

CITY OF SANTA BARBARA CITY COUNCIL

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City Administrator

Ariel Pierre Calonne
City Attorney

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

AUGUST 5, 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

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 August 31, 2014.

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

2. Subject: Introduction Of Ordinance For An Amendment To Lease Agreement No. 23,564 With Conway Vineyards, Inc. (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 Amendment One to Lease Agreement No. 23,564 with Conway Vineyards, Inc., at an Average Initial Base Rent of \$4,302.02 Per Month, Allocated Seasonally, or 10% of Gross Sales, Whichever is Greater, Effective October 9, 2014, and Continuing for the Remainder of the Lease Term of Five Years, With Two Five-Year Extension Options.

CONSENT CALENDAR (CONT'D)

3. **Subject: Water Distribution Metering Facility Emergency Wall And Roof Repair (540.06)**

Recommendation: That Council:

- A. Approve a sole source award of a purchase order in the amount of \$68,904, plus an additional \$13,780 for extra services, to Qwik Response for the emergency wall and partial roof repair at the Water Distribution Metering Facility at 625 Laguna Street; and
- B. Approve a sole source award of a purchase order in the amount of \$7,594, plus an additional \$1,519 for extra services, to Bob Cambron Roofing for the emergency roof repair at the Water Distribution Metering Facility at 625 Laguna Street.

4. **Subject: Professional Services Agreement With Questa Engineering Corporation To Conduct A Feasibility Analysis For The Mid-Arroyo Burro Restoration Project (540.14)**

Recommendation: That Council:

- A. Approve a transfer of \$24,870 from the Creeks Operating Fund reserves to the Creeks Capital Fund;
- B. Increase appropriations and estimated revenues in the Creeks Capital Fund for the Mid-Arroyo Burro Restoration Project funded from a transfer from the Creeks Operating Fund;
- C. Approve and authorize the General Services Manager to execute a sole source professional services agreement with Questa Engineering Corporation in the amount of \$23,370 to conduct a feasibility analysis for the Mid-Arroyo Burro Restoration Project; and
- D. Authorize the General Services Manager to approve expenditures of up to \$1,500 to cover any cost increases that may result from necessary changes in the scope of work.

5. **Subject: Contract For Design Of The Fiscal Year 2015 Bridge Preventive Maintenance Program Project (530.04)**

Recommendation: That Council:

- A. Accept a grant from the Federal Highway Administration for an amount not to exceed \$82,072 for design of the Fiscal Year 2015 Bridge Preventive Maintenance Program Project;
- B. Authorize the increase of estimated revenues and appropriations in the Fiscal Year 2015 Streets Grant Fund by \$82,072 for the Bridge Preventive Maintenance Program Project; and
- C. Authorize the Public Works Director to execute a City Professional Services contract with Wallace Group in the amount of \$49,870 for design services of the Fiscal Year 2015 Bridge Preventive Maintenance Program Project, and authorize the Public Works Director to approve expenditures of up to \$5,000 for extra services of Wallace Group that may result from necessary changes in the scope of work.

CONSENT CALENDAR (CONT'D)

6. Subject: Airport Marketing Agreement With BBM&D Strategic Branding (560.01)

Recommendation: That Council approve and authorize the Airport Director to execute an Agreement with BBM&D Strategic Branding for design and production of Airport marketing and advertising campaign concepts for the Airport in an amount not to exceed \$32,136.

7. Subject: Contract With Inter VISTAS Consulting, LLC, For Air Service Development (560.01)

Recommendation: That Council authorize the Airport Director to execute a contract with Inter VISTAS Consulting, LLC, for specialized air service development support for the Santa Barbara Airport, in an amount not to exceed \$50,000.

8. Subject: Amendment To Agreement With Kaplan, Kirsch & Rockwell, LLP, For Legal Services (560.04)

Recommendation: That Council:

- A. Authorize the Airport Director to execute an amendment to Contract No. 24,535 with Kaplan, Kirsch & Rockwell, LLP, to amend the Compensation and Costs provision, increasing the contract amount from \$45,000 to \$50,000; and
- B. Approve the allocation of Fiscal Year 2014 appropriations from the Runway 15R-33L Pavement Rehab Project to fund the reimbursement of disallowed FAA grant expenditures totaling \$83,268.22.

9. Subject: Software Maintenance For Regional Law Enforcement Data Sharing (520.04)

Recommendation: That Council find it in the City's best interest to waive the bidding process as provided in Municipal Code Section 4.52.070(k) and authorize the General Services Manager to issue a change order to IBM for the estimated amount of \$30,128, for software maintenance and services for Fiscal Year 2015.

10. Subject: Contract For Final Design Of The Las Positas Road At Cliff Drive Roundabout Project (530.04)

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Kittelson & Associates, Inc., in the amount of \$149,238 for final design services of the Las Positas Road at Cliff Drive Roundabout Project, and authorize the Public Works Director to approve expenditures of up to \$29,500 for extra services of Kittelson & Associates, Inc., that may result from necessary changes in the scope of work.

CONSENT CALENDAR (CONT'D)

11. Subject: Contract For Development Of City's Five-Year Consolidated Plan (610.05)

Recommendation: That Council authorize the Community Development Director to execute a Professional Services contract with Karen Warner and Associates, Inc., in the amount of \$33,895 for the preparation and submittal of the City's Five-Year Consolidated Plan for Program Years 2015 through 2019.

