

**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)



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING May 19, 2015 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:00 p.m. (The Finance Committee met at 12:00 p.m. The Ordinance Committee, which ordinarily meets at 12:30 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Dale Francisco, Gregg Hart, Frank Hotchkiss, Cathy Murillo, Randy Rowse, Bendy White (2:05 p.m.), Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator Paul Casey, City Attorney Ariel Pierre Calonne, City Clerk Services Manager Gwen Peirce.

PUBLIC COMMENT

Speakers: Matthew Kramer; Melody Baker; Candice Perez; Katia Barradas; Tom Widroe, CityWatch; Michael Montenegro.

CONSENT CALENDAR (Item Nos. 1 – 19)

The titles of the ordinances and resolutions related to Consent Items were read.

Motion:

Councilmembers Rowse/Hotchkiss to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

1. Subject: Minutes

Recommendation: That Council waive further reading and approve the minutes of the special meetings of April 30, and May 4, 2015, the adjourned regular meeting of May 4, 2015, and the regular meeting of May 5, 2015.

Speakers:

Staff: City Administrator Paul Casey advised that the minutes of the regular meeting of May 5, 2015, were being removed from the agenda for correction and will be resubmitted on June 2, 2015.

Action: Approved the recommendation with the exception of the minutes of the regular meeting of May 5, 2015.

2. Subject: April 2015 Investment Report (260.02)

Recommendation: That Council accept the April 2015 Investment Report.

Action: Approved the recommendation (May 19, 2015, report from the Finance Director/Acting Assistant City Administrator).

3. Subject: Receipt Of Donated Fire Equipment (520.03)

Recommendation: That Council accept a donation of thermal imaging camera equipment for firefighting with a value of approximately \$6,000 from FLIR Systems, Inc.

Speakers:

- Staff: Fire Department Training Captain Tony Pighetti.
- Members of the Public: Bill Terre, Vice President/General Manager, FLIR Systems, Inc.

Action: Approved the recommendation (May 19, 2015, report from the Fire Chief).

4. Subject: Mutual Aid Personnel Compensation (520.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing Portal to Portal Pay for Sworn Fire Employees Assigned to Mutual Aid Response.

Action: Approved the recommendation; Resolution No. 15-037 (May 19, 2015, report from the Fire Chief; proposed resolution).

5. Subject: Ordinance Establishing Citation Authority For Community Service Officers (520.04)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 1.20 of Title 1 of the Santa Barbara Municipal Code by Adding and Adopting Section 1.20.060, Establishing the Citation Authority of the Community Service Officer Classification.

Action: Approved the recommendation (May 19, 2015, report from the Police Chief; proposed ordinance).

6. Subject: Software Maintenance For Regional Law Enforcement Data Sharing System (520.04)

Recommendation: That Council find it in the City's best interest to waive the bidding process as provided in Municipal Code 4.52.070(k) and authorize the General Services Manager to issue a purchase order to IBM for the estimated amount of \$106,296 for software maintenance and services for the Coplink system for Fiscal Year 2015.

Action: Approved the recommendation (May 19, 2015, report from the Police Chief).

7. Subject: Acceptance of Federal Aviation Administration Airport Improvement Program Grant Offer For Santa Barbara Airport (560.01)

Recommendation: That Council accept and authorize the Airport Director to execute, on behalf of the City, a Federal Aviation Administration Grant offer, No. 3-06-0235-49, in an amount not to exceed \$3,100,000 in Airport Improvement Program (AIP) funds, for the Airport Lighting and Safety Upgrade Improvement Project and North General Aviation Ramp Replacement Project.

Action: Approved the recommendation: Agreement No. 24,210 (May 19, 2015, report from the Airport Director).

8. Subject: Westside Boys And Girls Club Property Lease (580.04)

Recommendation: That Council authorize the Parks and Recreation Director to enter into a three-year lease agreement with the United Boys and Girls Club of Santa Barbara County for the Westside Boys and Girls Club located at 602 W. Anapamu Street, at one dollar a year.

Action: Approved the recommendation; Lease Agreement No. 24,197 (May 19, 2015, report from the Parks and Recreation Director).

9. Subject: Integrated Pest Management 2014 Annual Report (330.01)

Recommendation: That Council accept the Integrated Pest Management (IPM) 2014 Annual Report that addresses the use of pesticides and alternatives to control weeds or eliminate pests on City property.

Action: Approved the recommendation (May 19, 2015, report from the Parks and Recreation Director).

10. Subject: Approval Of Parcel Map And Execution Of Agreements For 240 West Alamar Street (640.08)

Recommendation: That Council approve and authorize the City Administrator to execute and record Parcel Map Number 20,814 and standard agreements relating to the approved subdivision at 240 West Alamar Street.

Action: Approved the recommendation; Agreement Nos. 24,198 – 24,200 (May 19, 2015, report from the Public Works Director).

11. Subject: Acceptance Of Meter Easements For 1130 Punta Gorda 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 at 1130 Punta Gorda Street.

Action: Approved the recommendation; Resolution No. 15-038, Agreement No. 24,201 (May 19, 2015, report from the Public Works Director).

12. Subject: Contract For Construction Of Influent Pump Station Improvements (540.13)

Recommendation: That Council:

- A. Transfer \$242,605.69 from Wastewater Fund Reserves to the Wastewater Capital Fund;
- B. Increase appropriations by \$1,070,245 in the Wastewater Capital Fund for the Influent Pump Station Variable Frequency Drive and Programmable Logic Controller Replacement Project, funded from a \$242,605.69 transfer from Wastewater Capital reserves and the balance of \$827,639.31 funded from a reimbursement from the State Revolving Loan Fund approved by separate action;
- C. Award a contract with Taft Electric Company in their low bid amount of \$732,910 for construction of the Influent Pump Station Variable Frequency Drive and Programmable Logic Controller Replacement Project, Bid No. 3740; and authorize the Public Works Director to execute the contract and approve expenditures up to \$73,290 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; (Cont'd)

12. (Cont')

- D. Authorize the Public Works Director to execute a contract with Mimiaga Engineering Group in the amount of \$111,000 for construction management services, and approve expenditures of up to \$11,100 for extra services of Mimiaga Engineering Group that may result from necessary changes in the scope of work; and
- E. Authorize the Public Works Director to execute a contract with Brown & Caldwell in the amount of \$81,376 for construction support services, and approve expenditures of up to \$8,138 for extra services of Brown & Caldwell that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Contract Nos. 24,202 – 24,204 (May 19, 2015, report from the Public Works Director).

13. Subject: Contract For Preliminary Design Of Las Positas Road Multiuse Path (530.04)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a City Professional Services contract with RRM Design Group in the amount of \$938,426 for preliminary design services of the Las Positas Road Multiuse Path Project, and authorize the Public Works Director to approve expenditures of up to \$93,843 for extra services of RRM Design Group that may result from necessary changes in the scope of work; and
- B. Increase appropriations and estimated revenues related to the Active Transportation Program Grant by \$1,018,000 in the Fiscal Year 2015 Streets Grant Fund for the Las Positas Multiuse Path Project.

Action: Approved the recommendations; Contract No. 24,205 (May 19, 2015, report from the Public Works Director).

14. Subject: Introduction Of Ordinance For Curb Marking For Parking Regulations (550.01)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.48 of the Municipal Code by Amending Section 10.48.040, Curb Markings to Indicate Parking Regulations - Authority of the Transportation Engineer.

Action: Approved the recommendation (May 19, 2015, report from the Public Works Director; proposed ordinance).

15. Subject: Introduction Of Ordinance For Prohibition Of Unauthorized Traffic Signs (530.05)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.12 of the Municipal Code by Amending Section 10.12.170, Displaying of Unauthorized Signs Prohibited - Nuisance.

Action: Approved the recommendation (May 19, 2015, report from the Public Works Director; proposed ordinance).

16. Subject: Introduction Of Ordinance Establishing Bus Stop Zones (530.05)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.48 of the Municipal Code by Amending Section 10.48.090, Bus Zones to be Established.

Action: Approved the recommendation (May 19, 2015, report from the Public Works Director; proposed ordinance).

17. Subject: Set A Date For Public Hearing Regarding Appeal Of Parks And Recreation Commission Denial For 3740 Pescadero Drive (570.08)

Recommendation: That Council:

- A. Set the date of June 16, 2015, at 2:00 p.m. for hearing the appeal filed by Carey Ludford, of the Parks and Recreation Commission denial of an application for the removal of one (1) Schinus terebinthifolius, Brazilian Pepper, located at 3740 Pescadero Drive; and
- B. Set the date of June 15, 2015, at 1:00 p.m. for a site visit to the property located at 3740 Pescadero Drive.

Action: Approved the recommendations (April 28, 2015, letter of appeal).

NOTICES

- 18. The City Clerk has on Thursday, May 14, 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.
- 19. Receipt of communication advising of vacancy created on the Santa Barbara Youth Council with the resignation of Katie Carrillo-Castro; the vacancy will be part of the current City Advisory Groups recruitment.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dale Francisco reported that the Committee met to consider the Proposed Two-Year Financial Plan for Fiscal Year 2016, which included a pension update, a status report on the Employee Mortgage Loan Assistance Program (EMLAP), and staff-proposed adjustments to the Fiscal Year 2016 recommended budget. Staff will make a presentation regarding the Fiscal Year 2015 Third Quarter Review to the full Council as part of Agenda Item No. 20.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

FINANCE DEPARTMENT

20. Subject: Fiscal Year 2015 Third Quarter Review (210.01)

Recommendation: That Council:

- A. Hear a report from staff on the status of revenues and expenditures in relation to budget for the nine months ended March 31, 2015;
- B. Accept the Fiscal Year 2015 Interim Financial Statements for the Nine Months Ended March 31, 2015; and
- C. Approve the proposed third quarter adjustments to Fiscal Year 2015 appropriations and estimated revenues as detailed in the schedule of Proposed Third Quarter Adjustments.

Documents:

- May 19, 2015, report from the Finance Director/Acting Assistant City Administrator.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Treasury Manager Julie Nemes.
- Members of the Public: Tom Widroe, CityWatch.

Councilmember Francisco left the meeting at 2:26 p.m.

Motion:

Councilmembers Hart/Hotchkiss to approve the recommendations.

Vote:

Unanimous voice vote (Absent: Councilmember Francisco).

Councilmember Francisco returned to the meeting at 2:34 p.m.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

PUBLIC WORKS DEPARTMENT

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

Recommendation: That Council:

- A. Introduce and subsequently 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; and
- B. Authorize the City Administrator to execute a Joint Powers Agreement for Wastewater Collection, Treatment, and Disposal in the Mission Canyon Area with the County of Santa Barbara.

Documents:

- May 19, 2015, report from the Public Works Director.
- Proposed ordinance.
- PowerPoint presentation prepared and made by Staff.

The title of the ordinance was read.

