

**CITY OF SANTA BARBARA
CITY COUNCIL**

Helene Schneider
Mayor
Bendy White
Mayor Pro Tempore
Randy Rowse
Ordinance Committee Chair
Gregg Hart
Finance Committee Chair
Jason Dominguez
Frank Hotchkiss
Cathy Murillo



Paul Casey
City Administrator

Ariel Pierre Calonne
City Attorney

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

**JANUARY 26, 2016
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

- 12:30 p.m. - Finance Committee Meeting, David Gebhard Public Meeting Room, 630 Garden Street
- 12:30 p.m. - Ordinance Committee Meeting, Council Chamber
- 2:00 p.m. - City Council Meeting

FINANCE COMMITTEE MEETING - 12:30 P.M. IN THE DAVID GEBHARD PUBLIC MEETING ROOM, 630 GARDEN STREET (120.03)

Subject: December 31, 2015, Investment Report And December 31, 2015, Fiscal Agent Report (120.03)

Recommendation: That Finance Committee recommend that Council:

- A. Accept the December 31, 2015, Investment Report; and
- B. Accept the December 31, 2015, Fiscal Agent Report.

(See Council Agenda Item No. 7)

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

Subject: Amendments To The Noise Ordinance (SBMC Chapter 9.16) Defining Noise Disturbance And Administrative Citations For Violations (120.03)

Recommendation: That the Ordinance Committee review and comment upon proposed amendments to the City's Noise Ordinance (SBMC Chapter 9.16) that would rewrite the entire chapter, define noise disturbance and establish administrative citations to be issued for violations.

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 December 8, 2015, and the cancelled regular meeting of January 19, 2016.

2. Subject: Adoption of Ordinance Regulating Cultivation of Marijuana (640.09)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adding Section 28.87.300 to the Santa Barbara Municipal Code to Regulate Cannabis Cultivation.

3. Subject: Adoption Of Ordinance To Prohibit Parking Over 72 Hours In City-Owned Parking Lots (550.01)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the Municipal Code by Adding Section 10.44.153 Regarding Penalties for Vehicle Parking Over 72 Hours Upon Municipally-Owned Parking Lots, and Amending Section 10.44.152 Pertaining to Regulation of Parking Upon Municipally-Owned and/or -Operated Parking Lots.

CONSENT CALENDAR (CONT'D)

CITY COUNCIL (CONT'D)

4. **Subject: Adoption Of Ordinance For The Grant Of Easements To The Santa Barbara County Flood Control District, Cota Bridge Replacement Project (330.03)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the Granting of Easements on City-Owned Properties Adjacent to Mission Creek to the County of Santa Barbara Flood Control and Water Conservation District for Flood Control and All Related Purposes, and Authorizing the City Administrator to Execute as Necessary the Easement Deeds in a Form Approved by the City Attorney

5. **Subject: Professional Services Agreement For Online Payment System For Utility Bills (210.01)**

Recommendation: That Council:

- A. Approve and authorize the Finance Director to execute a professional services agreement with Invoice Cloud, Inc., for a term of three years with two optional two-year extensions, for electronic bill presentment and payment services for the City's Advanced Utility Systems CIS Infinity software and Infinity.Link online payment application; and
- B. Approve and authorize the Finance Director to execute the third party payment and credit card processing agreements and merchant agreements with Sage Payment Solutions for a term of three years with two optional two-year extensions.

6. **Subject: Fiscal Year 2016 Interim Financial Statements For The Five Months Ended November 30, 2015 (250.02)**

Recommendation: That Council accept the Fiscal Year 2016 Interim Financial Statements for the Five Months Ended November 30, 2015.

7. **Subject: December 31, 2015, Investment Report And December 31, 2015, Fiscal Agent Report (260.02)**

Recommendation: That Council:

- A. Accept the December 31, 2015, Investment Report; and
- B. Accept the December 31, 2015, Fiscal Agent Report.

CONSENT CALENDAR (CONT'D)

CITY COUNCIL (CONT'D)

8. Subject: Contract For Construction Of Chapala And Gutierrez Sewer Improvement Project (540.13)

Recommendation: That Council award a contract with J & H Engineering General Contractors, Inc., in their low bid amount of \$117,000, for construction of the Chapala and Gutierrez Sewer Improvement Project, Bid No. 3771; and authorize the Public Works Director to execute the contract and approve expenditures up to \$11,700 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.

