

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
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Bendy White



Paul Casey
Acting City Administrator

Ariel Pierre Calonne
City Attorney

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

JANUARY 13, 2015 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 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 Acting City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through January 31, 2015.

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

CITY COUNCIL

2. **Subject: Minutes**

Recommendation: That Council waive further reading and approve the minutes of the regular meeting of December 16, 2014, the special meeting of December 17, 2014, and the regular meetings (cancelled) of December 23 and 30, 2014, and January 6, 2015.

3. **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 increase appropriations and estimated revenues in the Police Department Miscellaneous Grant Fund for the Explorer Program by \$5,000.

CONSENT CALENDAR (CONT'D)

CITY COUNCIL (CONT'D)

4. Subject: Corrected Fiscal Year 2015 Waterfront Fee Resolution (230.05)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Correcting Waterfront Harbor Slip, Mooring and User Fees for the Remainder of Fiscal Year 2015.

5. Subject: Professional Service Agreement With Garden State Fireworks For July Fourth And Parade Of Lights Fireworks Displays (570.03)

Recommendation: That Council authorize the Waterfront Director to execute a Professional Services Agreement between the City of Santa Barbara and Garden State Fireworks, for the July 4, 2015, and December 2015 Parade of Lights fireworks displays at a rate not to exceed \$55,000.

6. Subject: Contract With TranSystems Corporation For Dock Float Inspection Services For The Santa Barbara Harbor Marina One Replacement Project (570.03)

Recommendation: That Council:

- A. Authorize the Waterfront Director to execute a contract with TranSystems Corporation in the amount of \$87,895 to provide dock float inspection services for Phases 5 through 8 of the Santa Barbara Harbor Marina One Replacement Project; and
- B. Authorize the Waterfront Director to approve expenditures up to \$9,105 for extra services that may result from necessary changes in the scope of work.

7. Subject: Introduction Of Ordinance For Lease Agreement With The U.S. Department Of Commerce, National Oceanic And Atmospheric Administration (NOAA) (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 Ten-Year Lease Agreement with the United States Department of Commerce, National Oceanic and Atmospheric Administration, for 2,500 Square Feet of Unimproved Land at 1605 Cecil Cook Place, at the Santa Barbara Airport, Effective Upon the Adoption of the Enabling Ordinance, for a Monthly Rental of \$312.50, Exclusive of Utilities.

CONSENT CALENDAR (CONT'D)

CITY COUNCIL (CONT'D)

8. Subject: Increase In Design Services For The Airfield Electrical Rehabilitation Project (560.04)

Recommendation: That Council authorize an increase in the extra services amount with Mead & Hunt for design services for the Airfield Electrical Rehabilitation Project, Contract No. 24,917, in the amount of \$32,000, for a total project expenditure authority of \$163,500.

9. Subject: Contract For Streets Maintenance Practices Evaluation (530.04)

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with LA Consulting, Inc., in the amount of \$85,482 for the Evaluation of Streets Maintenance Practices, and authorize the Public Works Director to approve expenditures of up to \$8,500 for extra services of LA Consulting, Inc., that may result from necessary changes in the scope of work.

10. Subject: Contract For Construction Of The Sewer Main Point Repairs Fiscal Year 2015 Project (540.13)

Recommendation: That Council:

- A. Reject the bid protest of Southwest Pipeline & Trenchless Corporation; and
- B. Award a contract to Lash Construction, Inc., in their low bid amount of \$526,261.30 for construction of the Sewer Main Point Repairs Fiscal Year 2015 (FY15) Project, Bid No. 3736, and authorize the Public Works Director to execute the contract and approve expenditures up to \$52,626.00 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.

11. Subject: Contract For Construction Of The Community Development Block Grant Westside Center Bathroom Renovation Project (580.04)

Recommendation: That Council award a contract with Southwest Construction in their low bid amount of \$154,294 for construction of the Community Development Block Grant Westside Center Bathroom Renovation, Bid No. 3769, and authorize the Public Works Director to execute the contract and approve expenditures up to \$15,429 to cover any cost increases that may result from contract change orders for extra work.