Speakers:

Staff: Wastewater Systems Manager Chris Toth, Public Works Director Rebecca Bjork, Assistant City Attorney Scott Vincent.

Motion:

Councilmembers Rowse/Murillo to continue this item to the June 2, 2015, City Council meeting to include more detailed information on the implications of the proposed recommendations.

Vote:

Unanimous voice vote.

CITY ADMINISTRATOR

22. Subject: Community Polling Results On Unfunded Infrastructure Needs (530.01)

Recommendation: That Council:

- A. Receive a report on community polling results on the City's unfunded infrastructure needs and possible funding options related to streets, parks and facilities; and
- B. Direct staff to initiate procedural steps to place a sales tax measure on the November 2015 ballot.

(Cont'd)

22. (Cont'd)

Documents:

- May 19, 2015, report from the City Administrator.
- PowerPoint presentations prepared and made by Staff and the Consultant.

Speakers:

- Staff: Assistant to the City Administrator Nina Johnson.
- Godbe Research (Consultant to the City): President Bryan Godbe.
- Members of the Public: Tom Widroe, CityWatch; Lanny Ebenstein; Bonnie Raisin; Lesley Wiscomb; Maggie Campbell, Downtown Santa Barbara; Scott Burns; Ethan Shenkman.

Motion:

Councilmembers White/Rowse to direct staff to initiate procedural steps to place a sales tax measure on the November 2015 ballot.

Vote:

Majority voice vote (Noes: Councilmembers Hart, Hotchkiss).

RECESS

4:34 p.m. – 4:44 p.m.

CHANGES TO THE AGENDA

Item Continued to Future Meeting

Mayor Schneider announced that staff is requesting to continue the following item to the June 2, 2015, City Council meeting. Councilmembers Hotchkiss and White stated they would abstain from voting on the continuance due to a conflict of interest related to their residence being located within the boundaries of the subject assessment district.

25. **Subject: Renewal Of Levy For Fiscal Year 2016 For The Wildland Fire Suppression Assessment District (520.03)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring Its Intention to Continue Vegetation Road Clearance, Implementation of a Defensible Space Inspection and Assistance Program, and Implementation of a Vegetation Management Program Within the Foothill and Extreme Foothill Zones; Declaring the Work to be of More Than General or Ordinary Benefit and Describing the District to be Assessed to Pay the Costs and Expenses Thereof; Approving the Engineer's Report; Confirming Diagram and Assessment; and Ordering Continuation of the Wildland Fire Suppression Assessment District for Fiscal Year 2016.

Motion:

Councilmembers Francisco/Rowse to continue this item to the June 2, 2015, City Council meeting.

Vote:

Unanimous voice vote (Abstentions: Councilmembers Hotchkiss, White).

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

ADMINISTRATIVE SERVICES DEPARTMENT

23. Subject: Vote-By-Mail General Municipal Election, Agreement For Election Services And Direction Regarding Potential Ballot Measures (110.03)

Recommendation: That Council:

- A. Authorize the City Clerk to conduct the November 3, 2015 General Municipal Election as a Vote-By-Mail Election;
- B. Authorize the Administrative Services Director to execute a \$135,000 professional services agreement with Martin & Chapman Company for election services necessary concerning the City's November 2015 General Election, and to approve expenditures of up to \$20,250 for extra services that may result from necessary changes in the scope of work; and
- C. Direct staff and the City Attorney to return to Council to discuss other potential matters to be placed on the November ballot.

Documents:

- May 19, 2015, report from the Administrative Services Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Members of the Public: Lucas Zucker, CAUSE; Charles Clouse, Democratic Service Club; Dick Flacks; Bonnie Raisin; Daraka Larimore-Hall.

(Cont'd)

The Mayor announced that the following item will be heard prior to the conclusion of Item No. 23.

MAYOR AND COUNCIL REPORTS

24. Subject: Interviews For City Advisory Groups (140.05)

Recommendation: That Council:

- A. Hold interviews of applicants to various City Advisory Groups; and
- B. Continue interviews of applicants to June 2, 2015, and June 9, 2015.
(Estimated Time: 4:00 p.m.)

Documents:

May 19, 2015, report from the Administrative Services Director.

Speakers:

The following applicants were interviewed:

Fire and Police Commission:
Jeanine Daniel

(Cont'd)

24. (Cont'd)

Speakers (Cont'd):

Housing Authority Commission:
David Hughes

Library Board:
Will Tomlinson

Santa Barbara Youth Council:
Kendra Dayton
Ryan Daniel
Wilson Sherman
Layla Landeros
Ava Castanha
Jensen Steady
Amanda Roberts
Manny Rea

Transportation and Circulation Committee:
Howard Green

Water Commission:
John Jostes
Dave Davis
David Landecker
Ken Goodenough

By consensus, the Council continued the interviews to June 2, 2015, at 6:00 p.m.

The Mayor announced that Item No. 23 would resume at this time.

23. (Cont'd)

Speakers (Cont'd):

- Staff: City Clerk Services Manager Gwen Peirce, City Attorney Ariel Calonne.

Motion:

Councilmembers Rowse/Hotchkiss to approve Recommendations A and B, authorizing the City Clerk to conduct a Vote-By-Mail Election and authorizing a professional services agreement with Martin & Chapman Company for election services; Agreement No. 24,206.

Vote:

Unanimous voice vote.

(Cont'd)

23. (Cont'd)

Motion:

Councilmembers Hart/Murillo to direct staff to return to the City Council with options for a potential ballot measure regarding even-year elections.

Vote:

Failed to carry by voice vote (Ayes: Councilmembers Hart, Murillo, Rowse; Noes: Councilmembers Francisco, Hotchkiss, White and Mayor Schneider).

Motion:

Councilmembers White/Hotchkiss to direct staff and the City Attorney to return to the City Council with a potential ballot measure regarding even-year elections to be structured as follows:

- If the ballot measure approving even-year elections passes in November 2015, then the Councilmembers elected in the 2015 Election (Districts 1, 2, 3) would serve three years; in the 2017 Election, the Mayor and Councilmembers elected (Districts 4, 5, 6) would serve three years; and the first even-year election would occur in 2018 for Districts 1, 2, and 3 and the next even-year election would occur in 2020 for the Mayor and Districts 4, 5 and 6.

Vote:

Failed to carry by voice vote (Ayes: Councilmembers Hotchkiss, White, Mayor Schneider; Noes: Councilmembers Francisco, Hart, Murillo, Rowse).

Motion:

Councilmember Hart to direct staff and the City Attorney to return to the City Council with three options for even-year elections.

The motion died for a lack of second.

Motion:

Councilmembers Murillo/Hart to direct the City Attorney to speak with the plaintiffs on the options for even-year elections and return to the City Council at the June 2, 2015, meeting.

Vote:

Majority voice vote (Noes: Councilmember Francisco).

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Hotchkiss reported on his attendance at the Riviera Association Semiannual meeting and at a ribbon-cutting ceremony for art-covered trash cans on Milpas Street.

(Cont'd)

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS (CONT'D)

Information (Cont'd):

- Councilmember Murillo reported on her attendance at the following events and meetings: 1) Coalition Against Gun Violence 20th Anniversary; 2) Fireman's Ball; 3) Animal Shelter Assistance Program (ASAP) event; 4) Westside Bicycle Master Plan meeting; 5) Pro-Youth movement meeting; 6) Pancake Breakfast at the Westside Boys and Girls Club; and 7) Access Advisory Committee meeting.

CLOSED SESSIONS

The Mayor recessed the meeting at 5:57 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 26 and 27. She stated that no reportable action is anticipated.

27. Subject: Conference With Labor Negotiator (440.05)

Recommendation: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristine Schmidt, Administrative Services Director, regarding negotiations with the Fire Management Association, Supervisors Association, and regarding salaries and fringe benefits for unrepresented management.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

Documents:

May 19, 2015, report from the Administrative Services Director.

Time:

6:00 p.m. – 6:15 p.m. Councilmember Hart was absent.

No report made.

26. 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

Documents:

May 19, 2015, report from the City Administrator.

Time:

6:15 p.m. – 7:00 p.m. Councilmember Hart was absent.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 7:00 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST:

GWEN PEIRCE, CMC
CITY CLERK SERVICES MANAGER

ORDINANCE NO. _____

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.

THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION 1. The Airport Director is hereby authorized 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 (hereinafter referred to as "SunEdison"), amending Exhibit A to reduce the expected annual output and energy purchase rates and Exhibit C to update the Description of Site.

ORDINANCE NO. _____

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

WHEREAS, there is an unincorporated area of the County of Santa Barbara (the "County") north of and adjacent to the City of Santa Barbara (the "City"), commonly known as the "Mission Canyon Area." County Service Area 12 was created by the County per Resolution 84-72 to provide public sewer service and septic tank maintenance to a portion in the Mission Canyon Area;

WHEREAS, existing septic systems in the Mission Canyon Area have historically had a high incidence of failure and thereby have the potential to endanger health, safety, life and property through pollution of ground and surface waters;

WHEREAS, an existing Joint Powers Agreement between the City and the County was approved for execution by the Santa Barbara City Council at a meeting on September 18, 1984, and was executed on October 2, 1984 to establish powers, prescribe responsibilities, and set conditions for conveying wastewater and septic tank pumpage from County Service Area 12 to City's collection system for further treatment and disposal;

WHEREAS, City has available capacity in the City's wastewater collection system, treatment plant, and ocean outfall effluent disposal facility to accept the existing and contemplated wastewater flows and septic tank pumpage from County Service Area 12 as described in the Mission Canyon Community Plan;

WHEREAS, it is not the intent of City or County that the Mission Canyon Area, including County Service Area 12, be annexed to City as a condition of City providing wastewater services;

WHEREAS, Sections 55080 through 55093 inclusive of the California Government Code authorize agreements between two local agencies for the joint construction and maintenance of sanitation facilities upon adoption of resolutions by the governing bodies of each local agency, that such joint construction and maintenance is in the interest or advantage of both local agencies;

WHEREAS, Sections 55110 through 55115 inclusive of the California Government Code authorize agreements between local agencies for joint use of sewage treatment plants and other sewage disposal works, and authorize bonds to pay for purchasing capacity in the plant or works or a for right to use them;

WHEREAS, Sections 6500 through 6516 of the Government Code authorize public agencies, which include both cities and counties, to enter into agreements to jointly exercise powers common to each agency; and Section 6502 further provides that it shall not be necessary that any power common to the contracting parties be exercisable by each such contracting power, with respect to the geographical area in which such power is to be jointly exercised; and

WHEREAS, the parties hereto each have powers to regulate and control land use and development and to protect the public health, safety and welfare.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION 1. 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 is hereby approved. The City Administrator or designee is authorized to execute said Agreement and other documents necessary to give effect to such Agreement.

