

**CITY OF SANTA BARBARA  
CITY COUNCIL**

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**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 30, 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](http://www.citytv18.com) for rebroadcasts of Finance and Ordinance Committee meetings, and for any changes to the replay schedule.

## **ORDER OF BUSINESS**

12:30 p.m. - Ordinance Committee Meeting, Council Chamber  
2:00 p.m. - City Council Meeting

### **ORDINANCE COMMITTEE MEETING - 12:30 P.M. IN THE COUNCIL CHAMBER (120.03)**

#### **Subject: Ordinance To Amend Municipal Code Chapter 5.66, News Racks**

Recommendation: That the Ordinance Committee review proposed improvements to the management and permitting of news racks and forward to Council for introduction An Ordinance of the Council of the City of Santa Barbara Amending Chapter 5.66 of the Municipal Code in its Entirety.

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

### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### ROLL CALL

### CHANGES TO THE AGENDA

### PUBLIC COMMENT

### CONSENT CALENDAR

**1. Subject: Minutes**

Recommendation: That Council waive further reading and approve the minutes of the adjourned regular meeting of June 15, 2015, and the regular meeting of June 16, 2015.

**2. Subject: Adoption Of Ordinance Approving Supervisors Memorandum Of Understanding And Salary Plans For Unrepresented Management (Safety and Non-Safety) And City Administrator**

Recommendation: That Council adopt, by reading of title only:

- A. An Ordinance of the Council of the City of Santa Barbara Amending The 2012-2015 Memorandum of Understanding between the City of Santa Barbara and the Santa Barbara City Supervisory Employees Bargaining Unit, adopted by Ordinance No. 5587 and previously amended by Ordinance No. 5623, and extending the term through June 30, 2016;
- B. An Ordinance of the Council of the City of Santa Barbara Setting Forth and Approving a Salary Plan for Unrepresented Managers and Professional Attorneys for Fiscal Year 2016 and Fiscal Year 2017; and
- C. An Ordinance of the Council of the City of Santa Barbara Setting Forth and Approving a Salary Plan for the City Administrator for Fiscal Year 2016 and Fiscal Year 2017.

## CONSENT CALENDAR (CONT'D)

**3. Subject: Introduction Of Ordinance Establishing Speed Limits On Certain Portions Of Loma Alta Drive (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 10.60 of the Municipal Code by Amending Section 10.60.015, Establishing Prima Facie Speed Limits on Certain Portions of Loma Alta Drive.

**4. Subject: Adoption Of Resolution Relating To The General Municipal Election Of November 3, 2015 (110.03)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Calling for the Holding of a Vote-By-Mail General Municipal Election to be Held in the City on Tuesday, November 3, 2015, for the Election of Certain Officers as Required by the Provisions of the Charter and That Certain Settlement Agreement Dated March 10, 2015, in *Banales, et al. v. City Of Santa Barbara*.

**5. Subject: Salary And Benefit Continuation For City Employees On Active Military Duty Leave Of Absence (420.01)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Continuance of Employee Salary and Benefits During a Military Leave of Absence Effective May 18, 2015.

**6. Subject: May 2015 Investment Report (260.02)**

Recommendation: That Council accept the May 2015 Investment Report.

**7. Subject: Grant Agreement With South Coast Community Media Access Center (510.04)**

Recommendation: That Council authorize the Finance Director to execute a grant agreement, in a form acceptable to the City Attorney, with the South Coast Community Media Access Center for management of the public and educational access television channels in an amount of \$303,900 plus an amount for public, educational and government access (PEG) capital expenditures equal to 50% of the actual PEG fees received by the City for Fiscal Year 2016.

## CONSENT CALENDAR (CONT'D)

**8. Subject: Assignment Of Lease Agreement No. 23,408 - Ocean Aire Electronics (330.04)**

Recommendation: That Council approve the assignment of Lease Agreement No. 23,408 from Doug Chessmore, d.b.a. Ocean Aire Electronics, to Jon Payne, for the 339 square-foot retail space located at 125 Harbor Way, Suite #7, at a monthly rent of \$1,085.

**9. Subject: Renewal Of Agreement With Major League Softball (570.06)**

Recommendation: That Council authorize the Parks and Recreation Director to execute a two-year agreement with Major League Softball, Inc. (MLS), to perform adult softball league services at an annual cost of \$28,000 in Fiscal Years 2016 and 2017.