CONSENT CALENDAR (CONT'D)

CITY COUNCIL (CONT'D)

12. Subject: Introduction Of Ordinance For Approval Of Extension For The South Coast Energy Efficiency Partnership Agreement (630.06)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Authorizing the Public Works Director to Execute an Amendment Extending the 2010-2014 Energy Partnership Agreement Between the Southern California Edison Company, the Southern California Gas Company, and the City of Santa Barbara to Cover the 2015 Transition Period.

13. Subject: Increase In Construction Change Order Authority For The Punta Gorda Street Bridge Replacement Project (530.04)

Recommendation: That Council:

- A. Authorize an increase in the Public Works Director's Change Order Authority to approve expenditures for extra work of Shaw Contracting, Inc., for the Punta Gorda Street Bridge Replacement Project, Contract No. 24,514, in the amount of \$200,000, for a total Change Order Authority of \$694,600 and a total Project expenditure authority of \$2,560,565;
- B. Authorize an increase in the extra services amount with Filippin Engineering, Inc., for Construction Management Support Services for the Punta Gorda Street Bridge Project, Contract No. 24,515, in the amount of \$48,000, for a total project expenditure authority of \$411,741;
- C. Appropriate \$248,000 from the Streets Fund Reserves for transfer to the Streets Capital Fund for the Punta Gorda Street Bridge Replacement Project; and
- D. Increase appropriations and estimated revenues in the Streets Capital Fund for the Punta Gorda Street Bridge Replacement Project funded from a transfer from the Streets Fund.

14. Subject: Set The Date Of Public Hearing To Consider Designation Of City Landmarks (640.06)

Recommendation: That Council set February 3, 2015, at 2:00 p.m. as the date and time for a public hearing on the Historic Landmarks Commission's recommendation that the following resources be designated as City Landmarks: Joseph Knowles Mural at 38 West Victoria (formerly known as 34 West Victoria along 1200 Block of Chapala Street); First Church of Christ, Scientist at 116-120 East Valerio; and Mont-Joie Residence at 931 Las Alturas Road.

CONSENT CALENDAR (CONT'D)

CITY COUNCIL (CONT'D)

15. Subject: Set A Date For Public Hearing Regarding Appeal Of Single Family Design Board Approval For 511 Brosian Way (640.07)

Recommendation: That Council:

- A. Set the date of January 27, 2015, at 2:00 p.m. for hearing the appeal filed by Patricia Foley of the Single Family Design Board's project design approval for property owned by John Park and located at 511 Brosian Way, Assessor's Parcel No. 047-030-011, A-1/SD-3 One-Family Residential Zone and Coastal Overlay Zone, Local Coastal Plan Designation: Residential, One Unit Per Acre. The project proposes to construct a 4,656 square-foot one-story single-family residence, with an attached 533 square-foot two-car garage, a 198 square-foot one-car carport, and two uncovered parking spaces on a vacant 2.2 acre lot and includes an outdoor pool and spa, landscaping, 600 cubic yards of cut grading, and 3,560 cubic yards of fill grading. The proposed total of 5,387 square-feet of development in the Hillside Design District is 95% of the guideline maximum floor-to-lot area ratio; and
- B. Set the date of January 26, 2015, at 1:30 p.m. for a site visit to the property located at 511 Brosian Way.

SUCCESSOR AGENCY

16. Subject: Contract For Construction Of The Lower West Downtown Lighting Project - Phase 2 (530.04)

Recommendation: That the Successor Agency:

- A. Award and authorize the Executive Director to execute a contract with Taft Electric Company, in their low bid amount of \$421,458 for the construction of the Lower West Downtown Lighting Project Phase 2 and approve expenditures up to \$42,100 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 of Bid No. 3720; and
- B. Authorize the Executive Director to execute a Contract with Smith Engineering Associates, in the amount of \$13,880 for construction support services, and approve expenditures of up to \$1,120 for extra services that may result from necessary changes in the scope of work.