SECTION 2. 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 supersedes the 1984 Joint Powers Agreement No. 12,554 between the County and the City.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 9, 2015

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Introduction Of Ordinance For Extension Of Fire Management Memorandum Of Understanding To June 30, 2018

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.

DISCUSSION:

Background

On May 20, 2015, City negotiators reached a tentative agreement with negotiators for the Fire Management Association for a three-year extension to the existing 2012-2015 labor agreement. The fire management bargaining unit covers 5 positions in the management classifications of Fire Battalion Chief and the Prevention Fire Division Chief. It does not include the Fire Chief or the Suppression Fire Division Chief. The agreement was ratified by the Association membership on May 27, 2015.

Summary of Agreement

Changes to the terms and conditions of employment that were negotiated and incorporated into the agreement include:

- Extending the agreement term by 3 years, though June 2018;
- Salary increases of 5.4% over three years;
- A \$25 increase to the monthly cafeteria plan allowance for the purchase of medical, dental and vision insurance, effective January 2018;
- Restoration of 40 hours of management leave for the two 40-hour managers; and

- A gradual increase to compensable overtime, currently paid at a premium of 110% of straight time pay, to a premium of 150% of straight time pay when assigned to backfill for another employee's shift (administrative overtime is still unpaid).

The cost of this agreement is approximately equivalent to 9% over three years.

Salaries and Benefits

Over the three year period, permanent Association members will receive the following salary increases.

<u>Effective Date</u>	<u>Increase</u>
June 1, 2015	2.4%
June 25, 2016	1.5%
June 24, 2017	1.5%

The agreement calls for the restoration of 40 hours of management leave for 40-hour non-shift employees, which is similar to what is granted to other 40-hour managers citywide. 56-hour shift employees are not eligible for management leave, as they earn overtime pay when they work an extra shift. Managers will be able to temporarily accrue 48 additional compensatory time hours, if requested, in order to attend a voluntary fire related training.

Compaction and Overtime

City Human Resources staff has long recognized compaction issues for Battalion Chief compensation when compared to lead Fire Captains. Lower historical salary increases for management coupled with greater overtime earning opportunities for non-management (who earn overtime at 150% premium), have led to the compensation of many Fire Captains exceeding the compensation of the Battalion Chiefs who manage them. If not moderated, this becomes a problem in enticing employees to promote to management and leads to morale issues.

The increase from a 110% premium for overtime to 125% in Fiscal Year 2016 and a 150% in Fiscal Year 2017 is designed to help address the compaction issue. An analysis by staff about how compaction is addressed in other agencies showed that many comparable agencies pay their Shift Battalion Chiefs overtime at a 150% premium. Overtime is only paid when a manager is backfilling a shift for another manager. Routine administrative overtime remains unpaid.

Special Vacation Cash-Out Opportunity

Fire employees are permitted to cash out vacation once annually. This is beneficial to the City, since the cost of replacement labor on the 24-hour shift exceeds the cost of the cash out. As part of this agreement, a manager who did not cash out vacation during the annual vacation cash out in December/January of Fiscal Year 2015 may exercise this cash out in June 2015, and managers may also elect to cash out their Fiscal Year 2016 cash out in June 2015 instead of waiting until December.

BUDGET/FINANCIAL INFORMATION:

This agreement will increase compensation costs for this group by approximately 9% versus the status quo over three years, a cost of \$94,687 to the General Fund and \$99,686 Citywide.

The proposed Fiscal Year 2016 budget included 3% for labor cost increases for Fire Managers in Fiscal Year 2016. Actual costs of the agreement will depend on the amount of needed overtime during the year, so a mid-year adjustment will be made if necessary.

This agreement will also shift certain anticipated unbudgeted cash-outs from Fiscal Year 2016 to Fiscal Year 2015.

SUBMITTED BY: Kristine Schmidt, Director of Administrative Services

APPROVED BY: City Administrator's Office

ORDINANCE NO. _____

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

THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION 1. The Memorandum of Understanding between the City of Santa Barbara and the Santa Barbara Fire Managers Association entered into as of July 1, 2012, pursuant to Ordinance No. 5260, is hereby amended as reflected in Exhibit "A", attached hereto and incorporated herein by reference.

SECTION 2. During the term of the agreement, the City Administrator is hereby authorized to implement the terms of the Memorandum of Understanding between the City of Santa Barbara and the Santa Barbara Fire Managers Association without further action by the City Council, unless such further action is explicitly required by state or federal law. This authorization shall include, but not be limited to, the authority to implement employee salary increases and publish changes to the salary schedule(s) adopted with the annual operating budget.

**CITY OF SANTA BARBARA
AND
SANTA BARBARA FIRE MANAGEMENT ASSOCIATION
2012-2018 AMENDED MEMORANDUM OF UNDERSTANDING**

**AMENDED MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY OF SANTA BARBARA
AND THE
SANTA BARBARA CITY FIRE MANAGERS ASSOCIATION**

THIS AGREEMENT IS ENTERED INTO AS OF MAY 7, 2013, AND AMENDED AS OF _____, BETWEEN THE CITY OF SANTA BARBARA, HEREINAFTER REFERRED TO AS THE "CITY," AND THE SANTA BARBARA CITY FIRE MANAGERS ASSOCIATION, HEREINAFTER REFERRED TO AS THE "ASSOCIATION."

Pursuant to Section 3.12 of the Municipal Code of the City of Santa Barbara and Section 3500 et. seq. of the Government Code, the duly authorized representatives of the City and the duly authorized representatives of the Association, having met and conferred in good faith concerning wages, hours, and terms and conditions of employment of Unit employees, declare their agreement to the provisions of this Memorandum of Understanding.

FOR THE CITY:

FOR THE ASSOCIATION:

Kristine Schmidt
Employee Relations Manager

Mike DePonce, Fire Battalion Chief
President

Robert Mercado, Fire Battalion Chief
Vice President

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1. Scope of Representation

A. The Association represents the following management job classifications:

- Fire Battalion Chief
- Fire Division Chief (Prevention)

B. "Shift personnel" as used in this Agreement refers to those managers in the above classifications assigned by the Fire Chief to a 56 hour per week shift schedule.

2. Base Salaries

A. Base salaries will be increased as follows:

<u>Effective Date</u>	<u>Increase</u>
July 14, 2012	2.0%
January 12, 2013	1.0%
January 11, 2014	2.5%
January 10, 2015	2.0%
<u>June 1, 2015</u>	<u>2.4%</u>
<u>June 25, 2016</u>	<u>1.5%</u>
<u>June 24, 2017</u>	<u>1.5%</u>

~~B. Upon receipt of 30 days written notice from the Association to the City, effective not earlier than November 5, 2014, parties will meet and confer in good faith regarding the sole issue of a possible additional January 10, 2015 salary increase.~~

3. Overtime

A. Overtime compensation for non-emergency situations is limited to when a member is assigned by the Fire Chief to backfill another employee's shift as the assigned Suppression Battalion Chief on that shift. ~~Such overtime will be paid at straight time only.~~

B. Overtime compensation will be accrued or paid to Fire Safety Management ~~at straight time only~~ when assigned to emergency suppression or prevention duties.

C. In an effort to address compensation compaction within the fire service, the City will begin moving toward premium pay for overtime outlined in Sections A and B, above, by providing overtime compensation based upon the following percentages of the employee's "regular rate of pay". ~~Effective July 13, 2014, such overtime will be paid at a premium rate of 110% of the employee's regular rate of pay.~~

Effective Date Overtime Premium Rate

<u>Before July 13, 2014</u>	<u>Straight time (100%) only</u>
<u>July 13, 2014</u>	<u>110%</u>
<u>June 27, 2015</u>	<u>125%</u>
<u>June 25, 2016</u>	<u>150% (time and one half)</u>

C.

- D. Overtime shall be accrued or paid out at the rate of time and one-half the employee's regular rate of pay when providing mutual aid for which the City is reimbursed at the rate of time and one half.
- E. Overtime will not be accrued for performing administrative duties.
- F. Overtime may be accrued in a bank of hours (compensatory time) not to exceed 48 hours. Any CTO granted in lieu of paid overtime will be credited at the overtime rate at which it is earned. If approved by the Fire Chief in advance, a manager may accrue up to an additional 48 hours of CTO to use to attend a scheduled fire-related training or class. If the manager does not attend the scheduled class, the Fire Chief may cause the excess CTO to be converted to a cash payment.

4. Cafeteria Plan Contribution

- A. Employees will receive a monthly contribution to the cafeteria plan for the purchase of health and welfare benefits and/or optional cash-out. The cafeteria plan contribution will be \$1,560.00 per month.

Effective January 1, 2013, the cafeteria plan amount will be increased by \$116.00 per month, to \$1676.00 per month. In the first year of this increase, the 2013 plan year, such equivalent increase shall be allocated over the remaining pay periods in the cafeteria plan year following ratification of this Agreement. The City shall not be obligated to conduct an additional open enrollment related to this increase to the cafeteria plan amount.

Effective January 1, 2018, the cafeteria plan contribution will be increased by \$25 per month, to \$1,701 per month.

- B. Information about the benefits available and their cost will be distributed to all employees at the beginning of each benefit year (i.e. calendar year).
- C. The City retains full and complete control over the selection, approval and administration of the City's group insurance program.
- D. The benefits will be subject to the following rules:
 1. Benefit selections must be made prior to the beginning of each benefit year. Employee changes in benefit plan selections, such as adding or deleting coverage and/or dependents, may only be made in accordance with Section 125 of the Internal Revenue Code and City policy.

2. All benefits selected from the cafeteria plan must be paid for in full from the maximum benefit provided except when the maximum is insufficient to cover all insurance coverage selected. In such cases, the premium amount not funded by the City-provided benefit will be paid through an employee deduction applied against the medical premiums.
3. No unexpended dollar amounts associated with selected benefits may be disbursed to a terminating employee.
4. All benefit selections are subject to State and Federal rules, regulations, and laws regarding employee benefits and tax status. No guarantee is made regarding the tax-exempt status of any and all benefits presented or selected.
5. Employees will be eligible for benefits coverage and the monthly cafeteria plan contribution, on the first day of the month following their hire date.

5. Domestic Partnership Benefits

The cafeteria plan allowance can be used toward same sex and opposite sex domestic partner dependent coverage under the medical, dental, and vision plans, and any other plan where such coverage is allowed. In order to receive this benefit, domestic partners must be registered with the City Clerk's Office and/or the Secretary of State of California, and the employee must provide proof of registration. The affected employee(s) will be responsible for all tax consequences of this benefit.

Additionally, Domestic Partners who are registered with the City Clerk's Office and/or the Secretary of State of California are treated the same as spouses under all City policies related to employees' families.

6. Life Insurance

Life Insurance will be provided equal to an amount of one times annual salary. An equal amount will be provided for accidental death and dismemberment (ADD) coverage. This amount will not be counted against the cafeteria plan allowance.

