



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING September 13, 2016 COUNCIL CHAMBER, 735 ANACAPA STREET

---

---

### CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:02 p.m. (The Finance Committee met at a special meeting at 12:00 p.m. The Ordinance Committee, which ordinarily meets at 12:30 p.m., did not meet on this date.)

### PLEDGE OF ALLEGIANCE

Mayor Schneider.

### ROLL CALL

Councilmembers present: Jason Dominguez, Gregg Hart, Cathy Murillo, Randy Rowse, Bendy White (2:09), Mayor Schneider.

Councilmembers absent: Frank Hotchkiss.

Staff present: City Administrator Paul Casey, Acting City Attorney Sarah Knecht, City Clerk Services Manager Sarah Gorman.

### CEREMONIAL ITEMS

**1. Subject: Proclamation Declaring September 2016 Village Properties 20th Anniversary**

Action: Proclamation presented to Renee Grubb and Ed Edick, representing Village Properties.

**2. Subject: Proclamation Honoring Santa Barbara Foresters**

Action: Proclamation presented to Bill Pintard, representing Santa Barbara Foresters.

## **CHANGES TO THE AGENDA**

### Item Removed from Agenda

It was agreed that the following item would be rescheduled for a future meeting:

## **CLOSED SESSIONS**

### **17. Subject: Conference With City Attorney - Anticipated Litigation (160.03)**

Recommendation: That Council hold a closed session to consider initiating litigation pursuant to subsection (d)(4) of Section 54956.9 of the Government Code and take appropriate action as needed (one potential case).

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

## **PUBLIC COMMENT**

Speaker: Lee Muldaver, Brian Stephenson.

## **ITEM REMOVED FROM CONSENT CALENDAR**

Councilmember Rowse removed Item #6 from the Consent Calendar. Councilmember Rowse stated that he would abstain from voting on the following item due to a conflict of interest related to his slip ownership.

### **6. Subject: Adoption of Ordinance Amending Municipal Code Provisions Pertaining to Harbor Slip Assignments (570.03)**

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 Amending Section 17.20.005 of Chapter 17.20 of Title 17 Pertaining to Harbor Slip Assignments.

Documents:

- Proposed ordinance.

The title of the ordinance was read.

Motion:

Councilmembers Murillo/White to approve the recommendation; Ordinance No. 5767.

Vote:

Unanimous roll call vote. (Abstention: Councilmember Rowse; Absent: Councilmember Hotchkiss)

## CONSENT CALENDAR (Items 3-5, 7-12)

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

Motion:

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

Vote:

Unanimous roll call vote (Absent: Councilmember Hotchkiss).

**3. Subject: Adoption of Ordinance Approving Supervisors Memorandum of Understanding (440.02)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending The 2012-2016 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 Nos. 5623 and 5704, and extending the term through June 30, 2017.

Action: Approved the recommendation; Ordinance No. 5764; Agreement No. 25,685.

**4. Subject: Adoption Of Ordinance Granting Easements To County Flood Control District As Part Of The Mason Street Bridge Replacement (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 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 the Grant Deeds in a Form Approved by the City Attorney.

Action: Approved the recommendation; Ordinance No. 5765; Deed No. 61-478.

**5. Subject: Adoption Of Ordinance Establishing Speed Limits (530.03)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.60 of the Santa Barbara Municipal Code by Revising Section 10.60.015 and Establishing Prima Facie Speed Limits on Certain Portions of Anacapa Street, De La deVina Street, La Colina Road, Loma Alta Drive, Verano Drive, and Yanonali Street.

Action: Approved the recommendation; Ordinance No. 5766.

## CONSENT CALENDAR (Items 3-5, 7-12) (Cont'd)

**7. Subject: Adoption Of Ordinance Adopting Police Officers Association Memorandum Of Understanding (440.02)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting A Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara Police Officers Association for the period of July 1, 2016 through June 30, 2019.

Action: Approved the recommendation; Ordinance No. 5767; Agreement No. 25,686.

**8. Subject: Reorganization In City Administrator's Office (410.06)**

Recommendation: That Council approve, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 16-045, the Position and Salary Control Resolution for Fiscal Year 2017, Affecting the City Administrator's Office Effective October 1, 2016, to reclassify two existing management positions in the City Administrator's Office effective October 1, 2016.

