

# 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>

## SEPTEMBER 9, 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:** If you need auxiliary aids or services or staff assistance to attend or participate in this meeting, please contact the City Administrator's Office at 564-5305. If possible, notification at least 48 hours prior to the meeting will usually enable the City to make reasonable arrangements. Specialized services, such as sign language interpretation or documents in Braille, may require additional lead time to arrange.

**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](http://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: Presentation By Santa Barbara/Puerto Vallarto Sister City Committee On Project Awarded Best Ovest Overall Program Award By Sister Cities International.**
- 2. 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 September 30, 2014.

### **CHANGES TO THE AGENDA**

### **PUBLIC COMMENT**

### **CONSENT CALENDAR**

- 3. Subject: Minutes**

Recommendation: That Council waive further reading and approve the minutes of the regular meetings of July 29, 2014, and August 5, 2014, the regular meetings (cancelled) of August 12, 2014, August 19, 2014, August 26, 2014 and September 2, 2014.

## CONSENT CALENDAR (CONT'D)

**4. Subject: Adoption Of Ordinance For Purchase And Sale Agreement For Sale Of Land Located At 6100 Hollister Avenue (330.03)**

Recommendation: 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.

**5. Subject: Adoption Of Ordinance For A Lease Amendment To Lease Agreement No. 23,564, With Conway Vintners, Inc. (330.04)**

Recommendation: That Council 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.

**6. Subject: Records Destruction For Fire Department (160.06)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the Fire Department in the Administration Division.

**7. Subject: July 2014 Investment Report (260.02)**

Recommendation: That Council accept the July 2014 Investment Report.

**8. Subject: Approval Of Parcel Map And Execution Of Agreements For 415 Alan Road (640.08)**

Recommendation: That Council approve and authorize the City Administrator to execute and record Parcel Map Number 20,807 and standard agreements relating to the approved subdivision at 415 Alan Road, and authorize the City Engineer to record a recital document stating that the public improvements have been completed, and that the previously recorded Land Development Agreement may be removed from the chain of title once the public improvements are complete.

## CONSENT CALENDAR (CONT'D)

**9. Subject: Contract For Final Design Of El Estero Wastewater Treatment Plant Secondary Process Improvements Project - Phase 1 (540.13)**

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Brown and Caldwell in the amount of \$581,436 for Final Design Of the El Estero Wastewater Treatment Plant Secondary Process Improvements Project - Phase 1, and authorize the Public Works Director to approve expenditures of up to \$29,072 for extra services of Brown and Caldwell that may result from necessary changes in the scope of work.

**10. Subject: Approval Of Emergency Purchase Orders For Groundwater Wells (540.10)**

Recommendation: That Council:

- A. Approve an Emergency Purchase Order with Hose Solutions Incorporated in the amount of \$44,089.40; and
- B. Approve an Emergency Purchase Order with A & A Pump & Well Service in the amount of \$27,462.34.

**11. Subject: Approve Quinn Corporation, Inc., For The Maintenance, Repair, Upgrades, And New Installation Of Caterpillar Generator Systems (540.01)**

Recommendation: That Council:

- A. Find it to be in the City's best interest to approve Quinn Corporation, Inc., as the vendor for maintenance, repair, upgrades, and new installation of Caterpillar generators at the City's water resources facilities, without bids, as authorized by Municipal Code Section 4.52.070 (L); and
- B. Authorize the Public Works Director to award purchase order contracts to Quinn, Inc., in accordance with approved budgets for such services and equipment as needed for the next five-year period.

**12. Subject: Approve Severn Trent Services As The Filter Media Vendor For The Ortega Groundwater Treatment Plant (540.10)**

Recommendation: That Council:

- A. Find it to be in the City's best interest to waive the formal bidding process as authorized by Municipal Code Section 4.52.070 (L), and approve Severn Trent Services as the filter media vendor for the Ortega Groundwater Treatment Plant; and

(Cont'd)

## CONSENT CALENDAR (CONT'D)

### 12. (Cont'd)

- B. Authorize the General Services Manager to award purchase order contracts to Severn Trent Services for iron media in an amount not to exceed \$1,000,000 for Fiscal Year 2015, and within approved budgets for the next four years, ending September 2018.

### 13. **Subject: Approval Of Energy Efficiency Revolving Fund Award Agreement With Southern California Edison (630.06)**

Recommendation: That Council:

- A. Authorize the Public Works Director to enter into an agreement with Southern California Edison for grant funding in the amount \$52,250, to fund the feasibility study of an Energy Efficiency fund;
- B. Authorize the Public Works Director to enter into an agreement with Cadmus Group in the amount of \$51,750 for the Energy Efficiency Fund Feasibility Study; and
- C. Authorize the increase of estimated revenues and appropriations in the Facilities Management Fund in the amount of \$52,250.