7. Long Term Disability

Each employee will receive City-paid coverage under a long term disability insurance program. This amount will not be counted against the cafeteria plan allowance.

8. Short Term Disability

Employees will be eligible to participate in an optional Short-term Disability plan at their own cost.

9. Accident/Critical Illness Insurance

Employees will be eligible to participate in an optional Supplemental Accident and Critical Illness insurance plan at their own cost.

10. Tax-Qualified Expense Accounts

The City will continue to offer several tax-qualified arrangements to allow employees to set aside money to pay for eligible expenses on a pre-tax basis. These include:

- Medical Flexible Spending Account
- Dependent Care Account

11. Vacation

A. Members will be eligible to accrue vacation as follows:

Years Service	Days	Hours (Non-shift)	Hours (Shift Personnel)
0-2	15	120	180
3-5	20	160	240
6-7	25	200	300
8+	28	224	336

B. The maximum vacation accrual for non-shift employees will be 352 hours (44 days). For shift personnel, the maximum vacation accrual will be 528 hours (44 days x 12 hours/day).

C. A member whose vacation balances exceed the maximum accrual will not be eligible to accrue further vacation until such time as the manager has reduced his or her accrued leave balances through time off, catastrophic leave donation, or buy-back ("cash out"), to below the maximum accrual. There is no retroactive grant of vacation compensation for the period of time the vacation compensation was at the cap.

D. The maximum vacation accrual may be waived if scheduled vacations are cancelled by the City for emergencies or cancelled by the manager due to the illness, injury, or personal emergency. The manager will submit to the City Administrator, via the Department Head, a memo requesting approval for the accrual beyond the maximum. The City Administrator may establish a deadline by which the manager must reduce the vacation accrual to at or below the maximum, or be subject to the accrual discontinuance provisions outlined herein.

E. A manager, other than shift personnel, who has taken a minimum of eighty (80) hours of vacation and/or management leave in the payroll year may request to be paid in full for up to 120 hours of accrued vacation in any one payroll year during the vacation cash-out period established by the City. Shift personnel may request vacation cash-out only if they take a minimum of one hundred twenty (120) hours of vacation in the payroll year and they may request to be paid in full for up to 168 hours of accrued vacation in any one payroll year during the vacation buy-back period established by the City.

E. SPECIAL VACATION CASH-OUT OPPORTUNITY: A manager who did not cash out vacation during the annual vacation cash out in December/January of Fiscal Year 2015 may cash out up to 168 hours effective the pay period that ends on June 26, 2015. The employee may also take advantage of an early exercise of the employee's Fiscal Year 2016 cash out opportunity of up to an additional 168 hours during the pay period that ends June 26, 2015 (for 336 hours total). An employee who cashes out early will not also be eligible for the normal annual cash out in December/January of Fiscal Year 2016.

12. Vacation & Sick Leave Advanced Credit Upon Hire

- A. An employee who is appointed from outside City of Santa Barbara government service within one (1) year of leaving employment with either the City of Santa Barbara or another city, county, state agency, federal agency or special district and who, in the opinion of the Human Resources Manager, possesses government experience directly related to the position to which he or she has been appointed, may be offered credit for years of prior service with the City of Santa Barbara and/or his or her immediate previous government employer in the following ways:
- i. Vacation Accrual: At the discretion of the Human Resources Manager, the employee may be offered credit for up to the total number of prior full years of service at the City of Santa Barbara and/or his or her immediate previous government employer toward the initial vacation accrual rate. The employee will not be eligible to progress to a higher accrual rate until employee has the normal required minimum amount of City of Santa Barbara service for that accrual rate.
 - ii. Sick bank: At the discretion of the Human Resources Manager, the employee may be credited with up to 96 hours of sick leave. Thereafter, employee will accrue sick leave at the normal rate.
- B. A former City of Santa Barbara employee reemployed within one year under Santa Barbara Municipal Code Section 3.16.320 will automatically qualify for the full vacation accrual credit under (i), above, for his or her prior City of Santa Barbara service. However, under no circumstance will prior accrued vacation balances cashed out to the employee upon termination be reinstated.

13. Holidays and Personal Leave

- A. Members on a regular 40 hour shift will be eligible for legal holidays and personal leave under the same terms as other Group II Managers under the citywide Management Performance and Compensation Plan.

~~Effective May 7, 2013~~ ~~Following ratification of this Agreement~~, holidays and personal leave for the July 2012 through June 2013 Fiscal Year will be restored to these levels.

~~B. Effective July 1, 2015, managers in a 40-hour shift assignment on July 1 will be eligible for an award of 40 hours of Management Leave each fiscal year. This leave must be used within the fiscal year awarded and while the employee is in the 40-hour assignment. If the employee transfers to a 56-hour assignment during the fiscal year, the management leave will not transfer to the new assignment, however the employee will also not be required to reimburse the City for management leave already taken. Management leave shall otherwise be subject to the same terms as management leave awarded to other Group II Managers under the citywide Management Performance and Compensation Plan, including a prorated award of leave for appointment to a 40-hour shift assignment during a fiscal year.~~

~~B-C.~~ Shift personnel will accrue holidays and personal leave days at the combined rate of one twelve (12) hour day per month.

~~Effective May 7, 2015~~ ~~Following ratification of this Agreement~~, holiday accruals for the July 2012 through June 2013 Fiscal Year will be restored to these levels.

~~C-D.~~ If an employee's accrued holiday bank exceeds 156 hours, the City shall have the option either to require the employee to take the excess holiday time off or to pay the employee for the excess hours at straight time. The option of time off or pay in lieu of holiday hours shall be at the sole discretion of the City.

Employees who are bargaining unit members on the date of ratification of the 2012-2015 Agreement shall not be subject to the holiday accrual cap. The maximum holiday accrual for these employees will be the number of hours that they had in their respective banks effective the end of the first full pay period after ratification.

~~E. Discretionary Management Leave: Though administrative overtime is uncompensated, the Fire Chief may grant paid management leave to any manager during the year, at his or her sole discretion, in recognition of extraordinary uncompensated overtime. Such discretionary management leave shall be in addition to annual management leave otherwise provided in this Agreement, and subject to the same terms as discretionary management leave awarded to other Group II Managers under the citywide Management Performance and Compensation Plan.~~

14. Sick Leave

Non-shift members are eligible for regular sick leave accrual on the same basis as other Group II Managers under the citywide Management Performance and Compensation Plan.

For shift personnel, regular days of sick leave will accrue at 12 hours per month.

All employees shall be subject to a maximum regular sick leave accrual, not including non-replenishable sick leave Under Article 15 of this Agreement, of 2160 hours.

15. Non-Replenishable Sick Leave

- A. After five (5) years of continuous service, a non-shift employee may accumulate additional “non-replenishable” sick leave at the rate of sixteen (16) hours at full salary for each additional year of continuous service. The maximum accumulation is two hundred and forty (240) hours and is not replenishable.
- B. For shift personnel, after five (5) years of continuous service, an employee may accumulate additional “non-replenishable” sick leave at the rate of twenty four (24) hours at full salary for each additional year of continuous service. The maximum accumulation is three hundred and sixty (360) hours and is not replenishable.
- C. Non-replenishable sick leave hours may only be used after the employee’s entire regular sick leave bank is exhausted.

16. Catastrophic Leave

Employees will be eligible to donate vacation time to the applicable leave banks of full-time and part-time employees who are incapacitated due to a catastrophic illness or injury or who must care for a spouse or child who has a catastrophic illness or injury under the same terms and conditions as other Group II Managers.

17. Leaves of Absence

- A. Employees may request a medical leave of absence of up to one year under the City’s FMLA/CFRA Family Medical Leave Policy, the Leave without Pay (Medical Reasons) Policy, the Maternity Leave Policy, and/or the Parental Leave Policy.
- B. The City Administrator may grant an extra leave of absence, in addition to that provided under the various sick leave policies to an employee who has been continuously employed by the City for five (5) years or more. When all sick leave has been exhausted, the employee can make a request, in writing, for extra leave and attach a report from his/her medical doctor stating the extent of the illness and the approximate time required for recovery. If approved the request shall be based on the following schedule:

Service in Years (active & continuous)	Maximum # of Months of Extra Leave Allowable
5- 10	3
10-15	6 (including the 3 above)
15-20	9 (including the 6 above)
20 +	12 (including the 9 above)

During such period of extra leave, the employee shall receive an amount equal to 50% of his/her regular salary

- C. Non-Medical Leave: Employees may also request a personal leave of absence of up to one year for non-medical reasons under the City's Leave of Absence Without Pay (Non-medical reasons) Policy. A sabbatical may constitute a reason for a leave of absence. An approved leave of absence without pay will not constitute a break in continuous service.

18. PERS Retirement

- A. Employees will be covered under the Fire Safety contract under the Public Employees' Retirement System (PERS) with a 3% at age 50 benefit formula.
- B. Employees shall contribute toward PERS Retirement as follows:
1. Effective July 1, 2012 employees will continue to pay 2.98% of salary to CalPERS under Government Code Section 20516(a) (Cost Sharing). The City will continue to contribute the entire required employee portion of the PERS contribution rate equal to 9% of pensionable income on behalf of bargaining unit members as Employer Paid Member Contributions (EPMC), which shall be credited to the individual member's account.
 2. Effective January 12, 2013, existing employees will contribute a portion of the required employee contribution equal to 2.25% of pensionable income and the City's Employer Paid Member Contributions (EPMC) will be reduced accordingly to 6.75% of pensionable income. If retroactivity for the January 12, 2013 employee contribution increase cannot be achieved, a higher amount will be temporarily implemented to achieve similar City savings to the January 12, 2013 implementation date.
 3. Effective June 29, 2013 payments under Government Section 20516(a) will end and employees will contribute 4.5% of pensionable income or one-half of the normal member contribution. The City's Employer Paid Member Contributions will be reduced accordingly to 4.5% of pensionable income.
 4. Effective January 11, 2014 employees will contribute a member contribution an amount equal to 7% of pensionable income and the City's Employer Paid Member Contributions (EPMC) will be reduced accordingly to 2% of pensionable income.
 5. Effective January 10, 2015 employees will pay the entire member contribution equal to 9% of pensionable income.

- C. Until January 9, 2015, The City shall report the value of any Employer Paid Member Contributions (EPMC) to PERS as compensation earnable pursuant to Government Code Section 20636(c)(4). Effective January 10, 2015, the City will rescind resolutions for paying and reporting the value of Employer Paid Member Contributions to PERS as compensation pursuant to Government Code Section 20636(c)(4) for all employees.
- D. Notwithstanding Sections A through C, above, effective January 1, 2013, new members as defined by California Public Employees' Pension Reform Act of 2013 (hereinafter "AB 340") will be covered under the 2.7% at 57 retirement formula, with a final compensation measurement period of the average of the highest three (3) consecutive years, as well as all other statutory requirements of AB 340. Effective January 1, 2013, new employees and/or members as defined by AB 340 shall contribute half the normal cost for benefits, as defined by AB 340; the City will not pay any portion of these employees' required contributions.
- E. Employees will also have the option, at their own expense, to receive PERS service credit for any military service time or other service time eligible for service credit purchase under the PERS Fire Safety plan.
- F. Employees may convert unused accumulated sick leave to additional PERS service credit at the time of retirement. (Government Code Section 20965).