Action: Approved the recommendation; Resolution No. 16-057 (September 13, 2016, report from the Assistant City Administrator; proposed resolution).

**9. Subject: Contract For Construction Of Las Positas Road At Cliff Drive Roundabout Project (530.04)**

Recommendation: That Council:

- A. Relieve the apparent low bidder, C.S. Legacy Construction, Inc., of its bid due to clerical error in accordance with their written request, dated August 19, 2016, and in accordance with Public Contract Code Sections 5100-5107;
- B. Award a contract with Granite Construction Company in their low bid amount of \$1,275,573 for construction of the Las Positas Road at Cliff Drive Roundabout Project, Bid No. 3599; and authorize the Public Works Director to execute the contract and approve expenditures up to \$127,557 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. Authorize the increase in appropriations and estimated revenues related to the State Transportation Improvement Program grant funding by \$750,000 in the Fiscal Year 2017 Streets Grant Fund for construction;

(Cont'd.)

## CONSENT CALENDAR (Items 3-5, 7-12) (Cont'd)

### 9. (Cont'd.)

- D. Transfer \$170,000 from the General Fund Capital Outlay Fund to the Streets Capital Fund for a portion of the City's share of construction costs; and
- E. Authorize an in-kind contribution of up to \$160,000 from the General Fund to cover unfunded costs associated with staff time related to construction management and inspection.

Action: Approved the recommendations; Agreement No. 25,687 (September 13, 2016, report from the Public Works Director.)

### 10. **Subject: Increase In Construction Change Order Authority For The Cabrillo Bridge Project To Accommodate Stearns Wharf Signal Improvements (530.04)**

Recommendation: That Council:

- A. Approve the transfer of \$39,463 from the Waterfront Department's Appropriated Reserve Account to the Cabrillo Boulevard Bridge Replacement Project in the Streets Grant Capital Fund to fund a new traffic signal for a right-turn arrow at State Street and Cabrillo Boulevard for vehicles exiting Stearns Wharf; and
- B. Authorize an increase in the Public Works Director's Change Order Authority to approve expenditures for extra work for the Cabrillo Boulevard Bridge Replacement Project, Contract No. 24,977, in the amount of \$39,463, for a total contract expenditure authority of \$15,858,041.

Action: Approved the recommendations (September 13, 2016, report from the Public Works Director.)

### 11. **Subject: Agreement For People Assisting The Homeless (580.01)**

Recommendation: That Council authorize the Community Development Director to execute a funding agreement for \$202,100 with People Assisting the Homeless (PATH), for the operation of a homeless shelter.

Action: Approved the recommendation; Agreement No. 25,688 (September 13, 2016, report from the Community Development Director.)

## **CONSENT CALENDAR (Items 3-5, 7-12) (Cont'd)**

### **12. Subject: Agreement For Central Coast Collaborative On Homelessness (580.01)**

Recommendation: That Council authorize the Community Development Director to execute a funding agreement for \$91,232 with the Northern Santa Barbara County United Way for the Central Coast Collaborative on Homelessness (C3H) effort.

Action: Approved the recommendation; Agreement No. 25,689 (September 13, 2016, report from the Community Development Director.)

## **NOTICES**

13. The City Clerk has on Thursday, September 8, 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 concluded the Consent Calendar.

## **REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Gregg Hart reported that the Finance Committee met and considered the Fiscal Year 2016 Fourth Quarter Review, and discussed recommendations to Council on alternatives to meet unfunded infrastructure needs. The Committee voted unanimously to forward the infrastructure item to Council.

## CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

### FINANCE DEPARTMENT

#### **14. Subject: Fiscal Year 2016 Fourth Quarter Review (250.02)**

Recommendation: That Council:

- A. Hear a report from staff on the status of revenues and expenditures in relation to budget for the Fiscal Year ended June 30, 2016;
- B. Accept the Interim Financial Statements for the Fiscal Year Ended June 30, 2016; and
- C. Approve the proposed adjustments to the Fiscal Year 2016 budget as detailed in the attached Schedule of Proposed Fourth Quarter Budget Adjustments.

Documents:

- September 13, 2016, report from the Finance Director.
- PowerPoint Presentation prepared and made by staff.

Speakers:

Staff: Treasury Manager Julie Nemes, Accounting Manager Jennifer Tomaszewski.