### 14. **Subject: Contract For Construction Of The Fiscal Year 2014 Sidewalk Access Ramps Project (530.04)**

Recommendation: That Council waive minor bid irregularities, reject the bid protest of Lash Construction, and award a contract with DPM Construction Company, in their low bid amount of \$118,200 for construction of the Fiscal Year 2014 Sidewalk Access Ramp Project, Bid No. 3708; and authorize the Public Works Director to execute the contract and approve expenditures up to \$17,730 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.

### 15. **Subject: Introduction Of Ordinance For The Assignment And Grant Of Easements To The County Flood Control District (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 the Assignment of Existing City Easement Interests on Private Properties and the Granting of Easements on City Owned Properties to the County of Santa Barbara Flood Control and Water Conservation District for Flood Control and All Related Purposes, and Authorizing the City Administrator to Execute as Necessary the Assignment and Grant Deeds in a Form Approved by the City Attorney.

## CONSENT CALENDAR (CONT'D)

**16. Subject: Police Department Explorer Program Funds (520.04)**

Recommendation: That Council accept a donation of \$5,000 from the Santa Barbara Police Foundation for the Explorer Program and thereby increase appropriations and estimated revenues by \$5,000 in the Police Department Miscellaneous Grants Fund.

**17. Subject: Affordable Housing Policies and Procedures (660.04)**

Recommendation: That Council consider and approve recommended changes to the Affordable Housing Policies and Procedures Manual.

**18. Subject: Affordable Housing Fund Appropriation (660.04)**

Recommendation: That Council appropriate \$31,568 to the Affordable Housing Operating Fund from the Housing Reserve Fund to preserve a City affordable housing unit.

**19. Subject: State Of California Office Of Traffic Safety - Selective Traffic Enforcement Program Grant (520.04)**

Recommendation: That Council:

- A. Accept a grant from the State of California, Office of Traffic Safety in the amount of \$213,000, and authorize the Chief of Police to execute the grant agreement; and
- B. Increase appropriations and estimated revenues by \$213,000 in the Miscellaneous Grants Fund for Fiscal Year 2015 for the Selective Traffic Enforcement Program.

**20. Subject: Bureau Of Justice Assistance, Edward Byrne Memorial Grant - Santa Barbara Regional Narcotic Enforcement Team (520.04)**

Recommendation: That Council:

- A. Accept \$27,766 in funding from the County of Santa Barbara for partial funding of an officer position assigned to the Santa Barbara Regional Narcotic Enforcement Team; and
- B. Increase appropriations and estimated revenues by \$27,766 in the Miscellaneous Grants Fund for Fiscal Year 2015.

## **CONSENT CALENDAR (CONT'D)**

### **21. Subject: Central Library Custom Furniture Purchase (570.04)**

Recommendation: That Council:

- A. Approve and authorize the Library Director to execute a sole source award of a purchase order in the amount of \$79,187.60, plus an additional \$6,000 for extra services, to Yamada Enterprises for custom furniture purchase at the Central Library at 40 E. Anapamu St; and
- B. Authorize the increase of Estimated Revenues and Appropriations in Fiscal Year 2015 Library Support Services Program in the General Fund by \$85,187.60 from the Fenton Davison Trust Fund to purchase custom furniture from Yamada Enterprises.

### **22. Subject: Professional Services Contract With Questa Engineering Corporation To Conduct Technical Studies And Develop Conceptual Design Plans For The Arroyo Burro Restoration At Barger Canyon (570.05)**

Recommendation: That Council:

- A. Approve and authorize the Parks and Recreation Director to execute a professional services agreement with Questa Engineering Corporation in the amount of \$72,180 to prepare conceptual design plans for the Arroyo Burro Restoration at Barger Canyon and;
- B. Authorize the Parks and Recreation Director to approve expenditures of up to \$7,200 to cover any cost increases that may result from necessary changes in the scope of work.

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

Recommendation: Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring Its Intention to Renew the Santa Barbara South Coast Tourism Business Improvement District (SBTBID) and Fixing the Time and Place of the Public Hearings Thereon and Giving Notice Thereof.

## CONSENT CALENDAR (CONT'D)

**24. Subject: Set A Date For Public Hearing Regarding Appeal Of Single Family Design Board Approval For 215 La Jolla Drive**

Recommendation: That Council:

- A. Set the date of September 30, 2014, at 2:00 p.m. for hearing the appeal filed by Marc Chytilo, Attorney representing Rhonda Seiter, of the Single Family Design Board approval of an application for property owned by Frank Bucy and located at 215 La Jolla Drive, Assessor's Parcel No. 041-363-004, E-3 One-Family Residence/SD-3 Coastal Overlay Zones, General Plan Designation: Residential, 5 units per Acre. The project proposes a major façade and interior remodel to an existing 1,533 square-foot, one-story residence located on a 6,000 square-foot lot within the non-appealable jurisdiction of the Coastal Zone. The project includes one- and two-story additions, remodel, and the demolition and re-construction of the existing garage; and
- B. Set the date of September 29, 2014, at 1:30 p.m. for a site visit to the property located at 215 La Jolla Drive.