**10. Subject: Airline Rates And Charges For Fiscal Year 2016 (560.01)**

Recommendation: That Council approve and authorize the Airport Director to establish Airline rates and charges of \$99 per square foot annually for Airline Terminal building space, boarding bridge fees of \$43 per turn, and landing fees of \$3.70 per thousand pounds of gross landed weight, effective July 1, 2015, through June 30, 2016.

**11. Subject: Consent To Sublease Agreement Between Ampersand Aviation, LLC, And Plains All American Pipeline, LP (330.04)**

Recommendation: That Council approve and authorize the Airport Director to execute a Consent to Sublease Agreement between Ampersand Aviation, LLC, a California Limited Liability Company, and Plains All American Pipeline, LP, whose principal address is 333 Clay Street, Suite 1600, Houston, TX 77002, for the use of 30,240 square feet of office space in Building 245 and associated parking, at 495 South Fairview Avenue, at the Santa Barbara Airport, effective May 29, 2015.

**12. Subject: Donation From The Santa Barbara Police Foundation For The Department Explorer Program (520.04)**

Recommendation: That Council accept a donation of \$2,500 from the Santa Barbara Police Foundation for the Department Explorer Program and increase appropriations and estimated revenues in the Fiscal Year 2016 Police Department Explorer Program by \$2,500.

## CONSENT CALENDAR (CONT'D)

**13. Subject: Contract For Influent Flow Monitoring And Sampling Services At The El Estero Wastewater Treatment Plant (540.13)**

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Utility Systems, Science and Software, Inc., in the amount of \$129,630 for flow monitoring and sampling services for the El Estero Wastewater Treatment Plant, and authorize the Public Works Director to approve expenditures of up to \$19,444 for extra services that may result from necessary changes in the scope of work.

**14. Subject: Purchase Order For The California Conservation Corps To Assist With The Invasive Plant Removal Program In City Creeks (540.14)**

Recommendation: That Council:

- A. Find it in the City's best interest to waive the formal bid process per Municipal Code Section 4.52.070.L, and authorize the City's General Services Manager to issue a Purchase Order to the California Conservation Corps, in the amount of \$75,000 for Fiscal Years 2015 and 2016, for labor to assist with the Invasive Plant Removal Program;
- B. Authorize the City's General Services Manager to renew the Purchase Order with the California Conservation Corps annually through Fiscal Year 2018, subject to Council approval of the annual Creeks Restoration and Water Quality Improvement Fund budget; and
- C. Authorize the Parks and Recreation Director to enter into a Co-Sponsorship Agreement with the California Conservation Corps, subject to review and approval by the City Attorney as to form and content.

**15. Subject: Downtown Santa Barbara Maintenance Agreement For Fiscal Year 2016 (530.04)**

Recommendation: That Council authorize the Parks and Recreation Director to execute a one-year agreement in the amount of \$636,798 with Downtown Santa Barbara (DSB) for landscape maintenance, sidewalk cleaning, and general maintenance of the 00-1200 blocks of State Street from Victoria Street to Cabrillo Boulevard, including the Highway 101 underpass and various cross streets, from July 1, 2015, through June 30, 2016.

## CONSENT CALENDAR (CONT'D)

**16. Subject: Request To Amend Affordable Housing Covenant On Property Located At 2612 Modoc Road (Sarah House) (660.04)**

Recommendation: That Council:

- A. Approve the amendment of the Affordable Housing Covenant on subject property to remove the occupancy and rental restrictions on one of the property's two-bedroom units;
- B. Approve the use of the unrestricted unit for administrative and private meeting space; and
- C. Authorize the Community Development Director to execute, subject to approval as to form by the City Attorney, such agreements and related City documents as necessary.

**17. Subject: Contract For Construction Of On-Call Sewer Main Point Repairs - Fiscal Year 2016 (540.13)**

Recommendation: That Council award a contract with Tierra Contracting in their low bid amount of \$305,488 for construction of the On-Call Sewer Main Point Repairs - Fiscal Year 2016, Bid No. 3777, and authorize the Public Works Director to execute the contract and approve expenditures up to \$61,100 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.

**18. Subject: Benefit Increase For 1927 Police And Fire Employee Retirement Plan (430.08)**

Recommendation: That Council approve an increase in monthly pension benefits paid to the remaining three retirees in the City's 1927 Police and Fire Retirement Plan by 10%, which would increase the total monthly benefits paid to all retirees by \$512, from \$5,123 to \$5,635.

