

**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
City Administrator

Ariel Pierre Calonne
City Attorney

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

**FEBRUARY 3, 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: Additional HOME Funds To Peoples' Self-Help Housing Corporation For A New Affordable Housing Project At 510-520 N. Salsipuedes And 601 E. Haley Street**

Recommendation: That the Finance Committee consider and recommend City Council approval of a preliminary award of an additional \$500,000 of the City's Home Investment Partnership Program (HOME) funds to Peoples' Self-Help Housing Corporation for the development and construction of low income rental housing at 510-520 N. Salsipuedes Street and 601 E. Haley Street known as Jardin de las Rosas.

- 2. Subject: Comprehensive Annual Financial Report For The Fiscal Year Ended June 30, 2014**

Recommendation: That Finance Committee:

- A. Receive a report from staff on the Comprehensive Annual Financial Report for the Fiscal Year ended June 30, 2014; and
B. Accept the Comprehensive Annual Financial Report for the Fiscal Year ended June 30, 2014.

(See Council Agenda Item No. 12)

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 February 28, 2015.

2. Subject: 2015 Historic Landmarks Commission Design Awards (640.03)

Recommendation: That Council join the Historic Landmarks Commission in presenting its 2015 Design Awards.

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

3. Subject: Adoption Of Ordinance Approving An Amendment To The Agreement To Use Recycled Water For Pilgrim Terrace Homes (Dept. Head: RJB)

Recommendation: That Council 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)

4. **Subject: Contract For Construction Of The Cota Street Bridge Replacement Project (530.04)**

Recommendation: That Council:

- A. Award a contract with Granite Construction Company in their low bid amount of \$4,956,146 for construction of the Cota Street Bridge Replacement Project, Bid No. 3589, and authorize the Public Works Director to execute the contract and approve expenditures up to \$495,615 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;
- B. Authorize the Public Works Director to execute a City Professional Services contract with Filippin Engineering in the amount of \$620,070 for construction management services for the Cota Street Bridge Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$62,007 for extra services that may result from necessary changes in the scope of work;
- C. Authorize the Public Works Director to execute a City Professional Services contract with Bengal Engineering, Inc., in the amount of \$86,313 for engineering design support services for the Cota Street Bridge Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$8,631 for extra services that may result from necessary changes in the scope of work;
- D. Increase appropriations and estimated revenues related to the Federal Highway Administration Grant by \$5,489,520 in the Fiscal Year 2015 Streets Capital Fund for the Cota Street Bridge Replacement Project;
- E. Authorize an increase in appropriations and estimated revenues of \$758,617 in the Streets Capital Fund from revenues anticipated through the future sale of surplus properties acquired for current bridge replacement projects to cover the City's share of the cost of construction;
- F. Authorize the Public Works Director to execute a Protect in Place and Release of Liability Agreement with Verizon California; and
- G. Increase appropriations and estimated revenues by \$247,500 in the Fiscal Year 2015 Streets Capital Fund, representing Verizon California's share of the construction contract for the Cota Street Bridge Replacement Project pursuant to the Protect in Place and Release of Liability Agreement.

CONSENT CALENDAR (CONT'D)

5. **Subject: City Administrator Employment Agreement And Amendment Of City Attorney Employment Agreement (450.01)**

Recommendation: That Council:

- A. Approve, and authorize the Mayor to execute, an employment agreement with Paul Casey to serve as the City Administrator effective February 3, 2015; and
- B. Approve, and authorize the Mayor to execute, an amended and restated employment agreement between the City and Ariel Pierre Calonne, City Attorney, to remove sections of Agreement No. 24,713 attaching health and welfare benefit changes to those provided to other management employees.

6. **Subject: Amend Position and Salary Control Resolution To Include Salary Range For City Administrator (410.06)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 14-046, the Position and Salary Control Resolution for Fiscal Year 2015, to Add a Salary Range for the City Administrator.

7. **Subject: Emergency Appointment Of Paul Zink To The Single Family Design Board (640.03)**

Recommendation: That Council confirm the emergency appointment of Paul Zink to the Single Family Design Board on an interim basis until the Council makes a final appointment.