9. Subject: Increase In Construction Funding For Elings Park Recycled Water Pump Station (540.13)

Recommendation: That Council:

- A. Approve a transfer of \$86,866 from the Water Drought Fund to the Water Capital Fund;
- B. Increase appropriations and estimated revenues by \$86,866 in the Water Capital Fund for the Elings Park Recycled Water Pump Station Project;
- C. Authorize an increase in the Public Works Director's change order authority to approve expenditures for extra work for the Elings Park Recycled Water Pump Station Contract No. 25,181, with Pacific Coast Excavation, Inc., in the amount of \$70,000, for a total project expenditure authority of \$455,264; and
- D. Authorize an increase in the Public Works Director's change order authority to approve expenditures for extra work for the Elings Park Recycled Water Pump Station, Contract No. 24,879, for design services with Stantec, in the amount of \$5,000, for a total project expenditure authority of \$59,800.

10. Subject: Approval Of HD Supply Waterworks, Ltd., As The Sole Source Vendor To Provide Large Diameter Water Meters (540.01)

Recommendation: That Council:

- A. Find it to be in the City's best interest to waive the formal bid process as authorized by Municipal Code Section 4.52.070(k), and approve HD Supply Waterworks, Ltd., as the sole source City vendor for large-diameter (four-inch and larger) ultrasonic water meters;

(Cont'd)

CONSENT CALENDAR (CONT'D)

CITY COUNCIL (CONT'D)

10. (Cont'd)

- B. Authorize the General Services Manager to issue a Purchase Order to HD Supply Waterworks, Ltd., for \$50,000 for the purchase of ultrasonic water meters for Fiscal Year 2016; and
- C. Find that it is in the best interest of the City, as permitted under Municipal Code Section 4.52.070(L), to authorize the General Service Manager to issue a Purchase Order to HD Supply Waterworks, Ltd., in subsequent fiscal years through Fiscal Year 2020, if required, in an annual amount not to exceed \$100,000 per fiscal year, and subject to appropriation.

11. Subject: Compensation Survey For Treatment And Patrol Employees - New Classification (530.01)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 15-056, the Position and Salary Control Resolution for Fiscal Year 2016, Affecting the Public Works Department Effective January 26, 2016.

SUCCESSOR AGENCY

12. Subject: Adoption Of Ordinance For Transfer Of Calle Cesar Chavez Property To Successor Agency (620.03)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the Transfer of All Right, Title and Interest to the Real Property Commonly Known As the "Calle Cesar Chavez Properties," Owned by the City of Santa Barbara, a Municipal Corporation, and the Successor Agency to the Redevelopment Agency of the City of Santa Barbara, and Authorizing the City Administrator to Execute Such Documents as Necessary to Effectuate Such Transfer of Real Property Interests to the Successor Agency to the Redevelopment Agency of the City of Santa Barbara.

NOTICES

- 13. The City Clerk has on Thursday, January 21, 2016, 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)

14. Receipt of communication advising of vacancies created on the Neighborhood Advisory Council with the resignation of Javier Limon and Community Development and Human Services Committee with the resignation of Yesenia Curiel. These vacancies will be part of the next recruitment.

This concludes the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

REPORT FROM THE ORDINANCE COMMITTEE

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

POLICE DEPARTMENT

15. Subject: Police Department Update (520.04)

Recommendation: That Council receive an oral presentation from the Police Chief regarding the Santa Barbara Police Department.

MAYOR AND COUNCIL REPORTS

16. Subject: Advisory Groups Updates And Council Liaisons (130.01)

Recommendation: That Council consider the appointment of Council Liaisons to Advisory Groups and Members of Regional Agencies.

QUASI-JUDICIAL HEARING RULES APPLY TO THIS AGENDA ITEM

PUBLIC HEARINGS

17 Subject: Appeal Of Historic Landmarks Commission Listing Of Building Located At 29-37 E. Victoria Street On The Potential Historic Resource List (640.07)

Recommendation: That Council deny the appeal of Virginia Rehling and uphold the Historic Landmarks Commission's (HLC) decision to place the building at 29-37 E. Victoria Street on the City's Potential Historic Resources List.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

PUBLIC COMMENT (IF NECESSARY)

CLOSED SESSIONS

18. Subject: Conference With Labor Negotiator (440.03)

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 General Bargaining Unit, Firefighters Association, Supervisors Association, and Police Officers Association.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

19. Subject: Conference With Real Property Negotiators - Santa Barbara High School (330.03)

Recommendation: That Council hold a closed session pursuant to the authority of Government Code Section 54956.8 to consider direction regarding price and terms of payment related to real property negotiations between the City and the Santa Barbara Unified School District.

Negotiators: City Administrator's Office and City Attorney's Office

Negotiating Party: Superintendent of Schools' Office, Santa Barbara Unified School District

Under Negotiation: Vacation of Street Easements and Fee Title Transfer of Underlying Property

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

ADJOURNMENT