

CITY OF SANTA BARBARA CITY COUNCIL

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Paul Casey
City Administrator

Ariel Pierre Calonne
City Attorney

City Hall
735 Anacapa Street
<http://www.SantaBarbaraCA.gov>

JULY 21, 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 Begins
- 5:00 p.m. - Recess
- 6:00 p.m. - City Council Meeting Reconvenes

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

AFTERNOON SESSION

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL ITEMS

1. **Subject:: Proclamation Declaring July 26, 2105 As 25th Anniversary of Americans With Disabilities Act (ADA) (120.04)**

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

2. **Subject: Minutes**

Recommendation: That Council waive further reading and approve the minutes of the regular meeting of June 30, 2015.

CONSENT CALENDAR (CONT'D)

3. Subject: Authorization To Amend Agreement For Legal Services With Colantuono, Highsmith & Whatley, PC To Cover The Costs Of The California Supreme Court Hearing in *Jacks v. City of Santa Barbara* (160.01)

Recommendation: That Council:

- A. Authorize the City Attorney to amend Legal Services Agreement Number 25,126 with Colantuono, Highsmith & Whatley, PC to increase the not to exceed amount by \$62,000 from \$45,000 to \$107,000 for special counsel services for the City's petition for review in the California Supreme Court on *Rolland Jacks, et al., v. City Of Santa Barbara* SBSC Case No. 1383959 and
- B. Allocate \$62,000 from General Fund appropriated reserves to the City Attorney's Office Fiscal Year 2016 budget to cover the cost of the legal services.

4. Subject: Grant Assistance For Training And Enforcement At Alcohol Serving Establishments (520.04)

Recommendation: That Council:

- A. Adopt by reading of title only, A Resolution of the Council of the City of Santa Barbara, Authorizing Acceptance of Funding Granted by the Department of Alcoholic Beverage Control for the Alcoholic Beverage Control Grant Assistance to Local Law Enforcement Agencies Project;
- B. Authorize the Police Chief to execute the grant agreement award; and
- C. Increase appropriations and estimated revenues by \$50,000 in the Police Department Miscellaneous Grants Fund.

5. Subject: Contract With InterVISTAS Consulting Inc. For Air Service Development Services (560.01)

Recommendation: That Council authorize the Airport Director to execute a contract with InterVISTAS Consulting Inc. for specialized air service development support for the Santa Barbara Airport, in an amount not to exceed \$56,000.

6. Subject: Proposed Lease Agreement With The Santa Barbara Sailing Club (330.04)

Recommendation: That City Council approve a Five-Year Lease Agreement with the Santa Barbara Sailing Club for 8,677 square feet of dry boat storage area in the Santa Barbara Harbor at a Monthly Rate of \$1,600.

CONSENT CALENDAR (CONT'D)

7. Subject: Representative Services Agreement With Carpi & Clay, Inc. (570.03)

Recommendation: That Council authorize the City Administrator to execute a three-year Representative Services Agreement between the City of Santa Barbara and Carpi & Clay Inc., for liaison and contact services with the United States Government, at a rate not-to-exceed \$1,750 per month, and in a total amount not-to-exceed \$63,000 for Fiscal Years 2016, 2017, and 2018.

8. Subject: Adoption Of The Rental Housing Mediation Board (Former Rental Housing Mediation Task Force) Bylaws (580.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving the Bylaws of the Rental Housing Mediation Board (Former Rental Housing Mediation Task Force).

9. Subject: City Documents Related To Casa Esperanza Homeless Center/PATH Statutory Merger (660.04)

Recommendation: That Council:

- A. Approve the assignment of City Agreements 25,144; 25,145; 25,194 and City purchase order 387931, to PATH (People Assisting the Homeless);
- B. Approve amending and restating the 1999 Restricted Use Covenant with an extended term of an additional 16 years; and
- C. Authorize the Community Development Director to execute such agreements and related documents, subject to approval as to form by the City Attorney, as necessary.

10. Subject: Airport Master Plan Contract Amendment For Traffic Analysis (560.09)

Recommendation: That Council approve and authorize the Airport Director to execute an Amendment to Contract No. 23,903 with Coffman Associates for preparation of additional traffic impact analysis for the Airport Master Plan in an amount not to exceed \$28,000.

CONSENT CALENDAR (CONT'D)

11. Subject: Sole Source Purchase Order For Emergency Medical Dispatch System (520.02)

Recommendation: That Council find it in the City's best interest to waive the formal bid procedure as authorized by Santa Barbara Municipal Code Section 4.52.070 (K) and authorize the City General Services Manager to issue a purchase order to Priority Medical Corporation in an amount not to exceed \$62,400 to purchase and install Priority Dispatch Emergency Medical Dispatch software for the City Police Department Combined Communication Center.