**19. Subject: Increase In Construction Change Order Authority For The De La Vina At Arrellaga Traffic Signal Project (530.05)**

Recommendation: That Council:

- A. Authorize an increase in the Public Works Director's Change Order Authority to approve expenditures for extra work for the De La Vina At Arrellaga Traffic Signal Project, Contract No. 24,993, in the amount of \$20,803, for a total Project expenditure authority of \$112,175;

(Cont'd)

## CONSENT CALENDAR (CONT'D)

### 19. (Cont'd)

- B. Authorize an appropriation of \$46,000 in the Fiscal Year 2015 Streets Fund from reserves to fund a transfer to the Streets Grant Fund; and
- C. Authorize an increase in appropriations and estimated revenues by \$46,000 in the Fiscal Year 2015 Streets Grant Fund to cover the cost of the extra work for the De La Vina at Arrellaga Traffic Signal Project, funded from a transfer from the Streets Fund.

### 20. **Subject: Memorandum Of Understanding With The Community Action Commission For The South Coast Task Force On Youth Gangs (520.04)**

Recommendation: That Council authorize the City Administrator to execute a Memorandum of Understanding with the Community Action Commission related to the City's participation in the South Coast Task Force on Youth Gangs.

### 21. **Subject: Adoption Of Ordinance Regarding Buellton Library Property Lease (570.04)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Authorizing the Library Director to Execute a Lease Agreement Between the City of Santa Barbara and the City of Buellton for the Buellton Library Property.

### 22. **Subject: Increase Grant Revenues And Appropriations For The Anapamu, Cabrillo, De La Guerra, Quinientos, And Gutierrez Street Bridge Replacement Projects (Dept. Head: RJB; Other Depts: APC)**

Recommendation: That Council:

- A. Accept Federal Highway Administration Highway Bridge Program Grant funding in the total amount of \$225,000 for the Anapamu Street Bridge Replacement Project;
- B. Authorize the increase of estimated revenues and appropriations in the Fiscal Year 2016 Streets Grant Fund by \$225,000 for the Anapamu Street Bridge Replacement Project;
- C. Accept Federal Highway Administration Highway Bridge Program Grant funding in the total amount of \$354,120 for the Cabrillo Street Bridge Replacement Project;
- D. Authorize the increase of estimated revenues and appropriations in the Fiscal Year 2016 Streets Grant Fund by \$354,120 for the Cabrillo Street Bridge Replacement Project;

(Cont'd)

## CONSENT CALENDAR (CONT'D)

### 22. (Cont'd)

- E. Accept Federal Highway Administration Highway Bridge Program Grant funding in the total amount of \$66,398 for the De La Guerra Street Bridge Replacement Project;
- F. Authorize the increase of estimated revenues and appropriations in the Fiscal Year 2016 Streets Grant Fund by \$66,398 for the De La Guerra Street Bridge Replacement Project;
- G. Accept Federal Highway Administration Highway Bridge Program Grant funding in the total amount of \$225,000 for the Quinientos Street Bridge Replacement Project;
- H. Authorize the increase of estimated revenues and appropriations in the Fiscal Year 2016 Streets Grant Fund by \$225,000 for the Quinientos Street Bridge Replacement Project;
- I. Authorize an appropriation of \$25,000 from Streets Fund Reserves and transfer to the Streets Grant Fund to cover a portion of the ongoing City share associated with the design phase of the Quinientos Street Bridge Replacement Project; and
- J. Authorize an appropriation of \$25,000 from Streets Fund Reserves and transfer to the Streets Grant Fund to cover a portion of the ongoing City share associated with the design phase of the Gutierrez Street Bridge Replacement Project.
- K. Authorize an increase to appropriations and estimated revenues of \$50,000 in the Fiscal Year 2016 Streets Grant Fund for the Quinientos Street Bridge Replacement Project (\$25,000) and Gutierrez Street Bridge Replacement Project (\$25,000) funded from a transfer of reserves from the Streets Fund.

