



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING August 5, 2014 COUNCIL CHAMBER, 735 ANACAPA STREET

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, Frank Hotchkiss, Randy Rowse, Mayor Pro Tempore Murillo.

Councilmembers absent: Bendy White, Mayor Helene Schneider.

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

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.

Documents:

August 5, 2014, report from the Administrative Services Director.

Councilmember White entered the meeting at 2:07 p.m.; Mayor Schneider entered at 2:09 p.m.

Speakers:

Staff: City Administrator James Armstrong, Award Recipients Stacey Wilson, Judd Conley.

(Cont'd)

1. (Cont'd)

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

10-Year Pin

Deborah Bush, Executive Assistant, Mayor and Council Office
Daniel Trejo, Warehouse Lead, Public Works Department
Clare Turner, Human Resources Analyst, Administrative Services Department
Juan Ramirez, Senior Water Distribution Operator, Public Works Department

15-Year Pin

Brandon Beaudette, Administrative Analyst III, Public Works Department
Bradley Klein, Maintenance Worker II, Public Works Department
Frederic Dewitt, Heavy Equipment Technician, Public Works Department
Anne Van Belkom, Administrative Assistant, Public Works Department

20-Year Pin

Leanna Pencek, Legal Office Supervisor, City Attorney's Office
John Ornelas, Senior Water Distribution Operator, Public Works Department
Pete Concepcion, Jr., Airport Maintenance Supervisor, Airport Department

25-Year Pin

Anastasia Wilson, Associate Transportation Planner, Public Works Department
Juan R. Gutierrez, Maintenance Worker II, Public Works Department

30-Year Pin

Judd Conley, Waterfront Maintenance Supervisor, Waterfront Department

PUBLIC COMMENT

Speakers: Chris Caci; Mike Woods, Service Employees International Union Local 620; Rick Hubbard; Ryan Kelly; Karl Halamicsek; Thomas Welche and Jason Guy, Service Employees International Union Local 620; Clint Orr; Phil Walker; Scott Wenz, Cars Are Basic; Wanda Livernois; Jose Arturo Ortiz de Martinez-Gallegos; Shella DuMong, Chance Inc.; Chris Benedict.

ITEM REMOVED FROM CONSENT CALENDAR

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.

(Cont'd)

10. (Cont'd)

Documents:

August 5, 2014, report from the Public Works Director.

Speakers:

Public: Scott Wenz, Cars Are Basic.

Motion:

Councilmembers Hart/White to approve the recommendation; Contract No. 24,944.

Vote:

Majority voice vote (Noes: Councilmember Francisco).

CONSENT CALENDAR (Item Nos. 2 – 9 and 11 – 21)

The title of the ordinance related to Item No. 2 was read.

Motion:

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

Vote:

Unanimous voice vote.

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.

Action: Approved the recommendation (August 5, 2014, report from the Waterfront Director; proposed ordinance).

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

(Cont'd)

3. (Cont'd)

- 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.

Action: Approved the recommendations (August 5, 2014, report from the Public Works Director).

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.

Action: Approved the recommendations; Agreement No. 24,940 (August 5, 2014, report from the Parks and Recreation Director).

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.

(Cont'd)

5. **(Cont'd)**

Action: Approved the recommendations; Contract No. 24,941 (August 5, 2014, report from the Public Works Director).

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.

Action: Approved the recommendation; Agreement No. 24,942 (August 5, 2014, report from the Airport Director).

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

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

Action: Approved the recommendation; Contract No. 24,943 (August 5, 2014, report from the Airport Director).

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.

Action: Approved the recommendations; Contract No. 24,535.2 (August 5, 2014, report from the Airport Director).

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.

Action: Approved the recommendation; Agreement No. 24,802C (August 5, 2014, report from the Chief of Police).

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.

Action: Approved the recommendation; Contract No. 24,945 (August 5, 2014, report from the Community Development Director).

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.

Speakers:

Staff: City Administrator James Armstrong.

Action: Approved the recommendations (August 5, 2014, report from the Fire Chief).

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

(Cont'd)

13. (Cont'd)

- 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.

Action: Approved the recommendations; Agreement No. 24,946 (August 5, 2014, report from the Parks and Recreation Director).

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.

Action: Approved the recommendation; Agreement No. 24,947 (August 5, 2014, report from the Parks and Recreation Director).

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.

Action: Approved the recommendation; Agreement No. 24,948 (August 5, 2014, report from the Waterfront Director).

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.

Speakers:

Staff: Library Director Irene Macias.

(Cont'd)

16. (Cont'd)

Action: Approved the recommendations; Agreement No. 24,949 (August 5, 2014, report from the Library Director).

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.

Action: Approved the recommendation (August 5, 2014, report from the Airport Director).

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
- 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.

Action: Approved the recommendations; Contract Nos. 24,950 and 24,951 (August 5, 2014, report from the Public Works Director).

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.

Action: Approved the recommendation; Agreement No. 24,952 (August 5, 2014, report from the Community Development Director).

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 concluded 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.

Documents:

- August 5, 2014, report from the Airport Director.
- Proposed Ordinance.
- PowerPoint presentation prepared and made by Staff.

The title of the ordinance was read.

Speakers:

- Staff: Airport Director Hazel Johns, City Administrator James Armstrong.
- Direct Relief International: President and CEO Thomas Tighe.

Motion:

Councilmembers Hart/Francisco to approve the recommendation.

Vote:

Unanimous voice vote.

PUBLIC WORKS DEPARTMENT

23. Subject: Stage Two Drought Update (540.05)

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

Documents:

- August 5, 2014, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Public Works Director Rebecca Bjork, Acting Water Resources Manager Joshua Haggmark, Water Conservation Coordinator Madeline Ward.
- Members of the Public: Phil Walker; Ben Pitterle, Santa Barbara Channelkeeper.

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

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

Mayor Schneider commended Old Spanish Days, law enforcement, and the Spirit and Junior Spirit dancers for a successful Fiesta celebration.

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

Documents:

August 5, 2014, report from the City Attorney.

Speakers:

Members of the Public: Valeska Castaneda; Brandon Morse and Juan Sandon, Trail for Humanity; Kathy Swift, PODER.

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

Documents:

August 5, 2014, report from the City Attorney.

Speakers:

Members of the Public: Brandon Morse.

RECESS

Mayor Schneider recessed the meeting at 4:35 p.m. in order for the Council to reconvene in closed session for Item Nos. 24 and 25.

CLOSED SESSIONS (CONT'D)

24. (Cont'd)

Time:

4:38 p.m. – 5:02 p.m.

25. (Cont'd)

Time:

5:02 p.m. – 5:35 p.m.

Recess: 5:35 p.m. – 5:36 p.m.

Announcement:

Mayor Schneider reported that by unanimous vote, the Council will not appeal the court's decision in *People of the State of California, City of Santa Barbara v. Eastside, Westside, et al.* (Agenda Item No. 24). No report was made regarding Agenda Item No. 25.

RECESS

Mayor Schneider recessed the meeting at 5:36 p.m. in order for the Council to reconvene in closed session for Item No. 26. She stated that no reportable action is anticipated.

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

Documents:

August 5, 2014, report from the Administrative Services Director.

Time:

5:38 p.m. – 6:10 p.m. Councilmember Hart was absent.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 6:10 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

ATTEST:

HELENE SCHNEIDER
MAYOR

SUSAN TSCHECH, CMC
DEPUTY CITY CLERK