19. Deferred Compensation

In addition to the City's retirement plans, employees may elect to participate in a tax-qualified Section 457 government defined contribution retirement program.

20. Retiree Medical Insurance Contribution

- A. This provision is applicable to employees who retire from City service and
 - 1. Have 10 or more years of classified or unclassified service; or
 - 2. Retire from the City with an industrial disability retirement.
- B. The City will contribute \$10.50 per month, per year of service, toward the purchase of retiree medical insurance, up to a maximum of 35 years (i.e. ~~\$367.5045~~ per month).
- C. The retiree is not limited to the purchase of a City sponsored plan, provided however, that if the retiree purchases another insurance plan, the retiree must supply the City with adequate proof of insurance coverage prior to any contribution from the City. Proof of such coverage will be provided to the City on a periodic basis, as reasonably determined by the City.

- D. The City will continue to make its contribution until the retiree reaches age 65 or dies, whichever occurs first, provided however, that if the retiree dies before reaching the age of 65 and there is a surviving spouse or registered domestic partner, the City's contribution will cease when the retiree would have reached 65. Thereafter, the spouse may remain on the insurance plan, at his/her cost, subject to the conditions set forth by the insurance company.

21. Uniform Allowance

Members will receive an annual uniform allowance equal to the amount established for a Firefighter per the Fire Unit evaluation in effect at the time.

22. Educational Reimbursement Programs

The Citywide Educational Reimbursement Policy and the Management Master's Degree Program were suspended effective July 1, 2009. Employees will not be eligible for these benefits until such time as the program has been reinstated by the City Administrator Citywide.

23. Meal Contribution

Employees are required by the City as a condition of employment to contribute financially to meals in the Fire Station at a charge equal to the value of the meal, irrespective of whether the employee chooses to eat the meal. Employees shall be solely responsible for any financial or tax liability regarding this provision. Accordingly, the City shall be held harmless from any such liability. The City also shall not be responsible for maintaining any records or providing administration regarding this provision.

23-24. City Rights

- A. The City shall retain, whether exercised or not, solely and exclusively, all express and inherent rights and authority pursuant to law, except to the extent such authority is explicitly waived by the express terms of this agreement.
- B. The City's rights shall include the right to determine the level of, and the manner in which, the City's activities are conducted, managed, and administered. The Association recognizes the exclusive right of the City to establish and maintain rules and procedures for the administration of its departments. Such rights include, but are not limited to, the exclusive right to: determine the mission of its constituent departments, commissions and boards; set standards of service; determine the procedures and standards of selection for employment and promotion; direct its employees; take disciplinary action; relieve its employees from duty because of economic reasons or for cause as provided in Section 1007

of the City Charter; maintain the efficiency of governmental operations; determine the methods, means and personnel by which government operations are to be conducted; determine the content of job classifications; take all necessary actions to carry out its mission in emergencies; and exercise complete control and discretion over its organization and the technology of performing its work.

- C. The Association recognizes that the City Administrator retains, whether exercised or not, exclusive management decision-making authority over matters within the rights of the City.

24.25. Term, Waiver, and Severability

- A. The term of this agreement shall be seventy two (72)~~thirty six (36)~~ months commencing July 1, 2012 and ending at midnight on June 30, 201~~8~~5. The term of this agreement may be extended by mutual agreement.
- B. The Association and the City each acknowledges that it had the unlimited right to bargain with regard to issues within the scope of representation. For the term of this Agreement, unless otherwise provided in this Agreement, neither the Association nor the City shall be further obligated to meet and confer. All terms and conditions of employment within the Association's scope of representation not covered by this agreement shall continue to remain in full force and effect.
- C. If any provision of this Agreement is declared by judicial authority to be unlawful, unenforceable, or not in accordance with applicable provisions of state, federal or local laws or regulations, such part of the provision will be suspended and superseded by the applicable law or regulation and the remainder of this Agreement shall remain in full force and effect for the duration of this Agreement.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 9, 2015

TO: Mayor and Councilmembers

FROM: Administration, Housing And Human Services Division, Community Development Department

SUBJECT: Records Destruction For Community Development Department

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.

DISCUSSION:

The City Council adopted Resolution No. 14-006 on February 11, 2014, approving the City of Santa Barbara Records Management Policies and Procedures Manual. The Manual contains the records retention and disposition schedules for all City departments. The schedules are a comprehensive listing of records created or maintained by the City, the length of time each record should be retained, and the legal retention authority. If no legal retention authority is cited, the retention period is based on standard records management practice.

Pursuant to the Manual, the Community Development Director submitted a request for records destruction to the City Clerk Services Manager to obtain written consent from the City Attorney. The City Clerk Services Manager agreed that the list of records proposed for destruction conformed to the retention and disposition schedules. The City Attorney has consented in writing to the destruction of the proposed records.

The Community Development Director requests the City Council to approve the destruction of the Community Development Department records in the Administration, Housing and Human Services, and Building and Safety Divisions listed on Exhibit A of the proposed Resolution, without retaining a copy.

SUSTAINABILITY IMPACT:

Under the City's sustainability program, one of the City's goals is to increase recycling efforts and divert waste from landfills. The Citywide Records Management Program outlines that records approved for destruction be recycled, reducing paper waste.

PREPARED BY: Gabriele Cook, Administrative Specialist

SUBMITTED BY: George Buell, Community Development Director

APPROVED BY: City Administrator's Office

RESOLUTION NO.

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

WHEREAS, the City Council adopted Resolution No. 14-006 on February 11, 2014, approving the City of Santa Barbara Records Management Policies and Procedures Manual;

WHEREAS, the City of Santa Barbara Records Management Policies and Procedures Manual contains the records retention and disposition schedules for all City departments. The records retention and disposition schedules are a comprehensive listing of records created or maintained by the City, the length of time each record should be retained, and the legal retention authority. If no legal retention authority is cited, the retention period is based on standard records management practice;

WHEREAS, Government Code section 34090 provides that, with the approval of the City Council and the written consent of the City Attorney, the head of a City department may destroy certain city records, documents, instruments, books or papers under the Department Head's charge, without making a copy, if the records are no longer needed;

WHEREAS, the Community Development Director submitted a request for the destruction of records held by the Community Development Department to the City Clerk Services Manager to obtain written consent from the City Attorney. A list of the records, documents, instruments, books or papers proposed for destruction is attached hereto as Exhibit A and shall hereafter be referred to collectively as the "Records";

WHEREAS, the Records do not include any records affecting title to real property or liens upon real property, court records, records required to be kept by statute, records less than two years old, video or audio recordings that are evidence in any claim or pending litigation, or the minutes, ordinances or resolutions of the City Council or any City board or commission;

WHEREAS, the City Clerk Services Manager agrees that the proposed destruction conforms to the City's retention and disposition schedules;

WHEREAS, the City Attorney consents to the destruction of the Records; and

WHEREAS, the City Council of the City of Santa Barbara finds and determines that the Records are no longer required and may be destroyed.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA that the Community Development Director, or his designated representative, is authorized and directed to destroy the Records without retaining a copy.

COMMUNITY DEVELOPMENT DEPARTMENT

BUILDING AND SAFETY

<u>Records Series</u>	<u>Date(s)</u>
Administrative Subject/Correspondence Files	2012
Cashier Journal Summary Reports	2012
Monthly Report of Building Statistics	2007 – June 2008

ADMINISTRATION, HOUSING AND HUMAN SERVICES

<u>Records Series</u>	<u>Date(s)</u>
Community Development Block Grant Project Files (Active)	2004 – 2005
Community Development Block Grant Project Files	2008 – June 2010
Human Services Project Files	2007 – June 2008
Housing Rehabilitation Loan Program and Project Files	2009 – June 2010
Rental Housing Mediation Task Force Records	2009 – June 2010

<u>Record Series</u>	<u>Date(s)</u>
Contracts and Agreements	1997 – June 2000
Leases	2010



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 9, 2015

TO: Mayor and Councilmembers

FROM: Water Resources Division, Public Works Department

SUBJECT: Acceptance Of Meter Easements For 513 Garden Street

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.

DISCUSSION:

City water meters are often installed in the public right of way. Recently a few projects have gained approval to install the water meters and sub-meters on private properties. While these meters are on private property, the meters are City-owned and maintained.

In order to ensure future access for City personnel to install, read, repair, maintain, replace, and remove the City water service meters as needed, easement agreements granting access to the City, are needed. The proposed Resolution will demonstrate acceptance by the City of the proffered easements and provide for the recordation of the pertinent agreements in the Official Records of Santa Barbara County. Furthermore, these documents outline the limits of City ownership and clearly designate that the only City infrastructure on the private property at 513 Garden Street is the water meter boxes, water meters, and their shut-off valves.

PREPARED BY: Catherine Taylor, Water System Manager/DC/ng

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office

RESOLUTION OF ACCEPTANCE NO. _____

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

WHEREAS, the City has granted approval for the installation of City water meters on private property located at 513 Garden Street (APN 031-202-009); and

WHEREAS, it is necessary to outline the limits of City ownership and clearly designate that the only City infrastructure on the private property is the water meters and their meter boxes and shut-off valves.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

SECTION 1. In accordance with California Government Code Section 27281, the City of Santa Barbara hereby accepts those certain easements for public water service meters and all related purposes described in the Agreement for Access to Water Meters and Sub-Meters and Grant of Easement, by and between the City of Santa Barbara, a municipal corporation, and Macy Cornerstone, LLC, for the property located 513 Garden Street.

SECTION 2. The City of Santa Barbara hereby approves, and the Public Works Director is hereby authorized to execute the Agreement for Access to Water Meters and Sub-Meters and Grant of Easement, by and between the City of Santa Barbara and Macy Conerstone, LLC.

SECTION 3. The City of Santa Barbara hereby consents to the recordation by the City Clerk, or by designated City staff, of the Agreement for Access to Water Meters and Sub-Meters and Grant of Easement, by and between the City of Santa Barbara, a municipal corporation, and Macy Cornerstone, LLC, in the Official Records of the County of Santa Barbara, State of California.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 9, 2015

TO: Mayor and Councilmembers

FROM: Facilities Division, Public Works Department

SUBJECT: Contract For Design Of Corporate Yard Aboveground Fuel Storage Tank

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.