### 23. **Subject: Set A Date For Public Hearing Regarding Appeal Of Architectural Board Of Review Approval For 1818 Castillo Street (Dept. Head: GB)**

Recommendation: That Council:

- A. Set the date of July 21, 2015, for hearing the appeal filed by Brian Barnwell, on behalf of adjacent neighbors, of the Architectural Board of Review approval of an application for property owned by DB Partners, LLC, and located at 1818 Castillo Street, Assessor's Parcel No. 027-012-023, R-4 Hotel-Motel-Multiple Residence Zone, General Plan Designation: Residential (15-27 dwelling units/acre). The project proposes to demolish an existing single-family home, studio apartment, detached garage, and two sheds, and construct a three-story, seven-unit residential apartment building under the Average Unit Size Density Incentive Program. The 12,656 square-foot parcel is designated as Medium High density with a maximum average density project proposed at 27 dwelling units/acre which allows 945 square feet per unit. The average unit size for this project will be 938 square feet; and
- B. Set the date of July 20, 2015, for a site visit to the property located at 1818 Castillo Street.

## **CONSENT CALENDAR (CONT'D)**

### NOTICES

24. The City Clerk has on Thursday, June 25, 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.
25. Cancellation of the regular City Council meeting of July 7, 2015.

**This concludes the Consent Calendar.**

## **REPORT FROM THE ORDINANCE COMMITTEE**

### **SUCCESSOR AGENCY REPORTS**

26. **Subject: Status Report And Contract Services For The Cabrillo Pavilion And Bathhouse Renovation Project (570.07)**

Recommendation: That the Successor Agency:

- A. Receive a status report on the Cabrillo Pavilion and Bathhouse Renovation Project; and
- B. Authorize the Executive Director to execute a contract between the Successor Agency and FGI Farnsworth Group, Inc., in the amount of \$47,300 to provide LEED commissioning services for the above project, and authorize the Executive Director to approve extra work, as necessary, in an amount not to exceed \$4,730.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### COMMUNITY DEVELOPMENT DEPARTMENT

27. **Subject: Loan To Grace Village Apartments, L.P., For A New Affordable Housing Project At 3869 State Street (Grace Village Apartments) (660.04)**

Recommendation: That Council:

- A. Approve a request from the Housing Authority of the City of Santa Barbara (Housing Authority) for a \$1,000,000 loan to Grace Village Apartments, L.P., to support the development and construction of a new low income senior rental project located at 3869 State Street;
- B. Authorize the appropriation of \$500,000 from the Socio-Economic Mitigation Program (SEMP) fund and \$500,000 from the Housing Successor Entity fund for the requested loan;

(Cont'd)

## CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

### COMMUNITY DEVELOPMENT DEPARTMENT (CONT'D)

#### 27. (Cont'd)

- C. Authorize the appropriation of \$500,000 in the Successor Agency Housing Fund from reserves to fund a portion of the requested loan;
- D. Authorize the Community Development Director to execute such agreements and related documents, subject to approval as to form by the City Attorney, as necessary; and
- E. Consider a recommendation from the Finance Committee to transfer \$528,797 of unrestricted monies in the Revolving Loan Fund, which originated from the General Fund, back to the General Fund.

### PUBLIC WORKS DEPARTMENT

#### 28. **Subject: Increase In Construction Change Order Authority For The Recycled Water Treatment Plant Replacement Project (540.13)**

Recommendation: That Council:

- A. Approve a transfer of \$1,342,271.95 from Water Fund Operating Fund Reserves to the Water Capital Fund;
- B. Increase appropriations and estimated revenues by \$1,342,271.95 in the Water Capital Fund for the Recycled Water Treatment Plant Replacement Project;
- C. Authorize an increase in the Public Works Director's Change Order Authority to approve expenditures for extra work for the Recycled Water Treatment Plant Replacement Project, Contract No. 21400193 with Schock Contracting Corporation, in the amount of \$879,000, for a total Project change order expenditure authority of \$1,758,000;
- D. Authorize an increase in the Public Works Director's Change Order Authority to approve expenditures for extra work for the Recycled Water Treatment Plant Replacement Project, Contract No. 24,826, for construction management services with MNS Engineers in the amount of \$386,326.00, for a total Project change order expenditure authority of \$456,941.40; and
- E. Authorize an increase in the Public Works Director's Change Order Authority to approve expenditures for extra work for the Recycled Water Treatment Plant Replacement Project, Contract No. 24,828, for environmental and support services with Dudek in the amount of \$14,945.95, for a total Project change order expenditure authority of \$20,976.95.

## COUNCIL AND STAFF COMMUNICATIONS

## COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

### CLOSED SESSIONS

**29. Subject: Conference With City Attorney - Pending Litigation (160.03)**

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (d)(1) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is *Justin Williams v. City of Santa Barbara*; WCAB Case numbers ADJ8592814, ADJ8729223 and ADJ9464749.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

### ADJOURNMENT