12. Subject: Assistance To Firefighters 2013 Grant Funds For Breathing Apparatus (520.03)

Recommendation: That Council:

- A. Accept a grant for \$591,311 from the United States Department of Homeland Security Fiscal Year 2013 Assistance to Firefighters Grant Program for the purchase of eighty-five complete Self Contained Breathing Apparatus packs; and
- B. Increase Fiscal Year 2015 estimated revenues and appropriations by \$591,311 in the Miscellaneous Grants Fund.

13. Subject: License Agreement With The Santa Barbara Swim Club (330.08)

Recommendation: That Council:

- A. Authorize the Parks and Recreation Director to execute the renewal of a two-year license agreement with the Santa Barbara Swim Club for the use of Los Baños del Mar Swimming Pool; and
- B. Increase appropriations and estimated revenues in the Fiscal Year 2015 Parks and Recreation Department, General Fund, budget in the amount of \$28,170 to reflect the cost and fees for lifeguard services added to the License Agreement with the Swim Club.

14. Subject: Independent Living Resource Center Lease Agreement For The Westside Neighborhood Center (330.04)

Recommendation: That Council authorize the Parks and Recreation Director to execute a one-year lease agreement with the Independent Living Resource Center for facility space at the Westside Neighborhood Center for an annual rate of \$51,158.16.

CONSENT CALENDAR (CONT'D)

15. Subject: Proposed Five-Year License Agreement With Commercial Fishermen Of Santa Barbara, Inc., At Cabrillo Landing (330.08)

Recommendation: That Council approve a five-year license agreement with Commercial Fishermen of Santa Barbara, Inc., for the berthing of commercial fishing boats on the north side of Cabrillo Landing, in the Santa Barbara Harbor.

16. Subject: Library Plaza Renovation Final Design Services Contract (570.04)

Recommendation: That Council:

- A. Appropriate \$42,225 from the Fenton Davison Trust for final design costs of the Library Plaza Renovation Project; and
- B. Authorize the Library Director to execute a Professional Design Services Agreement with Campbell & Campbell in a base amount not to exceed \$106,750, for final design services for Library Plaza Renovation, and authorize the Library Director to approve expenditures of up to \$10,675 for extra services that may result from necessary changes in the scope of work.

17. Subject: Appropriation Of Grant Funds For Rehabilitation Of Runway 15L/33R (560.04)

Recommendation: That Council increase appropriations and estimated revenue by \$2,871,406 in the Airport's Grants Fund for rehabilitation of Runway 15L/33R, including runway incursion markings and apron rehabilitation, to be funded from Federal Aviation Administration Airport Improvement Program (AIP) Grant No. 03-06-0235-47 in the amount of \$2,603,216, coupled with the City's 9.34% match, \$268,190, to be funded from Airport Capital Fund.

18. Subject: Contract For Construction Of Runway 15L-33R, Terminal Ramp, And General Aviation Ramps Pavement Rehabilitation Project (560.04)

Recommendation: That Council:

- A. Award a contract with Granite Construction, in their low bid amount of \$2,164,834 for construction of the Pavement Rehabilitation of Runway 15L-33R, Terminal Ramp, South General Aviation and Signature Ramp, Bid No. 3730, and authorize the Public Works Director to execute the contract and approve expenditures up to \$216,483 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)

18. (Cont'd)

- B. Authorize the Public Works Director to execute a contract with Kimley-Horn and Associates in the amount of \$238,975 for construction support services, and approve expenditures of up to \$12,000 for extra services of Kimley-Horn and Associates that may result from necessary changes in the scope of work.

19. Subject: Casa Esperanza Shelter Agreement (660.04)

Recommendation: That Council authorize the Community Development Director to execute an Agreement with Casa Esperanza for the operation of a homeless shelter for \$202,100.

NOTICES

20. The City Clerk has on Thursday, July 31, 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.
21. Cancellation of the regular City Council meetings of August 12, August 19, August 26, and September 2, 2014.

This concludes the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

AIRPORT DEPARTMENT

22. Subject: Introduction Of Ordinance For Purchase And Sale Agreement For Sale Of Land Located at 6100 Hollister Avenue (330.03)

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 City Administrator to Execute the Purchase and Sale Agreement and Related Agreements Between the City of Santa Barbara and Direct Relief, a California nonprofit public benefit corporation, at a base price of \$25 per square foot of land area.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

PUBLIC WORKS DEPARTMENT

23. Subject: Stage Two Drought Update (540.05)

Recommendation: That Council receive an update on the status of the current drought.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

24. Subject: Conference With City Attorney - Pending Litigation (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to Government Code section 54956.9(d)(1) and take appropriate action as needed. The pending litigation is *People of the State of California, City of Santa Barbara v. Eastside, Westside, et al.*, SBSC Case No. 1379826.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

25. Subject: Conference With City Attorney - 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 *Frank Banales, Sebastian Aldana, Jr., Jacqueline Inda, Cruzito Herrera Cruz, and Benjamin Cheverez, v. City of Santa Barbara, et al.*, SBSC Case No.1468167.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

CLOSED SESSIONS (CONT'D)

26. 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

ADJOURNMENT