sewer Chemical Root Cleaning Services (540.13)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute an agreement with Duke's Root Control in the amount of \$45,111.25 for sanitary sewer chemical root cleaning services, and authorize the Public Works Director to approve expenditures of up to \$4,511 for extra services that may result from necessary changes in the scope of work; and
- B. Authorize the Public Works Director to execute an agreement with Pacific Sewer Maintenance in the amount of \$43,635.46 for sanitary sewer chemical root cleaning services, and authorize the Public Works Director to approve expenditures of up to \$4,363 for extra services that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Agreement Nos. 24,691 and 24,692 (January 28, 2014, report from the Acting Public Works Director).

6. Subject: Sole Source Purchase Order For Skidata, Inc., Parking Revenue Control Equipment (550.08)

Recommendation: That Council find it in the City's best interest to waive the formal bid procedure as authorized by Municipal Code Section 4.52.070(k), and authorize the General Services Manager to issue a purchase order to Sentry Control Systems for Skidata parking revenue control equipment in an amount not to exceed \$230,000.

Action: Approved the recommendation (January 28, 2014, report from the Waterfront Director).

7. Subject: Parma Park Trust Funds For The Maintenance Of Parma Park (570.05)

Recommendation: That Council increase appropriations by \$76,037 in the Parks and Recreation Department Fiscal Year 2014 Miscellaneous Grants Fund for maintenance of Parma Park.

Action: Approved the recommendation (January 28, 2014, report from the Parks and Recreation Director).

8. Subject: Goleta Slough Mouth Biological Assessment Contract (560.04)

Recommendation: That Council:

- A. Approve and authorize the Airport Director to execute a contract with Rincon Consultants, Inc., for biological services associated with the maintenance of the Goleta Slough Mouth in an amount not to exceed \$233,938, and authorize the Airport Director to approve expenditures up to \$23,394 for extra services that may result from necessary changes in the scope of work; and
- B. Increase appropriations by \$257,332 in the Airport Operating Fund from available reserves for the contract and change order authorization.

Speakers:

Staff: Project Planner Andrew Bermond.

Action: Approved the recommendations; Contract No. 24,693 (January 28, 2014, report from the Acting Airport Director).

9. Subject: Atomic Absorption Spectrometer System Purchase Authorization (540.10)

Recommendation: That Council find it in the City's best interest to waive the formal bidding process, as authorized by Municipal Code Section 4.52.070(L), and authorize the City General Services Manager to issue a Purchase Order in the amount of \$40,721 for the purchase of an atomic absorption spectrometer, PinAAcle 900F flame main module controller with WinLab 32 elemental lamps and extended warranty to Perkin Elmer® Health Science, Inc.

Action: Approved the recommendation (January 28, 2014, report from the Acting Public Works Director).

10. Subject: Right Of Entry For The Possession And Use Of Real Property, Interim Vacancy Agreement, And Reimbursement Agreement At 13 East Cabrillo Boulevard For The Cabrillo Boulevard Bridge Replacement Project (530.04)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Acting Public Works Director to Accept and Execute a Right of Entry For The Possession and Use of Certain Real Property Located at 13 (Otherwise Known as 15) East Cabrillo Boulevard (Assessor's Parcel No.: 033-111-012), 21 Helena Avenue (Assessor's Parcel No.: 033-111-004), and 6 State Street (Assessor's Parcel No.: 033-111-011), and Such Other Agreements and Related Documents as May Be Required, all Relating to the Cabrillo Boulevard Bridge Replacement Project; and Consenting to the Recordation of a Memorandum of Right of Entry in the Official Records, County of Santa Barbara; and

(Cont'd)

10. (Cont'd)

- B. Authorize the Acting Public Works Director to Execute an Interim Vacancy Agreement, Reimbursement Agreement and Related Documents, subject to approval as to form by the Acting City Attorney, that may be required, regarding certain real property located at 13 (otherwise known as 15) East Cabrillo Boulevard (Assessor's Parcel No.: 033-111-012) and 21 Helena Avenue (Assessor's Parcel No.: 033-111-004), all relating to the Cabrillo Boulevard Bridge Replacement Project.

Action: Approved the recommendations; Resolution No. 14-003; Deed No. 61-434; Agreement Nos. 24,694 and 24,695 (January 28, 2014, report from the Acting Public Works Director; proposed resolution).

