



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING February 4, 2014 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:00 p.m. (The Finance Committee and Ordinance Committee, which ordinarily meet at 12:30 p.m., did not meet on this date.)

### PLEDGE OF ALLEGIANCE

Mayor Schneider.

### ROLL CALL

Councilmembers present: Gregg Hart, Frank Hotchkiss, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: Dale Francisco.

Staff present: City Administrator James L. Armstrong, Interim City Attorney Sarah Knecht, City Clerk Services Manager Gwen Peirce.

### CEREMONIAL ITEMS

#### 1. **Subject: Employee Recognition – Service Award Pins (410.01)**

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 February 28, 2014.

Documents:

February 4, 2014, report from the City Administrator.

Speakers:

Staff: City Administrator James Armstrong.

(Cont'd)

**1. (Cont'd)**

By consensus, the Council approved the recommendation. The following employees were recognized:

15 YEARS

Barbara Shelton, Community Development Department  
Victor Ayala, Public Works Department

25 YEARS

Bernard Pigott, Fire Department  
Segundo Valdez, Fire Department

**CHANGES TO THE AGENDA**

Item Removed from Agenda

City Administrator Armstrong advised that the following item was being removed from the Agenda:

**12. 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 Kristine 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

**PUBLIC COMMENT**

Speakers: Phil Walker; Lumiere; Chryss Yost, Santa Barbara Poet Laureate; Paul Willis.

**ITEMS REMOVED FROM CONSENT CALENDAR**

**5. Subject: Donation From The Santa Barbara Police Foundation For The Purchase Of SWAT Equipment (520.04)**

Recommendation: That Council:

- A. Accept a donation of \$69,400 from the Santa Barbara Police Foundation for the purchase of SWAT equipment; and
- B. Increase appropriations and estimated revenue in the Police Department, Miscellaneous Grants Fund, for Fiscal Year 2014 by \$69,400 for the purchase of specialized SWAT equipment.

(Cont'd)

**5. (Cont'd)**

Documents:

February 4, 2014, report from the Police Chief.

Speakers:

Members of the Public: Craig Case, Santa Barbara Police Foundation.

Motion:

Councilmembers Hart/White to approve the recommendations.

Vote:

Unanimous voice vote (Absent: Councilmember Francisco).

**7. Subject: Healthy Eating Active Living (HEAL) Cities Resolution (650.06)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara, County of Santa Barbara, State of California, Declaring the City as a Healthy Eating Active Living (HEAL) City.

Documents:

- February 4, 2014, report from the Acting Community Development Director.
- Proposed Resolution.

The title of the resolution was read.

Speakers:

- Staff: Principal Planner John Ledbetter.
- Members of the Public: Susan Klein-Rothchild.

Motion:

Councilmembers Hart/Murillo to approve the recommendation; Resolution No. 14-004.

Vote:

Majority roll call vote (Noes: Councilmember Hotchkiss; Absent: Councilmember Francisco).

**CONSENT CALENDAR (Item Nos. 2 – 4, 6, 8 and 9)**

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

Motion:

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

Vote:

Unanimous roll call vote (Absent: Councilmember Francisco).

**2. Subject: Minutes**

Recommendation: That Council waive further reading and approve the minutes of the adjourned regular meeting of October 28, 2013, the regular meeting of January 14, 2014, the cancelled meeting of January 21, 2014, and the special meeting of January 27, 2014.

Action: Approved the recommendation.

**3. Subject: Adoption Of Ordinance For Amendment To Lease Agreement Between The City Of Santa Barbara And La Patera Investors, LP (330.04)**

Recommendation: That Council 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; Ordinance No. 5644; Lease Agreement No. 24,708.

**4. Subject: Adoption Of Ordinance For The 2013-2016 General Unit Memorandum Of Understanding (440.02)**

Recommendation: That Council adopt, 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.

Action: Approved the recommendation; Ordinance No. 5645; Agreement No. 24,709.

**6. Subject: Software Maintenance For Regional Law Enforcement Data Sharing 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 Service Manager to issue a purchase order to IBM for the amount of \$178,000 for Coplink software maintenance and services for Fiscal Year 2014.

Action: Approved the recommendation (February 4, 2014, report from the Police Chief).

