



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING June 17, 2014 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Pro Tempore Cathy Murillo called the meeting to order at 2:01 p.m. (The Finance and Ordinance Committees, which ordinarily meet at 12:30 p.m., did not meet on this date.)

### PLEDGE OF ALLEGIANCE

Mayor Pro Tempore Murillo.

### ROLL CALL

Councilmembers present: Dale Francisco, Gregg Hart, Randy Rowse, Bendy White, Mayor Pro Tempore Murillo.

Councilmembers absent: Frank Hotchkiss, Mayor Helene Schneider.

Staff present: City Administrator James L. Armstrong, City Attorney Ariel Pierre Calonne, Deputy City Clerk Susan Tschech.

### CHANGES TO THE AGENDA

#### Item Removed from Agenda

City Administrator Armstrong stated that the following item was being removed from the agenda, to be resubmitted at a later date:

#### **4. Subject: Renewal Of The Santa Barbara South Coast Tourism Business Improvement District (290.00)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Requesting Consent of the Cities of Carpinteria and Goleta, and the County of Santa Barbara, to Renew the Santa Barbara South Coast Tourism Business Improvement District.

## **PUBLIC COMMENT**

Speakers: Toni Wellen, Coalition Against Gun Violence; Kate Schwab and Maggie Campbell, Downtown Organization; Claudia Bratton, Summer Solstice Celebration; Phil Walker; Andrea Roselinsky.

## **ITEM REMOVED FROM CONSENT CALENDAR**

Councilmember Rowse stated he would abstain from voting on the following item due to a conflict of interest related to his ownership of a business located within the Parking and Business Improvement Area.

### **13. Subject: Public Hearing For The Parking And Business Improvement Area Annual Assessment Report For Fiscal Year 2015 (550.10)**

Recommendation: That Council:

- A. Consider appropriate protests to the Parking and Business Improvement Area Annual Assessment Report for Fiscal Year 2015, as required under the California Parking and Business Improvement Area Law of 1989; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Fixing and Assessing the Parking and Business Improvement Area Assessment Rates for Fiscal Year 2015, and Confirming Approval of the Parking and Business Improvement Area Annual Assessment Report for Fiscal Year 2015.

Documents:

- June 17, 2014, report from the Public Works Director.
- Proposed Resolution.

The title of the resolution was read.

Public Comment Opened:

2:14 p.m.

No one wished to speak.

Public Comment Closed:

2:14 p.m.

Motion:

Councilmembers White/Hart to approve the recommendations; Resolution No. 14-042.

Vote:

Unanimous roll call vote (Abstentions: Councilmember Rowse; Absent: Councilmember Hotchkiss, Mayor Schneider).

## CONSENT CALENDAR (Item Nos. 1 – 3, 5 – 12, and 14)

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

Motion:

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

Vote:

Unanimous roll call vote (Absent: Councilmember Hotchkiss, Mayor Schneider).

### 1. **Subject: Minutes**

Recommendation: That Council waive further reading and approve the minutes of the special meetings of May 19, and June 2, 2014, and the regular meeting of June 3, 2014.

Action: Approved the recommendation.

### 2. **Subject: Legislative Platform (160.02)**

Recommendation: That Council:

- A. Adopt the legislative platform that guides the City's support or opposition to regional, state and federal legislative issues; and
- B. Authorize the Mayor, Councilmembers, and staff, on behalf of the City of Santa Barbara, to contact regional, state and federal representatives to advocate for legislation consistent with the goals of the legislative platform.

Speakers:

Staff: City Administrator James Armstrong, Public Works Director Rebecca Bjork, City Attorney Ariel Calonne, Administrative Analyst Katherine Whan.

Motion:

Councilmembers White/Hart to remove the proposed addition to the platform which reads "**Support** the use of screened open ocean intake for desalination" (under Environmental Quality, Water Resources).

Vote:

Approved by majority voice vote (Noes: Councilmembers Francisco, Rowse; Absent: Councilmember Hotchkiss, Mayor Schneider).

Action: Approved the recommendations (June 17, 2014, report from the City Administrator).

**3. Subject: Adoption Of Santa Barbara Countywide Integrated Water Management Plan (540.08)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the 2013 Santa Barbara Countywide Integrated Regional Water Management Plan.

Action: Approved the recommendation; Resolution No. 14-040 (June 17, 2014, report from the Public Works Director; Santa Barbara County Integrated Regional Water Management Plan 2013; proposed resolution;).

**5. Subject: Contract For Construction Of The Zone 1 Pavement Preparation/Overlay Project (530.04)**

Recommendation: That Council:

- A. Award a contract with Granite Construction Company for the base bid in the amount of \$2,249,302 for construction of the Zone 1 Pavement Preparation/Overlay Project, Bid No. 3704; and authorize the Public Works Director to execute the contract, subject to approval as to form by the City Attorney, and approve expenditures up to \$179,944 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; and
- B. Authorize the Public Works Director to execute a contract with Flowers & Associates, Inc., in the amount of \$178,174 for construction support services, and approve expenditures of up to \$17,817 for extra services that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Contract Nos. 24,866 and 24,867 (June 17, 2014, report from the Public Works Director).

