

**CITY OF SANTA BARBARA
CITY COUNCIL**

Helene Schneider
Mayor
Cathy Murillo
Mayor Pro Tempore
Randy Rowse
Ordinance Committee Chair
Dale Francisco
Finance Committee Chair
Gregg Hart
Frank Hotchkiss
Bendy White



James L. Armstrong
City Administrator

Ariel Pierre Calonne
City Attorney

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

**JULY 22, 2014
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.

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 further reading and approve the minutes of the regular meeting of July 1, 2014 and the regular meeting (cancelled) of July 8, 2014.

2. Subject: Adoption of Ordinance for 2014-2017 Fire Association Memorandum of Understanding (440.02)

Recommendation: That Council adopt, by reading of title only, an Ordinance of the City of Santa Barbara Adopting the 2014-2017 Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara City Firefighters' Association.

3. Subject: Fiscal Year 2014 Interim Financial Statements For The Eleven Months Ended May 31, 2014 (250.02)

Recommendation: That Council accept the Fiscal Year 2014 Interim Financial Statements for the Eleven Months ended May 31, 2014.

CONSENT CALENDAR (CONT'D)

4. Subject: County Of Santa Barbara Strategic Prevention Framework State Incentive Grant (520.04)

Recommendation: That Council:

- A. Accept \$35,400 from the County of Santa Barbara Alcohol, Drug & Mental Health Services ("ADMHS") Strategic Prevention Framework State Incentive Grant to address underage and excessive drinking, and alcohol related motor vehicle accidents for Fiscal Year 2015; and
- B. Increase appropriations and estimated revenues by \$35,400 in the Police Miscellaneous Grants Fund for Fiscal Year 2015.

5. Subject: Contract For Design Of The Airfield Electrical Rehabilitation Project (560.04)

Recommendation: That Council authorize the Public Works Director to execute a Professional Services contract with Mead & Hunt, Inc., in the amount of \$119,500 for design services of the Airfield Electrical Rehabilitation Project, and authorize the Public Works Director to approve expenditures of up to \$12,000 for extra services of Mead & Hunt, Inc., that may result from necessary changes in the scope of work.

6. Subject: Contract For Design For Influent Pump Station Variable Frequency Drive And Programmable Logic Controller Replacement Project (540.06)

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Brown & Caldwell in the amount of \$74,154 for design services for the Influent Pump Station Variable Frequency Drive and Programmable Logic Controller Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$7,415 for extra services of Brown & Caldwell that may result from necessary changes in the scope of work.

7. Subject: Contract For Construction Of The Marina One Replacement Project Phases 5-8 (570.03)

Recommendation: That Council:

- A. Award a contract with Bellingham Marine Industries, Inc., in their low bid amount of \$6,851,250 for construction of the Marina One Replacement Project Phases 5-8, Bid No. 3723; and authorize the Public Works Director to execute the contract and approve expenditures up to \$342,563 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)

CONSENT CALENDAR (CONT'D)

7. (Cont'd)

- B. Authorize the Waterfront Director to execute a contract with URS in the amount of \$64,150 for construction support services, and approve expenditures of up to \$6,400 for extra services of URS that may result from necessary changes in the scope of work.

NOTICES

- 8. The City Clerk has on Thursday, July 17, 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 concludes the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ATTORNEY

- 9. **Subject: California Voting Rights Act And District Elections Presentation From National Demographics Corporation (110.03)**

Recommendation: That Council consider a presentation concerning District Elections and the California Voting Rights Act, receive public comment, and provide direction to staff regarding possible Charter amendments.

PUBLIC HEARINGS

- 10. **Subject: Municipal Code Amendments For Implementation Of Senate Bill 2 Related To Emergency Shelter Zoning (640.09)**

Recommendation: That Council:

- A. Continue the Public Hearing opened on July 15, 2014, to further consider proposed amendments to the Santa Barbara Municipal Code establishing regulations for Emergency Shelters; and
- B. Introduce, and subsequently adopt, by reading of title only, either:
 - 1. An Ordinance of the Council of the City of Santa Barbara Establishing Regulations for Emergency Shelters As a Permitted Use in the R-4, C-P, C-L, C-1, C-2 and C-M Zones (Option 1), or
 - 2. An Ordinance of the Council of the City of Santa Barbara Establishing Regulations for Emergency Shelters As a Permitted Use in the C-M Zone (Option 2).