Motion:

Councilmembers Murillo/Hart to approve Recommendations B and C.

Vote:

Unanimous voice vote (Absent: Councilmember Hotchkiss).

### PARKS AND RECREATION DEPARTMENT

#### **15. Subject: Conceptual Design Contract For The Restoration Of The Andrée Clark Bird Refuge (570.05)**

Recommendation: That Council:

- A. Authorize the Parks and Recreation Director to execute a Professional Services Agreement with Anchor QEA, LLC in the amount of \$137,000 to perform technical studies and prepare conceptual design plans for restoration of the Andrée Clark Bird Refuge; and
- B. Authorize the Parks and Recreation Director to approve expenditures of up to \$14,000 for extra services from Anchor QEA, LLC that may result from necessary changes in the scope of work.

Documents:

PARKS AND RECREATION DEPARTMENT (Cont'd.)

**15. Cont'd.**

- September 13, 2016, report from the Parks and Recreation Director.
- PowerPoint Presentation prepared and made by staff.

Speakers:

Staff: Creeks Resources Manager Cameron Benson, Water Quality Research Coordinator, Creeks Supervisor George Johnson.

Motion:

Councilmembers White/Murillo to approve the recommendations; Agreement No. 25,690.

Vote:

Unanimous voice vote (Absent: Councilmember Hotchkiss).

**16. Subject: Cabrillo Pavilion Renovation Status And Restaurant Concession (330.04)**

Recommendation: That Council:

- Receive a status report on the Cabrillo Pavilion and Bathhouse Renovation Project; and
- Recommend that the Parks and Recreation Department initiate a competitive bid process to secure a restaurant concessionaire for the renovated facility.

Documents:

- September 13, 2016, report from the Parks and Recreation Director.
- PowerPoint Presentation prepared and made by staff.

Speakers:

- Staff: Parks and Recreation Director Jill Zachary, Parks & Recreation Business Manager Mark Sewell, Assistant City Attorney Tava Ostrenger
- Advisory Group members: Parks & Recreation Commission Chair Beebe Longstreet, Parks & Recreation Commission member Leslie Wiscomb
- Members of the Public: Joe Howell representing Francisco Aguilera, John Kechejian, Miles Gaitan, Evan Blix, Gary Villalba, Jane Cairns, Leo DeAmicis (4:42), Andrew Duncan, Gerry Winant, Cara Gamberdella, John K. Williams, Muriel Slevin, Glyn Davies, Peter Jordano, John Klein, Frank Goss, Barry Liker, Steven Ainsley, Molly Carrillo-Walker, Michael Crandell, Fred Maggiore, Gary Justice, David Gonzalez, Sandy Schoolfield, Donna Semauer.

## **RECESS**

Mayor Schneider recessed the meeting from 5:02 – 5:12 p.m.

## **PARKS AND RECREATION DEPARTMENT (Cont'd.)**

### **16. (Cont'd.)**

Speakers (Cont'd):

- Members of the Public (Cont'd): Trish Davis, William Davis, Joe Loito, Nancy Kaplan, Jeff DeVine, Robert Fulmer, Susan Case.

Motion:

Councilmembers Dominguez/Rowse to approve an alternative proposal to provide staff an exclusive negotiation agreement with the current enterprise for up to 120 days.

Vote:

Unanimous voice vote (No: Councilmember Murillo; Absent: Councilmember Hotchkiss).

## **COUNCIL AND STAFF COMMUNICATIONS**

### **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

Information:

- Councilmember Murillo reported attendance at Youth Council meeting, attendance at Sister Cities 9/11 concert, attendance at Central Coast Collaborative on Homelessness meeting, attendance at a suicide prevention event, and attendance at a Chumash community meeting to oppose the Dakota access pipeline.
- Councilmember White reported on an additional release of water from Cachuma, reported on the Cachuma Conservation Release Board release of State draft water rights order for Cachuma, and a special meeting of the Cachuma Operation and Maintenance Board.
- Councilmember Rowse reported on a meeting of the Downtown Parking Committee, his attendance at a Puerto Vallarta Sister cities meeting, and his attendance at Chuck Reed's 9/11 event.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 5:53 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

\_\_\_\_\_  
HELENE SCHNEIDER  
MAYOR

ATTEST: \_\_\_\_\_  
SARAH GORMAN, CMC  
CITY CLERK SERVICES MANAGER