

CITY OF SANTA BARBARA CITY COUNCIL

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



Paul Casey
Acting City Administrator

Ariel Pierre Calonne
City Attorney

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

JANUARY 27, 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.

ORDER OF BUSINESS

- 12:30 p.m. - Finance Committee Meeting, David Gebhard Public Meeting Room,
630 Garden Street
2:00 p.m. - City Council Meeting

FINANCE COMMITTEE MEETING - 12:30 P.M. IN THE DAVID GEBHARD PUBLIC MEETING ROOM, 630 GARDEN STREET (120.03)

1. Subject: December 31, 2014, Investment Report And December 31, 2014, Fiscal Agent Report

Recommendation: That Finance Committee recommend that Council:

- A. Accept the December 31, 2014, Investment Report; and
- B. Accept the December 31, 2014, Fiscal Agent Report.

(See Council Agenda Item No. 4)

2. Subject: Golf Course Discussion

Recommendation: That the Finance Committee provide a recommendation to City Council on options to improve the long-term financial sustainability of the municipal golf course.

REGULAR CITY COUNCIL MEETING – 2:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CLOSED SESSIONS

1. Subject: Public Employee Appointment And Compensation Negotiations (170.01)

Recommendation: That Council hold a closed session with Dave Morgan from Ralph Andersen and Associates, and Kristine Schmidt, Administrative Services Director, pursuant to CA Government Code Section 54957(b)(1) and Section 54957.6 regarding the appointment of a City Administrator and negotiations regarding the salary and fringe benefits for the City Administrator.

Scheduling: Duration, 30 minutes; anytime

Report: Yes

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

2. Subject: Minutes

Recommendation: That Council waive further reading and approve the minutes of the regular meetings of December 9, 2014, and January 13, 2015, and the special meetings of January 12, and January 16, 2015.

3. Subject: Revision To Records Management Program To Add Retention Policy For Video Feed From Security Cameras (160.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending the City's Records Management Program to Add a Retention Policy for Video Feed From Security Cameras.

4. Subject: December 31, 2014, Investment Report And December 31, 2014, Fiscal Agent Report (260.02)

Recommendation: That Council:

- A. Accept the December 31, 2014, Investment Report; and
- B. Accept the December 31, 2014, Fiscal Agent Report.

CONSENT CALENDAR (CONT'D)

5. **Subject: Fiscal Year 2015 Interim Financial Statements For The Five Months Ended November 30, 2014 (250.02)**

Recommendation: That Council accept the Fiscal Year 2015 Interim Financial Statements for the Five Months Ended November 30, 2014.

6. **Subject: Adoption Of Ordinance To Approve The Extension For The South Coast Energy Efficiency Partnership Agreement (630.06)**

Recommendation: That Council 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 Extension of 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.

7. **Subject: Donation From The Santa Barbara Police Foundation For The Purchase Of Surveillance Equipment (520.04)**

Recommendation: That Council accept a donation of \$5,000 from the Santa Barbara Police Foundation for the purchase of night vision and surveillance equipment for the Criminal Impact Team; and thereby increase appropriations and estimated revenues by \$5,000 in the Police Department Miscellaneous Grants Fund.

8. **Subject: Accept Donation To Fund Police Canine Unit Trust Fund (520.04)**

Recommendation: That Council accept an anonymous donation of \$500 from a private donor for the Police Canine Unit Trust Fund.

9. **Subject: Acceptance Of Grant Funds For Gang Reduction, Intervention, And Prevention Activities In 2015 (520.04)**

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting a One-Year \$246,852 Grant from the Board Of State and Community Corrections (BSCC) to Implement the California Gang Reduction, Intervention, And Prevention (CalGRIP) Program to Administer the Santa Barbara South Coast Youth Empowerment Internship for 2015;
- B. Increase Fiscal Year 2015 estimated revenues and appropriations in the Miscellaneous Grants Fund by \$246,852; and

(Cont'd)

CONSENT CALENDAR (CONT'D)

9. (Cont'd)

- C. Authorize the City Administrator to enter into an agreement with the Board of State and Community Corrections (BSCC) to accept and distribute the CalGRIP calendar year 2015 grant funds.

10. **Subject: Parks And Recreation Community Foundation Contributions (570.05)**

Recommendation: That Council:

- A. Accept a contribution from the Parks and Recreation Community (PARC) Foundation in the amount of \$32,266.83 for Parks and Recreation Department programs; and
- B. Increase appropriations and estimated revenues in the Fiscal Year 2015 Parks and Recreation Department Miscellaneous Grants Fund in the amount of \$32,266.83.

11. **Subject: Appropriate Reserves For The El Estero Wastewater Treatment Plant Digester Lining Project (540.13)**

Recommendation: That Council:

- A. Appropriate \$502,941 from Wastewater Fund Reserves to the El Estero Wastewater Treatment Plant Digester Lining Project to address the need for unplanned maintenance and repair; and
- B. Authorize the Public Works Director to increase the contract with MNS Engineering, Inc., in the amount of \$36,070 for construction support service; for a total contract amount of \$96,130.