DISCUSSION:

PROJECT DESCRIPTION

The scope of work for the Corporate Yard Aboveground Fuel Storage Tank Project (Project) is to provide complete and permitted construction drawings and specifications for replacing an existing Underground Diesel Storage Tank (UST) with an Aboveground Diesel Storage Tank (AST), and for constructing a concrete driveway that serves vehicles using the fueling island. The scope of work includes:

- Gaining Architectural Board of Review and Historical Landmarks Commission approval
- Compliance with the City Storm Water Management Plan
- Developing construction cost estimates
- Creating project specific environmental plans

SELECTION PROCESS

City staff has undergone a thorough process of selecting a firm to complete the design for this Project. A competitive Request for Proposal was issued on October 17, 2014. There were a total of five companies present for the mandatory pre-proposal meeting. The City received two proposals on November 14, 2014. Facilities and Fleet Management staff reviewed each proposal and posed additional questions to each firm to further review their proposals. City staff selected Fueling and Service Technology,

Inc., (FASTECH) as the best firm for the design of this Project. However, upon further discussion, FASTECH chose to decline the Project due to manpower issues. Therefore, City staff entered into negotiations with Fiedler Group. Through negotiations, Fiedler Group reduced their cost proposal from \$149,960 to \$124,725. City staff feels that the negotiated proposal price of \$124,725 is fair and reasonable.

BUDGET/FINANCIAL INFORMATION:

The following summarizes all estimated total Project costs:

ESTIMATED TOTAL PROJECT COST

Design (by Contract)	\$124,725
Other Design Costs - City staff, Environmental Assessments, etc.	\$ 25,000
Subtotal	\$149,725
Estimated Construction Contract w/Change Order Allowance	\$500,000
Estimated Construction Management/Inspection (by Contract or City)	\$10,000
Subtotal	\$510,000
TOTAL PROJECT COST	\$659,725

There are sufficient appropriated funds in the Facilities Capital Fund and the Fleet Replacement Capital Fund to cover these design costs.

SUSTAINABILITY IMPACT:

The new AST would be a more environmentally sound option than the existing UST. The AST would allow continuous visual inspection, thus reducing the risk of soil and groundwater contamination and avoiding costly cleanups. An AST would avoid stricter permits and inspections of the existing UST. The City is currently operating under a Santa Barbara County temporary exemption for storing biodiesel in the existing UST. The new AST would clear the City of this temporary exemption and comply with current local, state, and federal regulations regarding biodiesel storage.

The existing UST is located in a Leaking Underground Fuel Tank clean-up site. Removal of the UST would follow the active soil and groundwater management plan on record with Santa Barbara County. Additionally, any contaminated soil and groundwater discovered during the storage tank removal would be captured and disposed of properly.

PREPARED BY: Jim Dewey, Facilities & Energy Manager/BK/ng
SUBMITTED BY: Rebecca J. Bjork, Public Works Director
APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 9, 2015

TO: Mayor and Councilmembers

FROM: Treasury Division, Finance Department

SUBJECT: Amendment To Professional Services Agreement With Ruby Carrillo For Accounting Services

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.

DISCUSSION:

On July 7, 2014, the City entered into a contract with Ruby Carrillo, hereinafter referred to as "Consultant", for \$20,000 to provide Accounting Services to the City to assist the Finance Department during the financial management system replacement project and to assist with the preparation of the Comprehensive Annual Financial Report (CAFR). The staff responsible for producing the CAFR was the primary staff involved in the development and implementation of the new financial management system, thus outside accounting assistance was necessary to complete the CAFR.

In January 2015, the Treasury Manager position in the Finance Department became vacant. The Accounting Manager was appointed to the Treasury Manager position in February; however, after almost six months of search, the Department has been unsuccessful in finding a suitable candidate to fill the Accounting Manager position. Staff has initiated a compensation analysis to determine if the salary is competitive with comparison agencies. Concurrently, staff is considering a reorganization of the Treasury and Accounting Divisions as an alternative to filling the Accounting Manager position if the compensation study shows the current salary is appropriately aligned with other agencies.

Due to the heavy workload resulting from the vacancy in this key management position in the Finance Department, in March staff requested to continue the agreement with the Consultant to perform tasks typically performed by the Accounting Manager position. As such, staff requested a \$30,000 increase to the Consultant's contract, which brought the

Council Agenda Report

Amendment To Professional Services Agreement With Ruby Carrillo For Accounting Services

June 9, 2015

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total contract amount to \$50,000 and extended services for an additional 12 weeks. During this timeframe, the Consultant assisted with tasks such as capital asset reconciliations, long-term debt analyses, journal entry preparation, financial statement preparation, quarterly reviews, and other tasks commonly performed by the Accounting Manager.

Staff now requests a \$20,000 increase to the contract to continue the agreement with the Consultant for an additional 8 weeks due to the continued heavy workload caused by the vacancy in the Accounting Manager position. The Consultant will primarily assist with the year-end closing and the preparation of the City's Comprehensive Annual Financial Report. Staff anticipates either the filling of the Accounting Manager position or a reorganization will be completed in the first half of Fiscal Year 2016 and, therefore, will reduce the need for outside consulting assistance in the second half of Fiscal Year 2016.

BUDGET/FINANCIAL INFORMATION:

The original agreement for \$20,000 was funded with financial management system replacement project funds in the Information Services Capital Fund. The \$30,000 increase to the agreement was funded by salary savings resulting from the vacancy in the Accounting Manager position. This \$20,000 increase to the agreement will also be funded by salary savings resulting from the vacancy in the Accounting Manager position.

PREPARED BY: Julie Nemes, Treasury Manager

SUBMITTED BY: Robert Samario, Finance Director/Acting Assistant City Administrator

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 9, 2015

TO: Mayor and Councilmembers

FROM: City Attorney's Office

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*

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.

DISCUSSION:

In 2010, litigation was filed against the City for inverse condemnation after three Conejo Slide Mass C property owners lost their homes in the November 2008 Tea Fire. In December 2012, the City appealed the case. In March 2015, the appellate court rejected the City's argument and affirmed Judge Anderle's verdict in favor of the plaintiffs. As a result, the City is liable for the damages award in the amount of \$126,000 and plaintiffs' attorney's fees in the amount of \$671,589.95.

PREPARED BY: Ariel Calonne, City Attorney

SUBMITTED BY: Ariel Calonne, City Attorney

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 9, 2015

TO: Mayor and Councilmembers

FROM: Transportation Division, Public Works Department

SUBJECT: Parking And Business Improvement Area Annual Assessment Rates For Fiscal Year 2016 – Public Hearing

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.

DISCUSSION:

The Parking and Business Improvement Area (PBIA) was established in 1970 in response to La Cumbre Plaza Shopping Center's "Free Parking" campaign. The Downtown business community was concerned about losing customers and wanted to offer a similar free period. In order to accomplish this goal of providing free parking, the Downtown business community and the City of Santa Barbara (City) joined together in a public-private partnership. The original PBIA area contained nine surface lots and approximately 1,100 spaces. There are now five parking structures and seven surface lots, for a total of 3,200 spaces available to customers, 365 days a year and staffed 361 days. This 40-year partnership between the Downtown business community and the Downtown Parking Program continues to provide affordable short-term customer parking and helps to keep Santa Barbara's Downtown viable.

The Downtown Parking budget is funded primarily by hourly parking revenues and, to a lesser extent, by the PBIA assessments, parking permit sales, and tenant rents related to lease agreements. The PBIA revenues are directed solely towards hourly employee salaries and utility costs associated with operation of the hourly parking lots. These funds partially finance the operation and maintenance of the parking lots and offset the cost of offering a free parking period, currently set at 75 minutes.

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Parking And Business Improvement Area Annual Assessment Rates For Fiscal Year 2016 –
Public Hearing
June 9, 2015
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Approximately 4.4 million customer transactions were processed last fiscal year. Each one of those patrons benefited from the free parking period. Last year's business-paid PBI A assessments contributed approximately \$0.23 per ticket to the maintenance and operation of public parking lots for the free period.

On October 5, 1999, Council adopted an ordinance enacting a new PBI A (Santa Barbara Municipal Code, Chapter 4.37) and Benefit Assessment District pursuant to the State PBI A Law of 1989 (California Streets and Highways Code Sections 36500 - 36551). The Final Engineer's Report, approved by City Council on October 5, 1999, and the Addendum to the Final Engineer's Report, approved by City Council on May 25, 2010, are on file with the City Clerk's office and provide an explanation of the PBI A assessments and methodologies. The reports include detailed information on boundaries, benefit zones and the classifications of businesses, as well as an explanation of how assessments are levied. For Fiscal Year 2016, there are no proposed changes to the PBI A boundaries, benefit zones, or assessment levels.

Under the law establishing the City's PBI A District, City Council is required to conduct an annual Public Hearing to consider protests to the PBI A Annual Assessment Report. Staff has received no protests prior to submittal of this Council Agenda Report. On April 9, 2015, the Downtown Parking Committee (DPC), serving as the PBI A Advisory Board, recommended that Council approve the PBI A Annual Report 2016, and fix the assessment rates as described in the Annual Report.

At the April 9, 2015 meeting, the DPC asked staff to look at the financial and operational impacts created by those businesses that are not being assessed, including those identified as non-profits, and the benefits they enjoy. For those non-profit businesses, located within the 100 percent Zone of Benefit and creating measurable impacts, the DPC would like to explore assessment options that would be sustainable for the business and seen as equitable by the other businesses that are currently being assessed. Parking staff will analyze this issue and include recommended changes for consideration in next year's assessment.

On May 12, 2015, Council approved the PBI A Annual Report 2016 and set the date for the PBI A Annual Assessment Report Public Hearing for June 9, 2015.

BUDGET /FINANCIAL INFORMATION:

For Fiscal Year 2016, PBI A revenues are projected to be approximately \$1,080,000, which will cover approximately 14 percent of the Parking Operating Budget. If the PBI A Assessment rates are not fixed and approved, the Parking Program will need to consider adjustments to the Capital Program, Operating Budget, and possibly eliminating the free parking period.

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Parking And Business Improvement Area Annual Assessment Rates For Fiscal Year 2016 –
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June 9, 2015
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PREPARED BY: Browning Allen, Transportation Manager/VG/mj

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office

RESOLUTION NO. _____

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

WHEREAS, pursuant to Section 4.37.010 of the Municipal Code of the City of Santa Barbara, there is hereby levied upon businesses located within the Downtown Parking and Business Improvement Area (PBIA) a special business assessment rate; and

WHEREAS, the revenues derived from this assessment in Fiscal Year 2016 shall be applied to the cost of providing low cost, customer-oriented public parking in the Downtown of Santa Barbara.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

SECTION 1. The quarterly assessments shall begin **July 1, 2015**.

SECTION 2. The rates are established pursuant to the following schedule and applicable sections of all previous resolutions related to the Parking and Business Improvement Area assessments are hereby repealed.

SECTION 3. The attached PBIA Annual Assessment Report for Fiscal Year 2016 (Exhibit) is hereby confirmed as approved on June 9, 2015.

