

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>

AUGUST 9, 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.santabarbaraca.gov/citytv 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: Proposal To Amend Harbor Slip Assignment Policy (120.03)

Recommendation: That the Ordinance Committee review and forward to Council for introduction ordinance amendments to Section 17.20.005 of the Santa Barbara Municipal Code related to the Slip Assignment Policy that extend the time allowed for a slip permittee to replace a vessel that is donated, stolen, destroyed or otherwise permanently removed from the slip from 120 days to 180 days and eliminate the Lottery List Assignment Fee for slips assigned from the Lottery Waiting List.

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: Adoption Of Ordinance For Encroachment Permits For Victoria Hall Theater Facilities At 33 West Victoria Street And Parking Lot No. 5 (330.01)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving An Encroachment Permit Agreement with Child Abuse Listening Mediation, Inc., a California Nonprofit Public Benefit Corporation, Ensemble Theatre Company, Inc., a California Non-profit Corporation, and Luria New Vic, LLC, a California Limited Liability Company, Affecting the Properties Known as 1236 Chapala Street and 33 West Victoria Street, and Approving An Encroachment Permit Agreement With Ensemble Theatre Company, Inc., a California Non Profit Corporation, Affecting the Property Known as 33 West Victoria Street, Each Agreement Intended to Terminate and Supersede Encroachment Permit Agreement 24,521, Approved by Ordinance 5621, and Adopted by Council on June 4, 2013, for Portions of Site Improvements That Were Authorized to Encroach Along and Into the Frontage of Victoria Street, and a Portion of City Parking Lot No. 5, and Authorizing the Public Works Director to Execute Both Encroachment Permit Agreements.

CONSENT CALENDAR (CONT'D)

2. **Subject: Transfer Of 518 East Canon Perdido (Eleanor Apartments) To The Housing Authority Of The City Of Santa Barbara (660.01)**

Recommendation: That Council:

- A. Approve Assignment and Assumption Agreement that assigns all contractual rights, duties and obligations of all City documents to the Housing Authority;
- B. Increase appropriations in the amount of \$122,000 in the Housing Successor Agency Fund, from reserves, to cover the cost of the additional loan amount;
- C. Increase the allocation to City Loan Agreement No. 18,701 account by \$122,000 from the Housing Successor Agency Fund;
- D. Approve the Amendment to the City Loan Agreement No. 18,701, including forgiveness of \$592,000 of accrued interest;
- E. Approve the Additional Advance of \$122,000 to the City Deed of Trust;
- F. Approve the Amendment of the Affordability Control Covenant Imposed on Real Property; and
- G. Authorize the Community Development Director to execute such agreements and related documents, subject to approval as to form by the City Attorney, as necessary.

3. **Subject: Consent To Sublease Between Museum Of Exploration And Innovation (MOXI) And Chicken Little At 125 State Street (330.04)**

Recommendation: That Council approve and authorize the City Administrator to execute a Consent to Sublease Agreement between the Children's Museum of Santa Barbara, Inc., dba MOXI, and Chicken Little, LLC for approximately 400 square feet of space within the City-owned property at 125 State Street.

4. **Subject: Contract For Preliminary Design And Environmental Studies For Cabrillo Boulevard And Union Pacific Railroad Bridge (530.04)**

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Ty-Lin International in the amount of \$689,207 for design services of the Cabrillo Boulevard at Union Pacific Railroad Underpass Project, and authorize the Public Works Director to approve expenditures of up to \$68,920 for extra services of Ty-Lin International that may result from necessary changes in the scope of work.

CONSENT CALENDAR (CONT'D)

5. **Subject: Acceptance Of Grant Revenues And Increase The Design Contract For The Gutierrez Street Bridge Replacement Project (530.04)**

Recommendation: That Council:

- A. Authorize an increase in the extra services amount with Drake Haglan and Associates, for bridge design services for the Gutierrez Street Bridge Replacement Project, Contract No. 24,338, in the amount of \$83,194, for a total project expenditure authority of \$733,617;
- B. Accept Federal Highway Administration Highway Bridge Program Grant Funding in the total amount of \$885,300 for right of way phase costs for the Gutierrez Street Bridge Replacement Project;
- C. Authorize the increase of estimated revenues and appropriations in the Fiscal Year 2017 Streets Grant Fund by \$221,325 of the total \$885,300 approved grant for the required right of way costs related to the Gutierrez Street Bridge Replacement Project; and
- D. Approve a transfer of \$28,675 from existing Street Capital Fund appropriations to the Streets Grant Fund to cover the anticipated City Funds required for right of way costs for the Gutierrez Street Bridge Replacement Project, and appropriate these funds in the Streets Grant Fund.