8. **Subject: Authorize Actions Regarding Agreements For Professional Services Relating To Reactivating The Charles E. Meyer Desalination Facility (540.10)**

Recommendation: That Council:

- A. Authorize the City Attorney to amend Professional Services Agreement Number 24,835 with Hanson Bridgett, LLP, to increase the not-to-exceed amount from \$100,000 to \$150,000 for legal support services related to contracting for services to design, build, and operate the Desalination Facility, and other contractual requirements as needed;
- B. Authorize the City Attorney to execute a Professional Services Agreement with Orrick, Herrington & Sutcliffe, LLP, in the not-to-exceed amount of \$30,000 to provide bond counsel services to assist the City with financing for reactivation of the Charles E. Meyer Desalination Facility; and
- C. Appropriate \$155,000 from Water Fund reserves for the transfer of funds to the Water Drought Fund for professional services related to the reactivation of the Charles E. Meyer Desalination Facility.

CONSENT CALENDAR (CONT'D)

NOTICES

9. The City Clerk has on Thursday, January 29, 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

PUBLIC HEARINGS

10. **Subject: Designation Of Joseph Knowles Mural, First Church Of Christ, Scientist, And Mont Joie Residence As City Landmarks (640.06)**

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating the Joseph Knowles Mural at 38 West Victoria Street (Formerly Known as 34 West Victoria Street Along 1200 Block of Chapala Street) as a City Landmark;
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating the First Church of Christ, Scientist, at 116-120 East Valerio Street as a City Landmark; and
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating the Mont Joie Residence at 931 Las Alturas Road as a City Landmark.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

ADMINISTRATIVE SERVICES DEPARTMENT

11. **Subject: Civic Engagement Plan Regarding District Elections (110.03)**

Recommendation: That Council:

- A. Consider and approve, in concept, an outreach plan to ensure civic engagement in the question of implementing by-district Council elections; and
- B. Direct the Administrative Services Director to negotiate and return to Council with an agreement with National Demographics Corporation, Inc., in an amount to be determined, to develop tools to facilitate the public input process.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

FINANCE DEPARTMENT

12. Subject: Comprehensive Annual Financial Report For The Fiscal Year Ended June 30, 2014 (250.02)

Recommendation: That Council:

- A. Receive a report from staff on the Comprehensive Annual Financial Report for the Fiscal Year ended June 30, 2014; and
- B. Accept the Comprehensive Annual Financial Report for the Fiscal Year ended June 30, 2014.

PUBLIC WORKS DEPARTMENT

13. Subject: Contract For Design Of Montecito-Yanonali Street Bridge Replacement And Pedestrian Improvements (530.04)

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Drake Haglan & Associates, Inc., in the amount of \$651,771, for design services of the Montecito-Yanonali Street Bridge Replacement and Pedestrian Improvements Project, and authorize the Public Works Director to approve expenditures of up to \$65,177 for extra services that may result from necessary changes in the scope of work.

14. Subject: Mission Park To Mission Canyon Multimodal Improvements Plan (670.08)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Making the Mission Park to Mission Canyon Multimodal Improvements Plan a Project in the City's Capital Improvement Program and Direct Public Works Staff to Work with the County of Santa Barbara to Seek Funding for Design and Construction.

15. Subject: Stage Two Drought Update (540.05)

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

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

16. 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 *MHA Garden Street Owners' Association, et al., v. Trabucco General Incorporated, et al.*, SBSC Case No. 1374378.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

17. Subject: Conference With City Attorney -- Anticipated Litigation -- Gov. Code § 54956.9(d)(2) & (e)(2)/(3): Significant Exposure To Litigation Arising Out Of The City's Subrogation Claim Against Renee Savalio To Recover Property Damage Costs Paid By The City Of Santa Barbara (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsections (d)(2) & (e)(2/3) of Section 54956.9 of the Government Code and take appropriate action as needed.

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

18. Subject: Conference With City Attorney - Anticipated Litigation (Dept. Head: APC; Est. Time: 15 mins.)

Recommendation: That Council hold a closed session to decide whether to authorize the initiation of litigation (one potential case) pursuant to Government Code sections 54956.96(a) and take appropriate action as needed.

Scheduling: Duration, 15 minutes; anytime

Report: Possible

ADJOURNMENT