**25. Subject: Set A Date For Public Hearing Regarding Appeal Of Historic Landmarks Commission Conditional Approval For 901 Chapala Street**

Recommendation: That Council:

- A. Set the date of October 14, 2014, at 2:00 p.m. for hearing the appeal filed by Juan Jimenez, manager of the Cajun Kitchen Restaurant located at 901 Chapala Street, of the Historic Landmarks Commission decision to deny the application to approve an "as-built" mural located on the restaurant's northerly elevation (parking lot side); and
- B. Set the date of October 13, 2014, at 1:30 p.m. for a site visit to the property located at 901 Chapala Street.

## NOTICES

- 26. The City Clerk has on Thursday, September 4, 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.

## CONSENT CALENDAR (CONT'D)

### NOTICES (Cont'd)

#### 27. Recruitment For City Advisory Groups:

##### Recommendation:

- A. The City Clerk's Office will accept applications through Monday, October 13, 2014, at 5:30 p.m. to fill scheduled vacancies on various City Advisory Groups and the unscheduled vacancies resulting from resignations received in the City Clerk's Office through Wednesday, September 22, 2014;
  - B. The City Council will conduct interviews of applicants for vacancies on various City Advisory Groups on Tuesday, October 21, 2014, at 4:00 p.m. (Estimated Time), Tuesday, October 28, 2014, at 4:00 p.m. (Estimated Time), and Tuesday, November 11, 2014, at 6:00 p.m.; and
  - C. The City Council will make appointments to fill vacancies on various City Advisory Groups on Tuesday, December 9, 2014.
28. That pursuant to Government Code Section 87306, the City of Santa Barbara will be updating its Conflict of Interest Code no later than December 23, 2014.
29. Received a Notice from the Housing Authority of the City of Santa Barbara that it will be updating its Conflict of Interest Code pursuant to Government Code Section 87306.

**This concludes the Consent Calendar.**

## CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

### PUBLIC WORKS DEPARTMENT

#### **30. Subject: Contract For Construction Of The Mason Street Bridge Replacement Project (530.04)**

##### Recommendation: That Council:

- A. Award a contract with Lash Construction, Inc., in their low bid amount of \$6,658,081 for construction of the Mason Street Bridge Replacement Project, Bid No. 3588; and authorize the Public Works Director to execute the contract and approve expenditures of up to \$622,628 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;

(Cont'd)

## CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

### PUBLIC WORKS DEPARTMENT (Cont'd)

#### 30. (Cont'd)

- B. Accept Federal Highway Administration Grant funding in the total amount of \$7,100,000 to cover the cost of construction;
- C. Increase appropriations and estimated revenues by \$200,000 to reflect grant funding approved and received for the design and right-of-way phases of the project that were not previously appropriated;
- D. Increase appropriations and estimated revenues related to the Federal Highway Administration Grant by \$7,100,000 in the Fiscal Year 2015 Streets Capital Fund for the Mason Street Bridge Replacement Project, of which \$6,098,913 will be used for the construction contract with Lash Construction, Inc., and the balance will be used to cover other construction related contracts and costs subject to subsequent Council approval;
- E. Increase appropriations and estimated revenues by \$1,181,795.75 in the Fiscal Year 2015 Streets Capital Fund representing the County's share of the construction contract for the Mason Street Bridge Replacement Project pursuant to an existing cost-sharing agreement between the City and County; and
- F. Receive a presentation regarding the upcoming construction projects in the Lower State Street area, including the area near Mason Street and Cabrillo Boulevard.

#### 31. **Subject: State Street Safety Guide Pilot Program (530.10)**

Recommendation: That Council approve the Scope of Work and authorize release of the Request for Proposals for a State Street Safety Guide Pilot Program.

### AIRPORT DEPARTMENT

#### 32. **Subject: Introduction of Ordinance For Airline Terminal Solar Photovoltaic Power Purchase Agreement at 500 Fowler Road (560.09)**

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 Power Purchase Agreement with SunEdison to Develop, Own, Operate and Maintain a Solar Photovoltaic Generating System at the Airport, and Sell All Power Generated to the Airport.

## COUNCIL AND STAFF COMMUNICATIONS

### COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

#### CLOSED SESSIONS

**33. Subject: Public Employment/Public Employee Appointment (170.01)**

Recommendation: That Council hold a closed session, per Government Code Section 54957(b)(1), to discuss the appointment for the position of Acting City Administrator and, if appropriate, make a decision regarding that appointment.

**34. 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 *Tony Denunzio v. City of Santa Barbara, et al.*, USDC Case No. CV-13-06542 GW (MANx).

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

**35. 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 *Brittney Cotledge vs. City of Santa Barbara, et. al.*, USDC Case No. CV 12-08623 MRW.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

#### ADJOURNMENT