12. Subject: Contract For Construction Of North General Aviation Ramp Pavement Panel Replacement Project (560.04)

Recommendation: That Council:

- A. Award a contract with Lash Construction, Inc., in their low bid amount of \$357,925 for construction of the North General Aviation Ramp Pavement Panel Replacement Project, Bid No. 3790; and authorize the Public Works Director to execute the contract and approve expenditures up to \$35,792 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment; and
- B. Authorize the Public Works Director to execute a contract with Kimley Horn in the amount of \$54,585 for construction support services, and approve expenditures of up to \$5,458 for extra services of Kimley Horn that may result from necessary changes in the scope of work.

13. Subject: Contract For Construction Of Airport Lighting And Safety Project (560.04)

Recommendation: That Council:

- A. Award a contract with Cindy Bales Engineering in their low bid amount of \$2,143,410 for construction of the Airport Lighting and Safety Project, Bid No. 3763; and authorize the Public Works Director to execute the contract and approve expenditures up to \$214,341 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;
- B. Authorize the Public Works Director to execute a contract with Mead & Hunt in the amount of \$296,800 for construction support services, and approve expenditures of up to \$29,680 for extra services of Mead & Hunt that may result from necessary changes in the scope of work; and

CONSENT CALENDAR (CONT'D)

13. (Cont'd)

C. Authorize the General Services Manger to issue a purchase order to ADB Airfield Solutions in the amount of \$10,076.73, and authorize the General Services Manager to approve expenditures of up to \$2,500 for extra services of ADB Airfield Solutions that may result from necessary changes in the scope of work.

14. Subject: Sole Source Agreement For Sanitary Sewer Chemical Root Control Services (540.13)

Recommendation: That Council authorize the Public Works Director to execute a Sole Source Maintenance Agreement with Duke's Root Control in the amount \$128,577.16 for sanitary sewer chemical root cleaning services, and authorize the Public Works Director to approve expenditures of up to \$12,857.72 for extra services that may result from necessary changes in the scope of work.

15. Subject: Authorization For Contingency Fee Agreement With Baron & Budd, PC Regarding Legal Services Relating To The Refugio Oil Spill (160.01)

Recommendation: That Council authorize the City Attorney to execute a contingency fee agreement with Baron & Budd, PC for legal services relating to the May 19, 2015 Refugio oil spill and a contingency fee amounting to 20% of any gross recovery.

16. Subject: Community Promotion Contract With Summer Solstice Celebration (180.02)

Recommendation: That Council authorize the City Administrator to execute an annual community promotion contract with Summer Solstice Celebration, Inc. in the amount of \$66,000 to support year-round administrative expenses for the community event.

17. Subject: Community Promotion Contract With Visit Santa Barbara (230.02)

Recommendation: That Council authorize the City Administrator to execute an annual community promotion contract with Visit Santa Barbara to provide marketing services that promote Santa Barbara as a tourism destination, in an amount of \$1,380,000.

CONSENT CALENDAR (CONT'D)

18. **Subject: Set A Date For Public Hearing Regarding Appeal Of The Planning Commission Approval For 3425 Sea Ledge Lane (640.07)**

Recommendation: That Council:

- A. Set the date of August 4, 2015, at 2:00 p.m. for hearing the appeal filed by Chris Krach-Bastian, of the Planning Commission's approval of an application for the construction of a new 400 square-foot pool and spa with associated pool equipment and safety fencing on a 17,490 square-foot lot in the Hillside Design District. This proposal is an amendment to the recent Coastal Development Permit dated May 2, 2013, and revised on August 8, 2014, under MST2012-00135, which approved 2,508 square feet of one- and two-story additions, the demolition of the existing garage, and the conversion of 488 square feet of existing habitable floor area into a new two-car garage. The discretionary application required for this project is an Amendment to the Coastal Development Permit (CDP2012-00004) to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC Section 28.44). The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15303, New Construction or Conversion of Small Structures, which allows for the construction of accessory structures including swimming pools.
- B. Set the date of August 3, 2015, at 1:30 p.m. for a site visit to the property located at 3425 Sea Ledge Lane.

