



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING June 30, 2015 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Frank Hotchkiss, Cathy Murillo, Bendy White, Mayor Schneider.

Councilmembers absent: Dale Francisco, Gregg Hart, Randy Rowse.

Staff present: City Administrator Paul Casey, City Attorney Ariel Pierre Calonne, Deputy City Clerk Susan Tschech.

CHANGES TO THE AGENDA

Item Removed from Agenda

City Administrator Casey recommended that the following item be removed from the agenda, to be resubmitted at a later date:

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.

(Cont'd)

20. (Cont'd)

Motion:

Councilmembers Hotchkiss/White to continue Item No. 20 to a future date.

Vote:

Unanimous voice vote (Absent: Councilmembers Francisco, Hart, Rowse).

Councilmembers Francisco and Hart arrived at the meeting at 2:04 p.m.

PUBLIC COMMENT

Speakers: Richard Robinson; Scott Spaulding, Santa Barbara County Association of Governments; Phil Walker; Suzanne Peck, County of Santa Barbara Commission for Women; Tom Widroe, City Watch.

ITEM REMOVED FROM CONSENT CALENDAR

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.

Documents:

June 30, 2015, report from the Chief of Police.

Speakers:

Santa Barbara Police Foundation: Mike McGrew.

Motion:

Councilmembers Hart/White to accept the donation and approve the recommendation.

Vote:

Unanimous voice vote (Absent: Councilmember Rowse).

CONSENT CALENDAR (Item Nos. 1 – 11, 13 – 19, 21 – 25)

The titles of ordinances and resolutions related to Consent Calendar items were read.

Motion:

Councilmembers Francisco/White to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote (Absent: Councilmember Rowse).

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.

Action: Approved the recommendation.

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.

Action: Approved the recommendations; Ordinance Nos. 5704 - 5706; Agreement No. 24,151.2.

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.

Action: Approved the recommendation (June 30, 2015, report from the Public Works Director; proposed ordinance).

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*.

(Cont'd)

4. (Cont'd)

Speakers:

- Members of the Public: Robert Burke.
- Staff: City Clerk Services Manager Gwen Peirce.

Action: Approved the recommendation; Resolution No. 15-057 (June 30, 2015, report from the Administrative Services Director and City Attorney; proposed resolution).

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.

Action: Approved the recommendation; Resolution No. 15-058 (June 30, 2015, report from the Administrative Services Director; proposed resolution).

6. Subject: May 2015 Investment Report (260.02)

Recommendation: That Council accept the May 2015 Investment Report.

Action: Approved the recommendation (June 30, 2015, report from the Acting Assistant City Administrator/Finance Director).

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.

Action: Approved the recommendation; Agreement No. 25,231 (June 30, 2015, report from the Acting Assistant City Administrator/Finance Director).

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.

(Cont'd)

8. (Cont'd)

Action: Approved the recommendation; Agreement No. 23,408.1 (June 30, 2015, report from the Waterfront Director).

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.

Action: Approved the recommendation; Agreement No. 25,232 (June 30, 2015, report from the Parks and Recreation Director).

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.

Action: Approved the recommendation (June 30, 2015, report from the Airport Director).

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.

Action: Approved the recommendation; Agreement No. 25,233 (June 30, 2015, report from the Airport Director).

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.

13. (Cont'd)

Action: Approved the recommendation; Contract No. 25,234 (June 30, 2015, report from the Public Works Director).

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.

Action: Approved the recommendations; Agreement No. 25,235 (June 30, 2015, report from the Parks and Recreation Director).

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.

Action: Approved the recommendation; Agreement No. 25,236 (June 30, 2015, report from the Parks and Recreation Director).

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;

(Cont'd)

16. (Cont'd)

- 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.

Action: Approved the recommendations (June 30, 2015, report from the Community Development Director).

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.

Action: Approved the recommendation; Contract No. 25,237 (June 30, 2015, report from the Public Works Director).

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.

Action: Approved the recommendation (June 30, 2015, report from the Acting Assistant City Administrator/Finance Director).

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)

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.

Action: Approved the recommendations (June 30, 2015, report from the Public Works Director).

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.

Action: Approved the recommendation; Ordinance No. 5707; Agreement No. 25,238.

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;
- 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;

(Cont'd)

22. (Cont'd)

- 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.

Speakers:

Staff: Principal Engineer Brian D'Amour.

Action: Approved the recommendations (June 30, 2015, report from the Public Works Director).

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

(Cont'd)

23. (Cont'd)

- B. Set the date of July 20, 2015, for a site visit to the property located at 1818 Castillo Street.

Action: Approved the recommendations (Appeal letter received June 2, 2015).

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 concluded the Consent Calendar.

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Member Frank Hotchkiss reported that the Committee met to review proposed improvements to the management and permitting of news racks. The Committee referred the proposed ordinance making these changes back to staff of the City Attorney's Office and Public Works Department for additional discussion with local publishers.

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.

Documents:

- June 30, 2015, report from the Parks and Recreation Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

Staff: Assistant Parks and Recreation Director Jill Zachary.

(Cont'd)

26. (Cont'd)

Motion:

Successor Agency members White/Hotchkiss to approve recommendation B; Contract No. 25,239.

Vote:

Unanimous voice vote (Absent: Successor Agency member Rowse).

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;
- 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.

Documents:

- June 30, 2015, report from the Community Development Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Project Planner David Rowell, City Administrator Paul Casey.
- Members of the Public: Tom Widroe, City Watch.
- Housing Authority of the City of Santa Barbara: Deputy Executive Director Skip Szymanski.

Motion:

Councilmembers Francisco/Hotchkiss to approve the recommendations, specifying that the transfer of \$528,797 to the General Fund (recommendation E) be dedicated to General Fund Reserves; Agreement No. 25,240.

Vote:

Unanimous voice vote (Absent: Councilmember Rowse).

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.

Document:

June 30, 2015, report from the Public Works Director.

Speakers:

Staff: Principal Civil Engineer Linda Sumansky, City Attorney Ariel Calonne, Public Works Director Rebecca Bjork.

Motion:

Councilmembers Murillo/Hart to approve the recommendations.

Vote:

Unanimous voice vote (Absent: Councilmember Rowse).

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Murillo reported on her attendance at a meeting of the South Coast Task Force on Youth Gangs, during which a new initiative called "My Brother's Keeper" was presented.

(Cont'd)

Information (Cont'd):

- Councilmember White mentioned that new water rates affecting high water users will go into effect on July 1, and he asked those users to make efforts to conserve.
- Mayor Schneider spoke about her attendance at an event to mark the 100th anniversary of the Samarkand Retirement Community, which included the unveiling of an exhibit tracing the history of the community.

RECESS

The Mayor recessed the meeting at 3:08 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 29. She stated that no reportable action is anticipated.

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

Documents:

June 30, 2015, report from the Acting Assistant City Administrator/Finance Director.

Time:

3:10 p.m. – 3:13 p.m. Councilmember Rowse was absent.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 3:13 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST: _____
SUSAN TSCHECH, CMC
DEPUTY CITY CLERK