**6. Subject: Contract For Construction Of The Zone 1 Slurry Seal Project (530.04)**

Recommendation: That Council:

- A. Award a contract with American Asphalt South, Inc., waiving minor irregularities, in their low bid amount of \$776,751.22 for construction of the Zone 1 Slurry Seal Project, Bid No. 3705; and authorize the Public Works Director to execute the contract, subject to approval as to form by the City Attorney, and approve expenditures up to \$62,140 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; and

(Cont'd)

6. (Cont'd)

B. Authorize the Public Works Director to execute a contract with Flowers & Associates, Inc., in the amount of \$142,958 for construction support services, and approve expenditures of up to \$14,296 for extra services that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Contract Nos. 24,868 and 24,869 (June 17, 2014, report from the Public Works Director).

7. **Subject: Contract For Design For The Zone 2 Pavement Maintenance Project (530.04)**

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Flowers & Associates, Inc., in the amount of \$81,107 for design services for the Zone 2 Pavement Maintenance Project, and authorize the Public Works Director to approve expenditures of up to \$8,111 for extra services that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Contract No. 24,870 (June 17, 2014, report from the Public Works Director).

8. **Subject: Acceptance Of Temporary Construction Easement At 1130 Punta Gorda Street For The Punta Gorda Bridge Replacement 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 a Temporary Construction Easement Located at 1130 Punta Gorda Street, and Authorizing the Public Works Director to Execute Such Agreement and Related Documents that May be Required, All Relating to the Punta Gorda Street Bridge Project.

Action: Approved the recommendation; Resolution No. 14-041; Deed No. 61-441; Agreement No. 24,871 (June 17, 2014, report from the Public Works Director; proposed resolution).

9. **Subject: Contract For Design For The El Estero Fats, Oils, And Grease Scrubber Project (540.13)**

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with CDM Smith, Inc., in the amount of \$98,800 for design services for the El Estero Wastewater Treatment Plant Fats, Oils, and Grease Scrubber Project, and authorize the Public Works Director to approve expenditures of up to \$9,880 for extra services that may result from necessary changes in the scope of work.

(Cont'd)

**9. (Cont'd)**

Action: Approved the recommendation; Contract No. 24,872 (June 17, 2014, report from the Public Works Director).

**10. Subject: Introduction Of Ordinance For Lease Agreement With MAJCO Corporation, dba Big Brand Tire (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 Fifteen-Year and Five-Month Lease Agreement With Three Five-Year Options, Between MAJCO Corporation, a California Corporation, dba Big Brand Tire, for 29,620 Square Feet of Land, Including 4,484 Square Feet of Building 370, at 6010 Hollister Avenue, Which is Santa Barbara Airport Property, Effective July 17, 2014, for a Monthly Rental of \$7,533, Exclusive of Utilities.

Action: Approved the recommendation (June 17, 2014, report from the Airport Director; proposed ordinance).

**11. Subject: Contract For Design For Final Effluent Sampler Station Project At El Estero Wastewater Treatment Plant (540.13)**

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Carollo Engineers, Inc., in the amount of \$37,336 for design services for the Final Effluent Sampler Station Project at the El Estero Wastewater Treatment Plant, and authorize the Public Works Director to approve expenditures of up to \$3,733 for extra services that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Contract No. 24,873 (June 17, 2014, report from the Public Works Director).

**12. Subject: Second Amendment To Montecito Hall Lease For Operation Of The Montecito Library Site (570.04)**

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 Library Director to Execute the Second Amendment to the Montecito Hall Lease Agreement with the County of Santa Barbara and the Montecito Association for the Operation of the Montecito Branch of the Santa Barbara Public Library System.

Speakers:

Staff: Library Services Manager Margaret Esther.

(Cont'd)

**12. (Cont'd)**

Action: Approved the recommendation (June 17, 2014, report from the Library Director; proposed ordinance).

NOTICES

14. The City Clerk has on Thursday, June 12, 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.

**CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

FINANCE DEPARTMENT

**15. Subject: Police And Fire Service Retirement Plan Of 1927 Cost Of Living Increase (430.08)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Increasing the Service Retirement Benefit for the Fire and Police Service Retirement Pension Fund.

Documents:

- June 17, 2014, report from the Finance Director.
- Proposed Ordinance.
- PowerPoint presentation prepared and made by Staff.

The title of the ordinance was read.

Speakers:

Staff: Finance Director Robert Samario, City Attorney Ariel Calonne.

Motion:

Councilmembers Francisco/White to approve the recommendation.

Vote:

Unanimous voice vote (Absent: Councilmember Hotchkiss, Mayor Schneider).

**16. Subject: Award Of Contract For Processing Of Recyclable Material To MarBorg Industries, Inc. (630.01)**

Recommendation: That Council authorize the Finance Director to execute a contract with MarBorg Industries, Inc., for processing of recyclable material.