12. **Subject: Introduction Of Ordinance Approving An Amendment To The Agreement To Use Recycled Water For Pilgrim Terrace Homes (540.13)**

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 Amendment to the Agreement Between the City of Santa Barbara and Pilgrim Terrace Homes for Purchase, Use, and Delivery of the City's Recycled Water.

CONSENT CALENDAR (CONT'D)

13. Subject: Approve HVAC Controls Standardization And Professional Services Agreement (320.01)

Recommendation: That Council:

- A. Find it in the City's best interest to standardize to the Carrier I-Vu Building Automation System for all new buildings and major heating, ventilation and air conditioning systems; and
- B. Authorize the Public Works Director to negotiate with and execute a professional services agreement with West Coast Power Solutions for the design, supply and integration of the Carrier I-Vu Building Automation Systems for one year in an amount not to exceed \$75,000, with four one-year renewal options.

14. Subject: Authorization Pledging Wastewater Fund Net Revenue To Payment Of A Clean Water State Revolving Fund Financing Agreement (540.13)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Pledging the Wastewater Fund Net Revenue to Payment of a Clean Water State Revolving Fund Financing Agreement.

15. Subject: Appropriation Of Funds And Authorization For Deposit Of Funds For Condemnation Action For The Cabrillo Boulevard Bridge Replacement (530.04)

Recommendation: That Council:

- A. Increase appropriations and estimated revenues related to the Federal Highway Administration Grant by \$3,673,995 in the Fiscal Year 2015 Streets Capital Fund for the Cabrillo Boulevard Bridge Replacement Project;
- B. Authorize an increase in estimated revenues and appropriations of \$200,000 in the Streets Capital Fund to cover the cost of legal services to the City on matters related to the Cabrillo Boulevard Bridge Replacement Project funded from anticipated future sale of surplus properties acquired for current bridge replacement projects; and
- C. Authorize the Public Works Director to make a deposit of the probable condemnation compensation amount of Three Million Five Hundred Forty Seven Thousand Dollars (\$3,547,000) to the State of California Treasury, or directly to the property owner of the properties at 13 (AKA 15) East Cabrillo Boulevard (APN: 033-111-012), 21 Helena Avenue (APN: 033-111-004), and 6 State Street (APN: 033-111-011), as determined by the Stipulation for Possession.

CONSENT CALENDAR (CONT'D)

16. Subject: Approval Of Professional Services Agreement For Citywide Wayfind Directional Signage Program (530.05)

Recommendation: That Council authorize the Public Works Director to execute a Professional Services Agreement with Hunt Design in the amount of \$91,300 to review the City's existing directional signage, offer suggestions for elimination and/or retention of the current inventory, and design a comprehensive, attractive, and cohesive Citywide Wayfind Directional Signage Program to improve multi-modal access, identification and connectivity within and about Santa Barbara, and authorize the Public Works Director to approve expenditures of up to \$14,895 for extra services of Hunt Design that may result from necessary changes in the scope of work.

17. Subject: Adoption Of Ordinance For Lease Agreement With The U.S. Department Of Commerce, National Oceanic And Atmospheric Administration (NOAA) (330.04)

Recommendation: That Council 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.

18. Subject: Authorization For Agreement For Legal Services With Nielsen Merksamer Parrinello Gross & Leoni, LLP (160.01)

Recommendation: That Council:

- A. That Council authorize the City Attorney to execute a legal services agreement with Nielsen Merksamer Parrinello Gross & Leoni, LLP, in an amount not to exceed \$400,000 for special counsel services to the City on matters related to the pending California Voting Rights Act litigation, *Banales, et al. v. City of Santa Barbara*; and
- B. Increase appropriations in the General Fund, City Attorney's Office, by \$400,000 from unappropriated reserves to cover the cost of the contract for legal services.

NOTICES

19. The City Clerk has on Thursday, January 22, 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.

This concludes the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

MAYOR AND COUNCIL REPORTS

20. Options For Filling Unscheduled Vacancy On The Single Family Design Board (140.05)

Recommendation: That Council provide direction to staff on filling an unscheduled vacancy on the Single Family Design Board.

21. Subject: Report From Infrastructure Committee On Public Outreach Findings (320.01)

Recommendation: That Council:

- A. Receive a report from the Council Infrastructure Committee on findings from the public outreach effort on the City's street, park and facility needs; and
- B. Direct staff to return to Council with a proposal to hire a consultant to conduct a formal poll to get more community input on infrastructure funding options.

PUBLIC HEARINGS

22. Subject: Appeal Of Planning Commission And Single Family Design Board Approvals Of 511 Brosian Way (640.07)

Recommendation: That Council deny the appeal of Patricia Foley of the application of Brian Cearnal, architect for John and Grace Park, and uphold the Planning Commission's approval of a Coastal Development Permit and the Single Family Design Board's Project Design Approval for the proposed single-family residence; and direct staff to return to Council with Decision and Findings reflecting the outcome of the appeal.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS (CONT'D)

23. 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

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

Recommendation: That Council hold a closed session to consider anticipated litigation pursuant to subsections 54956.9(d)(2) & (e)(2) of the Government Code and take appropriate action as needed. Significant exposure to litigation arising out of Mr. Scott Steepleton's request for public records relating to the deliberative process of Councilmember Cathy Murillo.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

ADJOURNMENT