CONSENT CALENDAR (CONT'D)

NOTICES

17. The City Clerk has on Thursday, January 8, 2015, 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.
18. Cancellation of the regular City Council meeting of January 20, 2015.
19. Receipt of communication advising of vacancy created on the Single Family Design Board with the recent passing of James Zimmerman. This vacancy will be part of a special recruitment for this City Advisory Group.
20. Single Family Design Board Recruitment:
 - A. The City Clerk's Office will accept applications through Tuesday, February 17, 2015, at 5:30 p.m. to fill the Single Family Design Board position whose term will end on June 30, 2018;
 - B. The City Council will conduct interviews of applicants for the unscheduled vacancy on Tuesday, March 3, 2015, at 4:00 p.m. (Estimated Time); and
 - C. The City Council will make the appointment to fill the Single Family Design Board position on Tuesday, March 17, 2015.

This concludes the Consent Calendar.

PUBLIC HEARINGS

21. **Subject: Public Hearing For The 2015 Downtown and Old Town Business Improvement Districts Assessments (290.00)**

Recommendation: That Council:

- A. Conduct a public hearing and consider appropriate protests to the renewal of the Downtown and Old Town Business Improvement Districts Assessments for 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 Confirming the Fiscal Year 2015 Downtown and Old Town Business Improvement Districts Annual Assessment Report and Renewing the Downtown Business Improvement District and Old Town Business Improvement District Assessments for 2015.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

22. Subject: Proposed Water Rate Increases For Fiscal Year 2016 (540.01)

Recommendation: That Council:

- A. Provide final direction to staff on the water rates that may be required to address costs associated with the drought, including reactivation of the Charles Meyer Desalination Plant;
- B. Set a Public Hearing date for March 10, 2015, at 2:00 PM, in the Council Chambers for Council consideration of increases in the City water rates for Fiscal Year 2016;
- C. Direct staff to release the Notice of Public Hearing to customers, informing them of the hearing date and the proposed changes to the water rates; and
- D. Authorize the Public Works Director to amend and increase a City Professional Services Contract, subject to approval as to form by the City Attorney, with Raftelis Financial Consultants, by \$35,000, bringing the total amount of the contract to \$77,397, for support services related to water rates modeling.

23. Subject: Annual Water Supply Management Report (540.08)

Recommendation: That Council approve and adopt the City of Santa Barbara Water Supply Management Report for the 2014 water year, finding that groundwater resources are in long-term balance in accordance with the conjunctive management element of the City's Long-Term Water Supply Plan.

MAYOR AND COUNCIL REPORTS

24. Subject: Appointment Of Mayor Pro Tempore, Ordinance And Finance Committees, Council Liaisons To Advisory Groups, And Members Of Regional Agencies (130.01)

Recommendation: That Council consider the appointment of a Mayor Pro Tempore, Chairs and Members of the Ordinance and Finance Committees, Council Liaisons to Advisory Groups, and Members of Regional Agencies.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

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 *Richard Miller v. City of Santa Barbara, et al.*, SBSC Case No. 1467407.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

26. 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 *Donald Sipple, and New Cingular Wireless PSC LLC, et al., v. The City of Alameda, California, et al.*, LASC Case No. BC432270.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

27. 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, 30 minutes; anytime

Report: None anticipated

28. 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 *Lucio Delgadillo v. Taylor Electric, A Corp., Mark Taylor, The City Of Santa Barbara, Michael Ricotta, et al.*, SBSC Case No. 1439502.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

CLOSED SESSIONS (CONT'D)

29. Subject: Public Employee Performance Evaluation - Government Code Section 54957 (160.01)

Recommendation: That Council hold a closed session for a Public Employee Performance Evaluation per Government Code Section 54957.

Title: City Attorney

Scheduling: Duration, 40 minutes; anytime

Report: None anticipated

ADJOURNMENT