(Cont'd)

**16. (Cont'd)**

Documents:

- June 17, 2014, report from the Finance Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

Staff: Environmental Services Manager Matt Fore.

Motion:

Councilmembers Hart/Rowse to approve the recommendation; Contract No. 24,874.

Vote:

Unanimous voice vote (Absent: Councilmember Hotchkiss, Mayor Schneider).

**17. Subject: Adoption Of The Operating And Capital Budget For Fiscal Year 2015 (230.05)**

Recommendation: That Council adopt, by reading of title only:

- A Resolution of the Council of the City of Santa Barbara Adopting the Budget for Fiscal Year 2015 by Appropriating Moneys for the Use and Support of Said City From the Funds and to the Purposes Herein Specified;
- A Resolution of the Council of the City of Santa Barbara Establishing the City's Appropriation Limitation for Fiscal Year 2015;
- A Resolution of the Council of the City of Santa Barbara Establishing Certain City Fees and Rescinding Resolution No. 13-048;
- A Resolution of the Council of the City of Santa Barbara Authorizing Classified and Unclassified Positions in the City's Service Effective July 1, 2014, and Providing a Schedule of Classifications and Salaries for the Same in Accordance with the Operating Budget for the 2015 Fiscal Year; and
- A Resolution of the Council of the City of Santa Barbara Authorizing the Continuation of Capital and Special Project Appropriations to Fiscal Year 2015.

Documents:

- June 17, 2014, report from the Finance Director.
- Proposed Resolutions.
- PowerPoint presentation prepared and made by Staff.

The titles of the resolutions were read.

(Cont'd)



**17. (Cont'd)**

Speakers:

- Staff: Finance Director Robert Samario, City Administrator James Armstrong, City Attorney Ariel Calonne.
- Members of the Public: Dorene White.

NOTE (Regarding resolution referred to in Recommendation C): Due to the need for two Councilmembers to abstain from voting on Waterfront Harbor slip, mooring and user fees, and due to the absence of two other Councilmembers, it was decided to exclude pages 124 – 138 of the Schedule of City Penalties, Fees and Service Charges (which list these fees) from the attachment to this resolution. Waterfront Harbor fees will be included in a separate resolution to be submitted to Council on June 24, 2014.

Motion:

Councilmembers Hart/Francisco to approve the recommendations and adopt Resolution Nos. 14-043 – 14-047, with pages 124 – 138 of the attachment to Resolution No. 14-045 omitted.

Vote:

Unanimous roll call vote (Absent: Councilmember Hotchkiss, Mayor Schneider).

Motion:

Councilmembers White/Hart to direct Staff to return to Council before the end of the calendar year with a report regarding the issue of business license fees imposed on low-income businesses and artists in particular.

Vote:

Unanimous voice vote (Absent: Councilmember Hotchkiss, Mayor Schneider).

PUBLIC WORKS DEPARTMENT

**18. Subject: 2013 Annual Energy Report (630.06)**

Recommendation: That Council receive a status report on the City's energy conservation and efficiency efforts.

Documents:

- June 17, 2014, report from the Public Works Director.
- 2013 Energy Report.
- PowerPoint presentation prepared and made by Staff.

(Cont'd)

**18. (Cont'd)**

Speakers:

Staff: Facilities and Energy Manager James Dewey, City Administrator James Armstrong, Public Works Director Rebecca Bjork.

By consensus, the Council received the report and their questions were answered.

**COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

Information:

- Councilmember Rowse reported that at its last meeting, the Downtown Parking Committee discussed the bike station operation at Lot 3 and occupancy levels at various parking lots. He also attended a reception for MarBorg Industries' winning of a "green" award.
- Councilmember White commented on his attendance at a meeting of the Neighborhood Advisory Council, during which the City's "Water Conservation Road Show" and a proposed neighborhood revitalization program were presented.
- Mayor Pro Tempore Murillo reported that the League of Women Voters is planning to form a committee to discuss the issue of district elections; she also attended a graduation ceremony sponsored by a program which assists low-income children in their readiness for starting school.

**RECESS**

Mayor Pro Tempore Murillo recessed the meeting at 3:55 p.m. in order for the Council to reconvene in closed session for Item No. 19, and she stated that no reportable action is anticipated.

**CLOSED SESSIONS**

**19. Subject: Conference With City Attorney - Existing Litigation (160.03)**

Recommendation: That Council hold a closed session to consider existing litigation pursuant to Government Code section 54956.9(d)(1) and take appropriate action as needed. The existing litigation is *Sarelyn Wager v. City of Santa Barbara*, SBSC Case No. 1415112.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

June 17, 2014, report from the City Attorney.

(Cont'd)

**19. (Cont'd)**

Time:

3:58 p.m. – 4:15 p.m. Councilmember Hotchkiss and Mayor Schneider were absent.

No report made.

**ADJOURNMENT**

Mayor Pro Tempore Murillo adjourned the meeting at 4:15 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

ATTEST:

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CATHY MURILLO  
MAYOR PRO TEMPORE

\_\_\_\_\_  
SUSAN TSCHECH, CMC  
DEPUTY CITY CLERK