Parking and Business Improvement Area Rates

I. Retail and/or Wholesale Businesses (Including Restaurants):

Group A: Average sale of less than \$20, \$.56 per \$100 of gross sales.

Group B: Average sale between \$20 and \$100, \$.29 per \$100 of gross sales.

Group C: Average sale of more than \$100, \$.16 per \$100 of gross sales.

Group D: Movie theaters only, \$.16 per \$100 of gross sales.

Group E: Fitness Facilities/Health Clubs, \$.29 per \$100 of gross sales.

Average sale is computed by dividing the total gross sales for the year by the

number of sales transactions.

II. Financial Institutions:

\$.48* per usable square foot.

III. Stock and Bond Brokerage Offices:

\$81.30* per broker.

IV. Bus Depots:

\$.06* per usable square foot.

V. Professional:

\$32.50* per person practicing the profession, and \$16.30* for each non-professional in addition to the above.

VI. Educational Facilities and Miscellaneous Classifications:

Group A: Educational Facilities: \$.19* per usable square foot.

Group B: Miscellaneous (All Classifications not otherwise provided for): \$.19* per usable square foot.

VII. Hotel and Motels:

of assessed rooms x \$1.50/day x 30 days x 3 months x .50 occupancy = quarterly charges.

Assessed rooms = # of rooms less on-site parking spaces provided.

No patron parking credit would be offered as it is part of the calculation.

*Rates for these categories are shown for annual assessment. To determine quarterly assessments, divide rates by four.

Draft

City of Santa Barbara

**Parking and Business
Improvement Area
(PBIA)**

**ANNUAL
ASSESSMENT
REPORT**

Fiscal Year 2016

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INTRODUCTION

This report, filed annually as required by the California Parking and Business Improvement Law of 1989, will provide an explanation of any proposed changes, including, but not limited to the boundaries of the adopted City of Santa Barbara Downtown Parking and Business Improvement Area (PBIA) or any benefit zones within the area, the basis for levying the assessments, and any changes in the classifications of businesses.

Santa Barbara's Downtown Parking Management Program operates and maintains seven public parking lots and five structures in the downtown business core area, providing a total of 3,200 parking spaces. The Program is oriented towards clients and shoppers, and is directed by the City's Circulation Element to increase the available public parking and reduce the need for employee parking in the downtown core. Employee parking is mitigated by Alternative Transportation initiatives to increase carpooling, bicycling, and mass transit programs. The Downtown Parking budget is funded primarily by hourly parking revenues, and to a lesser extent, by the PBIA and parking permits revenue. The PBIA revenues are directed solely towards employee salaries and utility costs in support of the operation and maintenance of the parking lots. Revenues derived from hourly parking charges and permits support the balance of expenses remaining from the PBIA assessment and Alternative Transportation programs designed to reduce employee parking in the downtown core.

Attached hereto and incorporated by reference is the "Addendum to the Parking and Business Improvement Area Final Engineer's Report of Formula and Methodology of Assessment dated October 5, 1999" (Addendum), which is on file at the City Clerk's Office, and which shall form the basis of the Annual Report.

I. PROPOSED CHANGES

For Fiscal Year 2016, there are no changes to the PBIA benefit zones, the basis for levying the assessments or any changes in the classifications of businesses.

II. IMPROVEMENTS AND ACTIVITIES

A parking rate, designed to promote short-term customer/client parking, including 75 minutes of free parking, is currently in effect in all City-operated Downtown Parking facilities. These facilities are maintained and operated by the City's Downtown Parking Program.

III. ESTIMATED OPERATING COSTS OF THE CITY'S DOWNTOWN PARKING PROGRAM FOR 2016

Expenses	PBIA	Parking Program	Total
Salaries and Benefits	\$1,769,048	\$2,583,892	\$4,352,940
Materials, Supplies & Services, Equipment/Minor Capital	220,000	916,976	1,136,976
Allocated Costs	10,120	1,287,447	1,297,567
Downtown Organization Maintenance Transfer		318,399	318,399
Bicycle Station		25,000	25,000
New Beginnings Contract		43,500	43,500
MTD Downtown Shuttle Support, Enhanced Transit		394,726	394,726

Total Operating Expenses	\$1,999,168	\$5,569,940	\$7,569,108
Capital Program Expenses		1,305,000	1,305,000
<u>Total Expenses</u>	<u>\$1,999,168</u>	<u>\$6,874,940</u>	<u>\$8,874,108</u>

IV. PROJECTED DOWNTOWN PARKING PROGRAM REVENUES DERIVED

Revenues:	Hourly Parking.....	\$5,200,000
	Monthly Parking.....	1,025,000
	Commuter Parking Lots.....	340,000
	Leased Property – MTC (Lobero Garage).....	309,826
	Interest Income.....	104,200
	Violation Billing.....	95,000
	Granada Offices Rents.....	59,000
	Residential Permits.....	55,000
	Greyhound Lease (Depot Lot).....	48,000
	New Beginnings Contract (Pass Through).....	43,500
	Special Parking/Misc.....	19,418
	EV Charging Fees.....	5,000
	Subtotal	\$7,303,944
	*PBIA ASSESSMENT (Anticipated 2015-2016 collections)	<u>\$1,080,000</u>
	Total Revenues	\$8,383,944

In Fiscal Year 2014, Revenues collected from the PBIA subsidized approximately \$0.23 of the cost of providing parking for each vehicle parked within the Downtown Parking system.

V. REVENUE CARRYOVERS

No excess PBIA revenues will be carried over from the Fiscal Year 2015 Operating Budget.

VI. PBIA RATES

A more detailed basis for levying the assessment is explained in the Addendum to the 1999 Engineer's Report.

I. Retail and/or Wholesale Businesses (Including Restaurants):

Group A: Average sale of less than \$20, \$.56 per \$100 of gross sales.

Group B: Average sale between \$20 and \$100, \$.29 per \$100 of gross sales.

Group C: Average sale of more than \$100, \$.16 per \$100 of gross sales.

Group D: Movie theaters only, \$.16 per \$100 of gross sales.

Group E: Fitness Facilities/Health Clubs, \$.29 per \$100 of gross sales.

Average sale is computed by dividing the total gross sales for the year by the number of sales transactions.

II. Financial Institutions:

\$.48* per square foot of usable space.

III. Stock and Bond Brokerage Offices:

\$81.30* per broker.

IV. Bus Depots:

\$.06* cents per square-foot of usable building space.

V. Professional:

\$32.50* per person practicing the profession, and \$16.30* for each non-professional.

VI. All Categories Not Otherwise Provided For:

Group A: Educational Facilities (non-public) - \$.19* per square foot of usable building space.

Group B: Miscellaneous: \$.19* per square foot of usable space.

VII. Hotel and Motels:

of assessed rooms x \$1.50/day x 30 days x 3 months x .50 occupancy = quarterly charges

Assessed rooms = # of rooms (-) on-site parking spaces provided

No patron parking credit would be offered as it is part of the calculation.

*Rates for these categories are shown for annual assessment. To determine quarterly payments, divide rates by four.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 9, 2015

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Request From Councilmember Hotchkiss And Councilmember Francisco Regarding Bicycle Traffic Statistics

RECOMMENDATION:

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

DISCUSSION:

Attached is a memorandum from Councilmember Hotchkiss and Councilmember Francisco requesting that Council discuss bicycle statistics in Santa Barbara, and discuss authorizing an expenditure of \$20,000 toward an independent study of bicycle use.

ATTACHMENT: Memorandum from Councilmember Hotchkiss and Councilmember Francisco

PREPARED BY: Jennifer Jennings, Administrator's Office Supervisor

SUBMITTED BY: Paul Casey, City Administrator

APPROVED BY: City Administrator's Office



City of Santa Barbara
City Administrator's Office

Memorandum

DATE: May 10, 2015
TO: Paul Casey, City Administrator
FROM: Councilmembers Frank Hotchkiss & Dale Francisco
SUBJECT: Bicycle Count

A handwritten signature in blue ink, appearing to read "Dale", is positioned to the right of the "FROM:" line.

Pursuant to Council Resolution 05-073 regarding the Conduct of City Council Meetings, we request that an item be placed on the Santa Barbara City Council Agenda regarding conducting a bicycle count.

- Summary of information to be presented:

Discuss the importance of accurate bicycle traffic statistics in the city in order to best tailor the upcoming Bicycle Master Plan.

- Statement of Specific Action:

Authorize expenditure of \$20,000 for a professional independent survey.

- Statement of the Reasons Why it is Appropriate and Within the Jurisdiction of the Council to Consider this Subject Matter and to Take the Requested Action:

The Bicycle Master Plan is important and should be developed with accurate information in order to best serve the people of Santa Barbara.

cc: Mayor and Council
City Attorney
Public Works Director



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 9, 2015

TO: Mayor and Councilmembers

FROM: City Clerk's Office, Administrative Services Department

SUBJECT: Interviews For City Advisory Groups

RECOMMENDATION:

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

DISCUSSION:

Interviews of applicants for various positions on City Advisory Groups are to be held on June 9, 2015, at an estimated time of 4:00 p.m.

For the current 40 vacancies, 83 individuals submitted 92 applications. A list of eligible applicants and pertinent information about the City Advisory Groups is attached to this report.

Applicants have been notified that to be considered for appointment they must be interviewed. Applicants have been requested to prepare a 2-3 minute verbal presentation, in response to a set of questions specific to the group for which they are applying. Applicants applying to more than one advisory group may have up to 5 minutes for their presentation.

Applicants for the Santa Barbara Youth Council were notified that they must also appear for an interview before the Youth Council. They had the option to appear on Friday, May 8, 2015, at 4:30 p.m. at the Louise Lowry Davis Center or on Monday, May 11, 2015, at 4:00 p.m. at City Hall in Council Chambers.

Appointments are scheduled to take place on June 23, 2015.

ATTACHMENT: List of Applicants

PREPARED BY: Deborah L. Applegate, Deputy City Clerk

SUBMITTED BY: Kristy Schmidt, Administrative Services Director

APPROVED BY: City Administrator's Office

ACCESS ADVISORY COMMITTEE

- One vacancy.
- Term Expiration:
 - One term: December 31, 2017
- Qualifications/Category: Resident of the City or a full-time employee of an entity doing business within the City who demonstrates an interest, experience, and commitment to issues pertaining to disability and access.
 - One representative from the Disability Community.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Disability Community (1)</i>	Robert Burnham	6/24/2014 12/16/2008		
	Jacob Lesner-Buxton			

COMMUNITY DEVELOPMENT AND HUMAN SERVICES COMMITTEE

- Four vacancies.
- Term Expirations:
 - One term expires December 31, 2016 (Disabled Community)
 - One term expires December 31, 2016 (Downtown Neighborhood)
 - One term expires December 31, 2017 (African American Community)
 - One term expires December 31, 2018 (Westside Neighborhood)
- Must be residents or employees of the designated organizations, but need not be qualified electors of the City, and must represent one of the specified categories or organizations. One representative from each:

➤ Downtown Neighborhood	➤ Westside Neighborhood	➤ African American Community
	➤ Disabled Community	
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Disabled Community (1)</i>	Charlotte A. Gullap-Moore*		1) CDHSC 2) Measure P	
	Amy Winslow			
<i>Downtown Neighborhood (1)</i>	Danah Williams*			
<i>African American Community (1)</i>	Charlotte A. Gullap-Moore*		1) CDHSC 2) Measure P	
	Zahra Nahar-Moore*			
	Danah Williams*			
<i>Westside Neighborhood (1)</i>	Zahra Nahar-Moore*			
	Alejandra Gutierrez		1) Fire and Police Commission 2) CDHSC	

*Eligible for more than one category.