**8. Subject: Acquisition Of Real Property At 1130 Punta Gorda Street For The Lower Sycamore Creek Channel Improvement Project (330.03)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara to Acquire and Accept in Fee a Portion of the Real Property Located at 1130 Punta Gorda Street for \$5,000, Relating to the Lower Sycamore Creek Channel Widening and Punta Gorda 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, and Record Said Real Property Acquisition Deed in the Official Records of the County of Santa Barbara.

Speakers:

Members of the Public: Phil Walker.

Action: Approved the recommendation; Resolution No. 14-005; Agreement No. 24,710; Deed No. 61-435 (February 4, 2014, report from the Acting Public Works Director; proposed resolution).

**NOTICES**

9. The City Clerk has on Thursday, January 30, 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.

Councilmember Francisco arrived at 2:41 p.m.

**CITY COUNCIL AND SUCCESSOR AGENCY REPORTS**

**10. Subject: Contract Services And Land Development Permits In the Amount of \$1,007,213 For The Cabrillo Pavilion And Bathhouse Renovation Project (570.05)**

Recommendation: That Council and the Successor Agency:

- A. Authorize the Executive Director to execute a contract between the Successor Agency and Kruger Bensen Ziemer Architects, Inc. (KBZ), in the amount of \$921,500 for architectural and engineering design services, and construction documents, bidding, and administration; and
- B. Authorize the City Administrator and the Executive Director to execute a contract between the Successor Agency and the City of Santa Barbara Parks and Recreation Department in the amount of \$51,288 for project management services, and approve expenditures of up to \$34,425 for City land development permits.

(Cont'd)

## 10. (Cont'd)

### Documents:

- February 4, 2014, report from the Parks and Recreation Director.
- PowerPoint presentation prepared and made by Staff.

### Speakers:

- Staff: Assistant Parks and Recreation Director Jill Zachary, Facilities Manager Jim Dewey.
- Members of the Public: Phil Walker.

### Motion:

Councilmembers Murillo/Rowse to approve staff's recommendations; Contract Nos. 24,711 and 24,712.

### Vote:

Unanimous voice vote.

## COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

### Information:

- Councilmember Murillo reported on her attendance at 1) a Metropolitan Transit District Board of Directors meeting where ridership was discussed; 2) a recent Youth Council meeting where participation in various events was discussed; and 3) a City at Peace event regarding Restorative Justice.
- Councilmember Hotchkiss reported on his attendance at a recent Community Development and Human Services Committee meeting.

## RECESS

The Mayor recessed the meeting at 3:02 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 14, and she stated that reportable action is anticipated.

## CLOSED SESSIONS

### 14. Subject: Public Employment (440.05)

Recommendation: That Council hold a closed session, per Government Code Section 54957(b)(1), to discuss the appointment for the position of City Attorney.

Scheduling: Duration, 30 minutes; anytime

Report: Report anticipated.

### Documents:

February 4, 2014, report from the Assistant City Administrator.

### Time:

3:07 p.m. – 3:11 p.m.

(Cont'd)

**14. (Cont'd)**

Mayor Schneider reconvened the meeting at 3:11 p.m. to report the Council action from closed session.

Announcement:

Mayor Schneider stated that the Council has appointed Ariel Calonne to the position of City Attorney.

**RECESS**

Mayor Schneider recessed the meeting at 3:12 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 11 and 13, and she stated that no reportable action is anticipated.

**CLOSED SESSIONS (CONT'D)**

**11. Subject: Conference With Legal Counsel - Threatened Litigation (160.03)**

Recommendation: That Council hold a closed session to consider significant exposure to litigation (two potential cases) pursuant to subsection (d)(2) of section 54956.9 of the Government Code and take appropriate action as needed.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

Documents:

February 4, 2014, report from the Interim City Attorney.

Time:

3:12 p.m. – 3:35 p.m.

No report made.

**13. 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 *Edith Martinez vs. City of Santa Barbara, et al.*, SBSC No. 1402992.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

February 4, 2014, report from the Interim City Attorney.

(Cont'd)

**13. (Cont'd)**

Time:

3:35 p.m. – 3:55 p.m.

No report made.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 3:55 p.m. in memory of Barry Spacks, the City's first Poet Laureate.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

ATTEST:

\_\_\_\_\_  
HELENE SCHNEIDER  
MAYOR

\_\_\_\_\_  
GWEN PEIRCE, CMC  
CITY CLERK SERVICES MANAGER