SUCCESSOR AGENCY

11. Subject: Contract Services And Playground Equipment In The Amount Of \$82,290 For The Bath/Ortega Pocket Park (570.05)

Recommendation: That Council and the Successor Agency:

- A. Authorize the City Administrator and Executive Director to execute a contract between the Successor Agency and the City of Santa Barbara Parks and Recreation Department in the amount of \$27,290 for project design and management services, and approve expenditures of up to \$5,000 for City land development permits; and
- B. Authorize the General Services Manager to restrict competition and issue two purchase orders for a total not-to-exceed amount of \$50,000 to International Play Equipment Manufacturers Association, certified vendors that meet the City's qualifications for playground equipment and fall surfacing.

Action: Approved the recommendations; Contract No. 24,696 (January 28, 2014, report from the Parks and Recreation Director).

NOTICES

12. The City Clerk has on Thursday, January 23, 2014, 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.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dale Francisco reported that the Committee met to review the December 31, 2013, Investment Report and Fiscal Agent Report, which were approved by the full Council as part of this agenda's Consent Calendar (Item No. 3). The Committee also heard a Staff report on the Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2013, which will be considered by the Council as Agenda Item No. 16.

CITY COUNCIL AND SUCCESSOR AGENCY REPORTS

13. **Subject: Contract For Construction For The Temporary Relocation Of The 911 Call Center (520.04)**

Recommendation: That the City Council and Successor Agency:

- A. Authorize the City Administrator and Executive Director to execute a contract between the Successor Agency and the City of Santa Barbara Public Works Engineering Division in the amount of \$204,480 for project management and inspection services, and approve expenditures of up to \$20,000 for extra services that may result from necessary changes in the scope of work; and
- B. Authorize the City Administrator and Executive Director to execute a contract between the Successor Agency and the City of Santa Barbara Public Works Facilities Division in the amount of \$40,000 for moving services, electrical, radio, telephone, and building support services, and approve expenditures of up to \$4,000 for extra services that may result from necessary changes in the scope of work.

Recommendation: That the Successor Agency:

- A. Award and authorize the Executive Director to execute a contract with Sigma Services, Incorporated, in their low bid amount of \$927,117 for construction of the temporary relocation of the 9-1-1 Call Center, and approve expenditures up to \$92,711 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 of Bid No. 3651;
- B. Authorize the Executive Director to execute a contract with NewTel Consulting, LLC, in the amount of \$585,671 for systems integration services, including planning and installation of communications and information technology systems, and approve expenditures of up to \$87,850 for extra services that may result from necessary changes in the scope of work; and

(Cont'd)

13. (Cont'd)

- C. Authorize the Executive Director to execute a contract with Leach Mounce Architects in the amount of \$66,050 for design support during construction, and approve expenditures of up to \$6,600 for extra services that may result from necessary changes in the scope of work

Documents:

January 28, 2014, report from the Acting Public Works Director.

Speakers:

Staff: Acting Water Resources Manager Joshua Haggmark.

Motion:

Councilmembers Francisco/Hart to approve the recommendations;
Contract Nos. 24,697 – 24,701.

Vote:

Unanimous voice vote.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ADMINISTRATOR

14. Subject: Introduction Of Ordinance For The 2013-2016 General Unit Memorandum of Understanding (440.02)

Recommendation: That Council ratify the Memorandum of Understanding between the City and the Santa Barbara City Employees' Association, Local 620, Service Employees' International Union, for the period of October 1, 2013, through September 30, 2016, by introduction and subsequent adoption of, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting the 2013-2016 Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara City Employees' Association (General Unit) and Providing for Compensation Changes for Confidential Employees.

Documents:

- January 28, 2014, report from the Acting Administrative Services Director.
- Proposed Ordinance.

The title of the ordinance was read.

Speakers:

Staff: Acting Administrative Services Director Kristine Schmidt.

(Cont'd)

14. (Cont'd)

Motion:

Councilmembers Francisco/White to approve the recommendation.

Vote:

Unanimous voice vote.

COMMUNITY DEVELOPMENT DEPARTMENT

15. Subject: Amendments To Quorum Standard For Single Family Design Board (640.03)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Section 22.69.010 of the Santa Barbara Municipal Code Relating to the Conduct of Meetings of the Single Family Design Board.

Documents:

- January 28, 2014, report from the Acting Community Development Director.
- Proposed Ordinance.
- PowerPoint presentation prepared and made by Staff.

