

**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>

**JUNE 9, 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

2:00 p.m. - City Council Meeting
4:00 p.m. - Advisory Group Interviews (Estimated Time)

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

CITY COUNCIL

1. Subject: Minutes

Recommendation: That Council waive further reading and approve the minutes of the regular meeting of May 19, 2015.

2. Subject: Adoption Of Ordinance For Amendment To Airline Terminal Solar Photovoltaic Power Purchase Agreement For Solar Project At 500 Fowler Road (560.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Authorizing the Airport Director to Execute a First Amendment to the Power Purchase Agreement (City Agreement No. 24,975) Between the City of Santa Barbara and SunEdison Origination3, LLC, to Amend the Site Description, to Reduce the Expected Annual Output of the System, and to Reduce the Energy Purchase Rate for Energy Delivered.

CONSENT CALENDAR (CONT'D)

CITY COUNCIL (CONT'D)

3. Subject: Adoption Of Ordinance Approving A Joint Powers Agreement For Wastewater Treatment In The Mission Canyon Area (540.13)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the 2015 Joint Powers Agreement for Wastewater Collection, Treatment, and Disposal for County Service Area 12 in the Mission Canyon Area, Between the County of Santa Barbara and the City of Santa Barbara.

4. Subject: Introduction Of Ordinance For Extension Of Fire Management Memorandum Of Understanding To June 30, 2018 (440.02)

Recommendation: That Council ratify a three-year extension to the 2012-2015 labor agreement between the City of Santa Barbara and the Santa Barbara Fire Managers Association, by introduction and subsequent adoption of, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Ordinance No. 5260, the Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara Fire Managers Association, and Extending the Term of the Agreement Through June 30, 2018.

5. Subject: Records Destruction For Community Development Department (160.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the Community Development Department in the Administration, Housing and Human Services, and Building and Safety Divisions.

6. Subject: Acceptance Of Meter Easements For 513 Garden Street (540.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting an Agreement for Access to Water Meters and Sub-Meters and Grant of Easement for 513 Garden Street.

7. Subject: Contract For Design Of Corporate Yard Aboveground Fuel Storage Tank (530.01)

Recommendation: That Council authorize the Public Works Director to execute a contract for design with Fiedler Group for the Corporate Yard Aboveground Fuel Storage Tank at 635 Laguna Street, in the amount of \$124,725, and approve expenditures up to \$12,472 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.

CONSENT CALENDAR (CONT'D)

CITY COUNCIL (CONT'D)

8. Subject: Amendment To Professional Services Agreement With Ruby Carrillo For Accounting Services (210.01)

Recommendation: That Council approve and authorize the Finance Director to execute a Second Amendment to Agreement No. 21400186, Professional Service Contract with Ruby Carrillo for Accounting Services, to increase the agreement by \$20,000 for a total of \$70,000.

9. Subject: Authorize Payment Of Attorney's Fees And Damages To Plaintiffs And Their Counsel Relating To Brost As Trustee For The Luke Brost Living Trust, et al., v. City of Santa Barbara (640.04)

Recommendation: That Council:

- A. Authorize the payment of \$797,589.95 to the Plaintiffs, Brost, Barajas and Canley, and their attorney, Joseph Liebman, for damages, including the cost of attorney's fees relating to the above case; and
- B. Increase appropriations from General Fund reserves to the City Attorney's Office in the amount of \$797,589.95 to cover the settlement costs.

CONSENT PUBLIC HEARINGS

10. Subject: Parking And Business Improvement Area Annual Assessment Rates For Fiscal Year 2016 - Public Hearing (550.10)

Recommendation: That Council:

- A. Consider any appropriate protests to the Parking and Business Improvement Area Annual Assessment Report For Fiscal Year 2016, 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 Fixing and Assessing the Parking and Business Improvement Area Assessment Rates for Fiscal Year 2016, and Confirming Approval of the Parking and Business Improvement Area Annual Assessment Report for Fiscal Year 2016.

NOTICES

11. The City Clerk has on Thursday, June 4, 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.

CONSENT CALENDAR (CONT'D)

NOTICES (CONT'D)

12. A City Council site visit is scheduled for Monday June 15, 2015, at 1:00 p.m. to the property located at 3740 Pescadero Drive, which is the subject of an appeal hearing set for June 16, 2015, at 2:00 p.m.
13. Receipt of communication advising of vacancy created on the Police and Fire Pension Commission with the resignation of Luis Esparza; the vacancy will be part of the current City Advisory Groups recruitment.

This concludes the Consent Calendar.

MAYOR AND COUNCIL REPORTS

14. **Subject: Request From Councilmember Hotchkiss And Councilmember Francisco Regarding Bicycle Traffic Statistics (530.05)**

Recommendation: That Council consider the request from Councilmember Hotchkiss and Councilmember Francisco regarding bicycle traffic statistics.

15. **Subject: Interviews For City Advisory Groups (140.05)**

Recommendation: That Council hold interviews of applicants to various City Advisory Groups.

(Estimated Time: 4:00 p.m.; Continued from June 2, 2015, Item No. 23)

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

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

Recommendation: That Council hold a closed session to consider initiating litigation pursuant to subsection (d)(4) of Section 54956.9 of the Government Code and take appropriate action as needed (one potential case).

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

CLOSED SESSIONS (CONT'D)

17. Subject: City Attorney Compensation Negotiations (160.01)

Recommendation: That Council hold a closed session with Mayor Helene Schneider and Councilmember Randy Rowse, pursuant to CA Government Code Section 54957(b)(1) and Section 54957.6 regarding the performance of the City Attorney and negotiation of the salary and fringe benefits applicable to the City Attorney.

Negotiators: Mayor Helene Schneider and Councilmember Randy Rowse

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

RECESS

To Monday, June 15, 2015, at 1:00 p.m. at 3740 Pescadero Drive. (See Agenda Item No. 12)