6. **Subject: Contract For Contaminated Soils Management Of Water Main Replacement In The 100 To 300 Blocks Of Calle Cesar Chavez (540.06)**

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Rincon Consultants, Inc., in the amount of \$44,587 for environmental consulting services of the Cabrillo and Alameda Padre Serra Water Line Replacement Project at the 100-300 blocks of Calle Cesar Chavez, and authorize the Public Works Director to approve expenditures of up to \$8,917 for extra services of Rincon Consultants, Inc., that may result from necessary changes in the scope of work.

7. **Subject: Authorize Out-Of-City Sewer Service Agreement For 529 Apple Grove Lane (540.13)**

Recommendation: That Council authorize the Public Works Director to execute an agreement for out-of-City sewer service for 529 Apple Grove Lane.

CONSENT CALENDAR (CONT'D)

8. **Subject: Montecito Water District Funding Agreement (540.10)**

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a Funding Agreement with the Montecito Water District for Phase 1 work associated with ongoing development of a Water Sales Agreement in relation to the City's Charles E. Meyer Desalination Plant as a potential regional water supply;
- B. Authorize the City Attorney to negotiate and execute a Professional Services contract in the amount of \$150,000 with Best, Best & Krieger, for special legal support in the drafting of the Water Sales Agreement;
- C. Authorize the increase of estimated revenues in the Water Operating Fund by \$193,594, which is the Montecito Water District's portion of the Phase I work of the Funding Agreement;
- D. Approve, and authorize the Public Works Director to execute a Professional Services contract in the amount of \$425,187 with Carollo Engineers, for technical support services related to the Water Sales Agreement;
- E. Authorize the Public Works Director to approve expenditures of up to \$42,518.70 for extra services of Carollo Engineers that may result from necessary changes in the scope of work; and
- F. Authorize the City Attorney to make both minor and technical changes to the Funding Agreement necessary to effectuate the final Agreement with the Montecito Water District.

9. **Subject: Increase To Contract Number 25,572 With PlanetBids For Electronic Bidding System (520.02)**

Recommendation: That Council approve increasing contract number 25,572 by \$6,500 for a new not to exceed amount of \$58,975 to add a license for an Emergency Operations module.

10. **Subject: Contract For Measuring The Impact Of Neonicotinoid Pesticides On Estuaries And Coastal Streams (570.05)**

Recommendation: Authorize the Parks and Recreation Director to execute a Joint Funding Agreement with the United States Geological Survey (USGS) in the amount of \$50,000 to conduct laboratory testing in support of the "Impact of Neonicotinoid Pesticides on Estuaries and Coastal Streams Research Project."

CONSENT CALENDAR (CONT'D)

11. Subject: Purchase Order With T-2 Systems For Luke Parking Stations (550.08)

Recommendation: That Council find it in the City's best interest to waive the formal bid procedure as authorized by Municipal Code Section 4.52.070.K, and authorize the General Services Manager to issue a purchase order to T-2 Systems for eight Luke Parking Payment Stations in an amount not-to-exceed \$90,000.

NOTICES

12. The City Clerk has on Thursday, August 4, 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.

This concludes the Consent Calendar.

REPORT FROM THE ORDINANCE COMMITTEE

PUBLIC HEARINGS

13. Subject: Fiscal Year 2017 Water Rates Public Hearing And Adoption Of Resolution Amending A Portion Of Resolution No. 16-044 Establishing Water Rates And Fees (540.10)

Recommendation: That Council:

- A. Hold the continued public hearing for Fiscal Year 2017 water rates from June 14, 2016; and
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending Resolution 16-044 and Establishing Certain Water Service Rates for Fixed Monthly Service Charges and Metered Volumetric Charges.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

14. Subject: Development Impact Fees (290.00)

Recommendation: That Council:

- A. Discuss the potential merits and drawbacks of development impact fees;
and
- B. Direct staff on the process to bring the item back to Council, if needed.

FINANCE DEPARTMENT

15. Subject: New Online Payment System For Utility Bills (210.01)

Recommendation: That Council receive a demonstration of the City's new electronic bill presentment and payment services system for utility bills.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

PUBLIC COMMENT (IF NECESSARY)

CLOSED SESSIONS

16. Subject: Conference with City Attorney - Anticipated Litigation (160.03)

Recommendation: That Council hold a closed session to consider significant exposure to litigation (one potential case) pursuant to Government Code sections 54956.9(d)(2) & (e)(1) and take appropriate action as needed.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

ADJOURNMENT