19. **Subject: Set A Date For Public Hearing Regarding Appeal Of The Single Family Design Board's Final Design Approval For 1912 Mission Ridge Road (640.07)**

Recommendation: That Council: Set the date of August 11, 2015, at 2:00 p.m. for hearing the appeal filed by Trevor Martinson on behalf of Rinaldo Brutoco of the Single Family Design Board's Final Design Approval for project owned by Craig Morrison and located at 1912 Mission Ridge Road, Assessor's Parcel No.: 019-083-021, A-1 Zone; Application No. MST2014-00585. This project proposes a 22 square foot first-floor addition and a 530 square foot second-floor addition to an existing 2,146 square foot one-story, single-family residence with an attached 579 square foot garage. The proposal includes one new uncovered parking space, a 194 square foot covered patio at the entry, a 158 square foot second-story deck, a raised pool and surrounding deck, and interior remodel work. It also includes permitting an "as-built" air conditioning condenser unit, relocation of the pool equipment enclosure, and a new driveway and pedestrian gate. The proposed total of 3,251 square feet on a 25,091 square foot lot in the hillside Design District is 69% of the guideline maximum floor-to-lot area ratio.

CONSENT CALENDAR (CONT'D)

NOTICES

- 20.** The City Clerk has on Thursday, July 16, 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.

This concludes the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

21. Subject: Reactivation Of The Charles E. Meyer Desalination Facility (540.10)

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Authorizing the Approval and Execution by the City of an Installment Sale Agreement in Connection with the Desalination Plant Reactivation Project Drinking Water State Revolving Fund Project No. 4210010-005C;
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Authorizing the Approval, Subject to Receipt of SRF Loan For Project No. 4210010-005C, and Execution by the Public Works Director of a Contract to Design, Build, and Operate the Charles E. Meyer Desalination Facility with IDE Americas, Inc., in the Amount of \$43,437,234 and Approve Expenditures up to \$1,864,420 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;
- C. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Authorizing the Acceptance and Execution by the Public Works Director of a Lease For a Term of 25 Years with the State Of California State Lands Commission for the Continued Use and Maintenance of One 48-inch Diameter Sewer Outfall Pipeline and Maintenance of One 42-inch Diameter Non-operational Outfall Pipeline and Associated Facilities as Further Described on Exhibit "A" Attached Thereto;
- D. Authorize the Public Works Director to pay the \$500,000 for work on a project to restore the upper Devereaux Slough in accordance with National Pollutant Discharge Elimination System permit special conditions;
- E. Approve a purchase order in the amount of \$60,000 to Acciona Agua as stipend for submitting a proposal in response to the Request for Proposals for the Recommissioning Of The Charles E. Meyer Desalination Facility;

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

21. (Cont'd)

- F. Authorize the City Attorney to execute an Amendment to Legal Services Agreement No. 24,935 with Latham & Watkins LLP to increase the "Do Not Exceed Limit" from \$200,000 to \$220,000 for legal support related to the local Coastal Development Permit;
- G. Authorize the City Attorney to execute a Third Amendment to Legal Services Agreement No.24,835 with Hanson Bridgett LLP to increase the "Do Not Exceed Limit" from \$150,000 to \$175,000 for legal services related to negotiating and drafting the DBO contract; and
- H. Increase estimated revenues and appropriations in the Water State Revolving Fund Loan Fund in the amount of \$8,000,000 for the Charles E. Meyer Desalination Facility for a total amount of \$55,000,000.

COMMUNITY DEVELOPMENT DEPARTMENT

22. **Subject: Response To 2014-2015 Santa Barbara Grand Jury Report On Zoning Information Reports (150.04)**

Recommendation: That Council:

- A. Receive the Santa Barbara County Grand Jury Report on Zoning Information Reports; and
- B. Authorize the Mayor to send a letter forwarding the City's response to the Grand Jury Report.

PUBLIC HEARINGS

23. **Subject: Appeal Of Architectural Board Of Review Project Design Approval Of A New Seven-Unit Apartment Building At 1818 Castillo Street (640.07)**

Recommendation: That Council

- A. Deny the appeal of Brian Barnwell of the Architectural Board of Review's decision to grant Project Design Approval for the proposed new seven-unit apartment building; and
- B. Direct Staff to return to Council with Decision and Findings reflecting the outcome of the appeal.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

RECESS

EVENING SESSION

RECONVENE

ROLL CALL

PUBLIC COMMENT

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

24. Subject: Direction To Staff On The 2015 Bicycle Master Plan (670.04)

Recommendation: That Council receive a presentation on preliminary bicycle network improvements developed from the community engagement process and provide input and direction to staff regarding the Draft Bicycle Master Plan Completion.

ADJOURNMENT