

**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>

**APRIL 14, 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: Proclamation Declaring April 12-18, 2015 As National Public Safety Telecommunicators Week (120.04)**
- 2. Subject: Proclamation Declaring April 12-18, 2015 As Week Of The Young Child (120.04)**

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

- 3. Subject: Adoption Of Ordinance For A License Agreement With Southern California Gas Company (380.02)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a 20-year license agreement with Southern California Gas Company, for installation, operation, and maintenance of Advanced Metering Infrastructure on City Water Resources properties, for a one-time fee of \$780 per location, effective April 27, 2015.

CONSENT CALENDAR (CONT'D)

4. Subject: Strategic Prevention Framework State Incentive Grant To Address Underage And Excessive Drinking And Driving (520.04)

Recommendation: That Council:

- A. Accept an additional \$15,000 from the County of Santa Barbara Alcohol, Drug & Mental Health Services (ADMHS) Strategic Prevention Framework State Incentive Grant to address underage and excessive drinking and alcohol related motor vehicle accidents for Fiscal Year 2015; and
- B. Increase appropriations and estimated revenues by \$15,000 in the Police Miscellaneous Grants Fund for Fiscal Year 2015.

5. Subject: Authorization For The Allocation Of Transportation Development Act Funds (670.05)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Filing of a Claim with the Santa Barbara County Association of Governments for Allocation of \$71,663 in Transportation Development Act Funds for Fiscal Year 2016.

6. Subject: Contract For Construction Of Elings Park Recycled Water Pump Station Project (540.06)

Recommendation: That Council:

- A. Award a contract with Pacific Coast Excavation, in their low bid amount of \$213,874 for construction of the Elings Park Recycled Water Pump Station Project, Bid No. 3722; and authorize the Public Works Director to execute the contract and approve expenditures up to \$21,390 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 Mimiaga Engineering Group in the amount of \$23,400 for construction support services, and approve expenditures of up to \$2,340 for extra services of Mimiaga Engineering Group that may result from necessary changes in the scope of work.

7. Subject: Contract Amendment For Contract Plan Review Services (610.01)

Recommendation: That Council approve an amendment to Agreement No. 21500032 to increase total compensation for contract plan review services and the associated Purchase Order by \$77,500 for a total of \$112,500.00.

CONSENT CALENDAR (CONT'D)

NOTICES

8. The City Clerk has on Thursday, April 9, 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.
9. A City Council site visit is scheduled for Monday, April 20, 2015, at 1:30 p.m. to the property located at 2405 State Street, which is the subject of an appeal hearing set for April 21, 2015, at 2:00 p.m.

This concludes the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ATTORNEY

10. Subject: Sidewalk Behavior and Panhandling Ordinances (520.04)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, the following Ordinance Committee recommended ordinances:

- A. An Ordinance Of The Council Of The City Of Santa Barbara Amending Section 2.28.030 Of The Santa Barbara Municipal Code To Grant The Library Director The Authority To Promulgate And Post Facility Specific Regulations;
- B. An Ordinance Of The Council Of The City Of Santa Barbara Amending Title 9 Of The Municipal Code By Adding Chapter 9.07 To Prohibit Urinating Or Defecating In Public;
- C. An Ordinance Of The Council Of The City Of Santa Barbara Amending Section 9.48.010 Of The Municipal Code Regarding Commercial Use Of City Streets To Prohibit The Use Of Public Street Furniture As A Venue For Selling Or Offering For Donation;
- D. An Ordinance Of The Council Of The City Of Santa Barbara Amending Section 9.50.010 Of The Santa Barbara Municipal Code To Prohibit Active Panhandling In Specified Locations;
- E. An Ordinance Of The Council Of The City Of Santa Barbara Amending Section 9.97.010 Of The Santa Barbara Municipal Code Regarding Sitting Or Lying On Sidewalks And Paseos Along Certain Downtown Portions Of State Street; and
- F. An Ordinance Of The Council Of The City Of Santa Barbara Amending Section 9.98.010 Of The Santa Barbara Municipal Code Regarding Pedestrians Blocking Public Sidewalks.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

AIRPORT DEPARTMENT

11. Subject: Airport Aircraft Rescue And Firefighting (ARFF) Budget Discussion (560.01)

Recommendation: That Council hear a staff discussion on potential adjustments to the Fire Department staffing for Federal Aviation Administration required Aircraft Rescue and Firefighting (ARFF) services at the Airport.

PUBLIC WORKS DEPARTMENT

12. Subject: Stage Two Drought Update (540.01)

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

13. Subject: Potential Stage Three Drought Condition Response Measures (540.01)

Recommendation: That Council receive a presentation and provide direction to staff on the potential Stage Three Drought Condition modified conservation target, water use regulations, and development restrictions.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

14. 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 *Alexander Cruz v. City of Santa Barbara*; WCAB Case numbers ADJ7371091 and ADJ7371090.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

CLOSED SESSIONS (CONT'D)

15. 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 *Martin Valencia v. City of Santa Barbara*; WCAB Case number ADJ8407029.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

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 *Mark Vierra v. City of Santa Barbara*; WCAB Case number ADJ9535185.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

17. 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 *Luke Brost as Trustee for the Luke Brost Living Trust, et al., v. City of Santa Barbara*, SBSC Case No. 1342979/Court of Appeal Case No. B246153.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

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

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

Scheduling: Duration, 30 minutes; anytime

Report: Report anticipated

CLOSED SESSIONS (CONT'D)

19. 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

To Monday, April 20, 2015, at 1:30 p.m. at 2405 State Street. (See Item No. 9)