Speakers:

Staff: Acting Community Development Director Bettie Weiss.

Motion:

Councilmembers Hotchkiss/Francisco to approve the recommendation.

Vote:

Unanimous voice vote.

Councilmember Francisco left the meeting at 2:50 p.m. and returned at 3:04 p.m.
Councilmember White left the meeting at 2:53 p.m. and returned at 2:59 p.m.

FINANCE DEPARTMENT

16. Subject: Comprehensive Annual Financial Report (CAFR) For The Fiscal Year Ended June 30, 2013 (250.02)

Recommendation: That Council:

- A. Receive a report from staff on the Comprehensive Annual Financial Report for the Fiscal Year ended June 30, 2013; and
- B. Accept the Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2013.

(Cont'd)

16. (Cont'd)

Documents:

- January 28, 2014, report from the Finance Director.
- Comprehensive Annual Financial Report for the Fiscal Year ended June 30, 2013.
- PowerPoint presentation prepared and made by Staff.

Speakers:

Staff: Finance Director Robert Samario, Accounting Manager Julie Nemes, City Administrator James Armstrong.

Motion:

Councilmembers Murillo/Rowse to approve recommendation B.

Vote:

Unanimous voice vote.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Francisco reported that the Central Coast Water Authority is pumping State carryover water into Lake Cachuma to increase the City's current water supply. He also reported that the Cachuma Operation and Maintenance Board had discussed what to do as the level of Lake Cachuma continues to fall.
- Councilmember White, in his capacity as Council liaison to the Water Commission, mentioned the State's recent proclamation of a drought emergency and encouraged City residents to begin conserving water now.
- Councilmember Hotchkiss commented on his attendance at the event to celebrate Black History Month.
- Councilmember Murillo reported on her attendance at the following meetings/ events: 1) City/County Affordable Housing Task Group, which heard a presentation about green building and will have a future discussion of the concept of Infrastructure Financing Districts; 2) the Greater Santa Barbara Lodging and Restaurant Association's luncheon; and 3) activities to commemorate Martin Luther King, Jr., Day.
- Mayor Schneider reported on her attendance at a meeting of the United States Conference of Mayors in Washington, D.C., which provided an opportunity to have conversations with four Cabinet Secretaries.

RECESS

The Mayor recessed the meeting at 3:32 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 17 – 20. She stated that no reportable action is anticipated.

CLOSED SESSIONS

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. Pending litigation considered is: George C. Kier v. City of Santa Barbara, WCAB cases ADJ5821044, ADJ8386411, ADJ8475410, and ADJ unassigned.

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

Documents:

January 28, 2014, report from the Finance Director.

Time:

3:38 p.m. – 3:45 p.m.

No report made.

19. **Subject: Conference With Real Property Negotiators (330.03)**

Recommendation: That Council hold a closed session pursuant to Government Code Section 54956.8 (Conference with Real Property Negotiators):

Real Property: A portion of the Airport property located at 6100 Hollister Avenue, bounded by Hollister Avenue, Frederick Lopez Road, Francis Botello Road and David Love Place (Parcel 22 of the Airport Specific Plan Map, City Parcel Map No. 20,608) in the City of Santa Barbara.

City Negotiators: Hazel Johns, Acting Airport Director; Paul Casey, Assistant City Administrator; Sarah Knecht, Acting City Attorney.

Negotiating Parties: Direct Relief International: Thomas Tighe, President and CEO; Judy Partch, Director of Human Resources, Administration & Compliance.

Under Negotiation: Instructions to negotiators will concern price and terms of payment of a possible ground lease or property purchase.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

Documents:

January 28, 2014, report from the Acting Airport Director and Interim City Attorney.

Time:

3:45 p.m. – 4:06 p.m.

No report made.

20. 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 In re Dana Chase.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

January 28, 2014, report from the Interim City Attorney.

Time:

4:07 p.m. – 4:18 p.m.

No report made.

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, Acting Administrative Services Director, regarding negotiations with the 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, 30 minutes; anytime

Report: None anticipated

Documents:

January 28, 2014, report from the Acting Administrative Services Director.

Time:

4:20 p.m. – 4:40 p.m.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 4:40 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

ATTEST:

HELENE SCHNEIDER
MAYOR

SUSAN TSCHECH, CMC
DEPUTY CITY CLERK