Continued from July 15, 2014, Item No. 23

MAYOR AND COUNCIL REPORTS

11. Subject: Request From Mayor Schneider And Councilmember Murillo Regarding 2020 A Year Without War Proclamation (120.04)

Recommendation: That Council consider the request from Mayor Schneider and Councilmember Murillo regarding a proposal from the Santa Barbara based 2020 A Year Without War organization.

12. Subject: Appointment Of Ad Hoc City Administrator Recruitment Committee (170.01)

Recommendation: That Council authorize appointment of an ad hoc Council committee to evaluate options and prepare recommendations to the full Council concerning recruitment processes for the interim and permanent City Administrator.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

13. 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, Administrative Services Director, regarding negotiations with the Treatment and Patrol Bargaining Unit.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

14. Subject: Conference with City Attorney - Anticipated Litigation (160.03)

Recommendation: That Council hold a closed session to consider significant exposure to litigation (one potential case) arising out of the United States Supreme Court's decision in *McCullen v. Coakley*, SBMC Chapter 9.99, and a threat made by the Life Legal Defense Foundation. pursuant to Government Code sections 54956.9(d)(2) & (e)(2)/(3) and take appropriate action as needed.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

15. Subject: Conference with City Attorney - Existing Litigation (160.03)

Recommendation: That Council hold a closed session to confer with the City Attorney regarding existing litigation pursuant to Government Code section 54956.9(d)(1), and take appropriate action as needed.

The existing litigation is:

Carter, Camille v. City of Santa Barbara, SBSC Case No. 1438672

Cotledge, Brittney v. City of Santa Barbara, USDC Case No. CV12-08623

Davydova, Svetlana v. City of Santa Barbara, SBSC Case No. 1418380

Delgadillo, Lucio Ramirez v. City of Santa Barbara, SBSC Case No. 1439502

Denunzio, Tony v. City of Santa Barbara, et. al., USDC Case No. CV13-06542
GW(MANx)

Gosztyla, Richard v. City of Santa Barbara, SBSC Case No. 1440151

Hicks, Joseph M. v. City of Santa Barbara, USDC Case No. CV13-9016 FMO-
RZx

Holland, Michael J. v. City of Santa Barbara, USDC Case No. CV13-1711
AG(SP)

Martinez, Joseph v. City of Santa Barbara, SBSC Case No. 1438811

Miller, Richard v. City of Santa Barbara, SBSC Case No. 1440331

Moore, Passion v. City of Santa Barbara, USDC Case No. CV13-7354 BRO-RZx

Reyes, Toni M. v. City of Santa Barbara, SBSC Case No. 1416050

Thomas, Michael F. v. SBPD, et al., USDC Case No. CV13-06659

Wager, Sarelyn v. City of Santa Barbara, SBSC Case No. 1415112

Wikman, Monika v. City of Santa Barbara, SBSC Case No. 1467345

Yang, Jun v. City of Santa Barbara, SBSC Case No. 1467569

Berenstein, Boris v. City of Santa Barbara, et. al., SBSC Case No. 1466244

Glover, Anthony v. City of Santa Barbara, et. al., SBSC Case No. 14738882

Environmental Const., Inc., v. City of Santa Barbara, SBSC Case No. 1415695

Corral, Debra A., et al. v. City of Santa Barbara, SBSC Case No. 1466439

Sipple v. City of Santa Barbara, LASC BC 462270

McKee, Jonathan v. City of Santa Barbara, et al., SBSC Case No. 1440173

Brost, Luke, etc. et al. v. City of Santa Barbara, et al., SBSC Case No. 1342979

Jacks, Rolland, et al., v. City of Santa Barbara, SBSC Case No. 1383959

Josfan, Drew v. City of Santa Barbara, et al., USDC Case No. CV09-7904-
AHM(PLAx)

Scheduling: Duration, 60 minutes; anytime

Report: None anticipated

ADJOURNMENT