COMMUNITY EVENTS & FESTIVALS COMMITTEE

- Two vacancies.
- Term Expirations:
 - Two terms expire December 31, 2015 (Business/Lodging/Retail Industry)
- Qualifications/Category:
 - Two representatives from the Business/Lodging/Retail Industry.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Business/Lodging/ Retail Industry (2)</i>	Barry Dorsey			

DOWNTOWN PARKING COMMITTEE

- One vacancy.
- Term Expiration:
 - December 31, 2015
- Qualifications/Category:
 - Appointee shall demonstrate an interest and knowledge of downtown parking issues and must be a resident of the City.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Resident of the City (1)</i>	Ed France			
	James F. Scafide			
	Ethan Shenkman			

FIRE AND POLICE COMMISSION

- Two vacancies.
- Term Expirations:
 - One term expires, December 31, 2016.
 - One term expires, December 31, 2018.
- Qualifications/Category:
 - Qualified elector of the City.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Qualified Electors of the City (2)</i>	Jeannie Daniel			
	Alejandra Gutierrez		1) Fire and Police Commission 2) CDHSC	
	Rigoberto Gutierrez			
	Robert Mercado		1) Water Commission 2) Fire and Police Commission	
	Kathleen (Missy) McSweeney- Zeitsoff		1) Fire and Police Commission 2) Neighborhood Advisory Council	

FIRE AND POLICE PENSION COMMISSION

- Three vacancies.
- Term Expirations:
 - One term expires December 31, 2017 (Active/Retired Police Officer)
 - Two terms expire December 31, 2018 (Qualified Electors)
- Qualifications/Categories:
 - Two qualified electors of the City who are not an active fire fighters or police officers.
 - One active or retired police officer who is a member of the Fire and Police Pension System who need not be a resident or elector of the City.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Qualified Electors (2)</i>	Scott Tracy	12/07/2010 12/16/2008		
<i>Active or Retired Police Officer Who is a Member of the Fire and Police Pension System (1)</i>				

HOUSING AUTHORITY COMMISSION

- One vacancy.
- Term Expiration:
 - August 6, 2019
- Qualifications/Categories:
 - Qualified elector of the City.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Qualified Elector – Public at Large (1)</i>	David Hughes	6/28/2011 7/03/2007		
	Brian So		1) RHMTF 2) HAC	

LIBRARY BOARD

- One vacancy.
- Term Expiration:
 - December 31, 2018
- Qualifications/Categories:
 - Qualified elector of the City.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Qualified Elector (1)</i>	Will Tomlinson			

LIVING WAGE ADVISORY COMMITTEE

- Four vacancies.
- Term Expirations:
 - June 30, 2016 (Employee of Local Santa Barbara Area Non-Profit Entity)
 - June 30, 2017 (Nominee of a Local Living Wage Advocacy)
 - June 30, 2018 (Qualified Elector)
 - June 30, 2019 (Owner/Manager of a Service Contractor)
- Qualifications/Categories:
 - One member from the public at large who shall be a qualified elector of the City.
 - One member of the Committee shall be employed by a local Santa Barbara area non-profit entity.
 - One member shall be a owner/manager of a service contractor subject to the City's Living Wage Ordinance.
 - One member shall be a Nominee of a Local Living Wage Advocacy Group.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Member of the Public at Large – Qualified Elector of the City (1)</i>	Gregory Freeland			
	Mario Quezada			
	Jarrold Schwartz*			
<i>Employed by a Local Santa Barbara Area Non-Profit Entity (1)</i>	Jarrold Schwartz*			
<i>Owner/Manager of a Service Contractor Subject to the City's Living Wage Ordinance (1)</i>				
<i>Nominee of a Local Living Wage Advocacy Group (1)</i>	Anna Kokotovic	yes		

*Eligible for more than one category.

MEASURE P COMMITTEE

- Four vacancies.
- Term Expirations:
 - One term expires December 31, 2016 (Criminal Defense Attorney)
 - One term expires December 31, 2017 (Medical Professional)
 - One term expires December 31, 2018 (Resident of the City)
 - One term expires December 31, 2018 (Drug Abuse, Treatment & Prevention Counselor)
- Qualifications/Categories:
 - Criminal Defense Attorney
 - Medical Professional
 - Resident of the City
 - Drug Abuse, Treatment & Prevention Counselor
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1st, 2nd, 3rd)	Notes
<i>Criminal Defense Attorney (1)</i>				
<i>Medical Professional (1)</i>	Charlotte A. Gullap-Moore		1) CDHSC 2) Measure P	
<i>Resident of the City (1)</i>				
<i>Drug Abuse, Treatment & Prevention Counselor (1)</i>				

NEIGHBORHOOD ADVISORY COUNCIL

- One vacancy.
- Term Expirations:
 - One term expires December 31, 2018
- Qualifications/Categories:
 - Public at Large

- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Public at Large (1)</i>	Amy I. Dunphy			
	Kathleen (Missy) McSweeney Zeitsoff		1) Fire and Police Commission 2) Neighborhood Advisory Council	

PARKS AND RECREATION COMMISSION

- One vacancy.
- Term Expiration:
 - One term expires December 31, 2017
- Qualifications/Categories:
 - Qualified electors of the City.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Qualified Elector of the City (1)</i>	Ed Cavazos			

RENTAL HOUSING MEDIATION TASK FORCE

- One vacancy.
- Term Expiration:
 - One term: December 16, 2016 (Tenant)
- Qualifications/Categories: Non-City members must be affiliated with a landlord tenant organization within City limits.
 - One Tenant (City or County)
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Tenant - City or County (1)</i>	Brian So - City		1) RHMTF 2) HAC	

SANTA BARBARA YOUTH COUNCIL

- Twelve vacancies.
- Term Expirations:
 - Two terms expire June 30, 2016, (Local Alternative, Community, or Continuation HS)
 - Two terms expire June 30, 2017, (Dos Pueblos High School)
 - Three terms expire June 30, 2017, (Santa Barbara High School)
 - Two terms expires June 30, 2017, (San Marcos High School)
 - Two terms expire June 30, 2017, (Local Private High School)
 - One term expires June 30, 2017, (Member of the Public)
- Qualifications/Categories: Members must be between the ages of 13-19 years.
 - Two members from local alternative, community, or continuation high school (City or County).
 - Two members from Dos Pueblos High School (City or County).
 - Three members from Santa Barbara High School (City or County).
 - Two members from San Marcos High School (City or County).
 - Two members from a local private High School (City or County).
 - One member may be a Member at Large (City or County).
 - *Of the 15 members, 8 must be residents of the City of Santa Barbara –
in current recruitment, 5 must be residents of the City.
 - *Applicants must appear for an interview before the Santa Barbara Youth Council and City Council.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Members From Local Alternative, Community, or Continuation High School (2)</i>	Allison Mariche – City (La Cuesta H. S.)			
	Manny Rea – County (La Cuesta H. S.)			
<i>Dos Pueblos High School (3)</i>	Ryan Daniel - City			
	Cindy Diaz - County			
	Alexandra Gonzalez-Edgar - County			
	Nathaniel Getachew - County			
	Amanda Hagen - County			
	Areli Lopez - County			
	Michelle Qin - County			
	Sophia Qin - County			
<i>Santa Barbara High School (3)</i>	Karim Cortez - City			
	Valerie Jaimes - County			
	Anais Amelia Jimenez - City			
	Porter Rees - City			
	Wilson Sherman - City			
	Jensen Steady - City			
	Alyssa Talaugon - City			
	Charles Thrift - City			

	Calvin Thrift - City			
	Tatum Vestal - County			
San Marcos High School (1)	Kevin Acuna - City			
	Sophia Bordofsky - City			
	Ava Castanha - City			
	Ari Chittick - City	6/25/2013		
	Cate Clancy - City			
	Miles Cole - County			
	Kendra Dayton - City			
	David Dinklage - County			
	Kadin Donohoe - County			
	Ryan Fay - City			
	Adam Fuller - City			
	Sam Fuller - City			
	Grace Ingram - County			
	Zoe Ise - County			
	Layla Landeros - County			
	Kento Perera - City			
	Bennett Reichard - County			
	Amanda Roberts - County			
Amanda Schwartz - City				
Ben Spievak - City				

	Giulia Tasca - City			
	Daniella Trisler - City			
	Zachary Wells - County			
Local Private High School (1)	Adrien Abbud – City (Providence Hall)			
	Veronika Everson – County (Providence Hall)			
	Ali Mikles – County (Bishop Diego H.S.)			
	Ty Trosky – County (Laguna Blanca H. S.)			
	Garrett Woodward – County (Bishop Diego H.S.)			
Member at Large (1)	**Any of the above referenced students			

SISTER CITIES BOARD

- One vacancy.
- Term Expiration:
 - One term expires December 31, 2016 (City).
- Qualifications/Categories:
 - One representative must be a resident of the City.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Representative of the City (1)</i>	Denise Lu			
	Beatriz Molina			

TRANSPORTATION AND CIRCULATION COMMITTEE

- One vacancy.
- Term Expiration:
 - One term expires December 31, 2018
- Qualifications/Categories:
 - Member must be qualified electors of the City.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Residents of the City or Qualified Elector</i> (1)	Peter Glatz			
	E. Howard Green			

WATER COMMISSION

- Two vacancies.
- Term Expirations:
 - One term expires June 30, 2015.
 - One term expires December 31, 2016.
- Qualifications/Categories:
 - Qualified elector of the City.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Qualified Elector (2)</i>	Dave Davis			
	Ken Goodenough			
	Mike Jordan			
	John C. Jostes			
	David Landecker			
	Robert Mercado		1) Water Commission 2) Fire and Police Commission	
	Jordan Sager			
	John Ummel			



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 9, 2015
TO: Mayor and Councilmembers
FROM: City Attorney's Office
SUBJECT: Conference With City Attorney – Anticipated Litigation

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
SUBMITTED BY: Ariel Calonne, City Attorney
APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 9, 2015

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: City Attorney Compensation Negotiations

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

PREPARED BY: Jennifer Jennings, City Administrator Office Supervisor

APPROVED BY: City Administrator's Office