

**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>

**DECEMBER 6, 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.

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL ITEMS

1. Subject: Employee Recognition - Service Award Pins (410.01)

Recommendation: That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through December 31, 2016.

2. Subject: Proclamation Recognizing Rob Pearson's Retirement (120.04)

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

3. Subject: Minutes

Recommendation: That Council waive further reading and approve the minutes of the regular meetings of November 15, 2016.

CONSENT CALENDAR (CONT'D)

4. Subject: Introduction Of Ordinance For Agreement To Use Recycled Water For Irrigation At The Cancer Foundation Of Santa Barbara (540.13)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the Agreement Between the City of Santa Barbara and the Cancer Foundation of Santa Barbara, for Purchase, Use, and Delivery of the City's Recycled Water.

5. Subject: Resolution To Adopt A Vision Zero Policy To Reduce Fatal And Severe Transportation-Related Collisions To Zero By 2030 (670.01)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Adopting a Vision Zero Policy to Reduce Fatal and Severe Transportation Related Collisions to Zero by 2030.

6. Subject: Market Salary Adjustments For General, Confidential, And Treatment And Patrol Classifications (520.04)

Recommendation: That Council:

- A. Ratify the agreement with Santa Barbara City Employees' Association, S.E.I.U. Local 620 (General Bargaining Unit) to resolve ongoing negotiations related to the compensation survey reopener in the 2013-2016 Memorandum of Understanding and adopt, 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 Salaries for Certain Classifications in the General and Confidential Bargaining Units Effective October 3, 2015; and
- B. Adopt, 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 Salaries for Certain Classifications in the Treatment and Patrol Bargaining Units Effective December 10, 2016.

7. Subject: Request For Designation Of 35 Anacapa Street (Museum of Contemporary Art) As A Community Benefit Project (640.09)

Recommendation: That Council designate the proposed development for the Museum of Contemporary Art Santa Barbara at 35 Anacapa Street as a Community Benefit Project pursuant to Santa Barbara Municipal Code section 28.85.020.A.1 and reserve 3,007 square feet of nonresidential floor area to the project from the Community Benefit Project category.

CONSENT CALENDAR (CONT'D)

8. **Subject: Cancellation of License Agreement No. 13,106 / Marine Mammal Center Barge (570.03)**

Recommendation: That Council cancel License Agreement No. 13,106, dated September 24, 1985, between the City of Santa Barbara and Peter Howorth, doing business as the Marine Mammal Center.

9. **Subject: Approval Of Emergency Purchase Order For Asphalt Repairs Resulting From Water Main Break On Milpas Street (530.04)**

Recommendation: That Council approve an emergency Purchase Order for \$42,495.50 to Lash Construction for asphalt repairs resulting from a water main break.

10. **Subject: Increase In Construction Change Order Authority For The Braemar Wastewater Lift Station Valve Replacement Project (540.01)**

Recommendation: That Council authorize an increase in the General Services Manager's Change Order Authority to approve expenditures for extra work for Braemar Wastewater Lift Station Valve Replacement Project, Purchase Order No. 31602036, in the amount of \$35,402, for a total contract expenditure authority of \$167,402.

11. **Subject: Contract For Design Of The De La Vina Street Bridge Replacement Project (530.04)**

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Bengal Engineering, Inc., in the amount of \$812,242 for design services for the De La Vina Street Bridge Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$81,224 for extra services of Bengal Engineering Inc., that may result from necessary changes in the scope of work.

CONSENT CALENDAR (CONT'D)

12. **Subject: Contract For Construction Of Lower State Street Railroad Crossing Safety Improvements Project (530.04)**

Recommendation: That Council:

- A. Award a contract with John Madonna Construction Company, Inc., in their low bid amount of \$616,339 for construction of the Lower State Street Railroad Crossing Safety Improvements Project, Bid No. 3791; and authorize the Public Works Director to execute the contract and approve expenditures up to \$75,661 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 increase in appropriations and estimated revenues in the Fiscal Year 2017 Streets Grant Fund by \$315,000 from the Caltrans Railway-Highways Crossing (Section 130) Program grant for construction.

13. **Subject: Set A Date For Public Hearing Regarding Appeal Of Historic Landmark Commission's Review Approval For 129 East Anapamu Street (640.07)**

Recommendation: That Council:

- A. Set the date of December 13, 2016, at 2:00 p.m. for hearing the appeal filed by John and Anna Campbell of the Historic Landmarks Commission's Review After Final conditional approval of a new wheelchair lift involving an application for property owned by 129 Anapamu, LLC and located at 129 East Anapamu Street, Assessor's Parcel No.: 029-121-013, C-2 Zone, Application No. MST2015-00233. The project proposes approval of tenant improvements to commercial property including demolition of an existing 450 square foot deck to be replaced with a new 320 square foot raised deck, new wooden trellis, side exit door, new windows, new wheelchair lift, new trash enclosure and minor landscaping alterations.
- B. Set the date of December 12, 2016, at 1:30 p.m. for a site visit to the property located at 129 Anapamu Street.

NOTICES

- 14. The City Clerk has on Thursday, December 1, 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.
- 15. A City Council site visit is scheduled for Monday, December 12, 2016, at 1:30 p.m. to the property located at 129 E. Anapamu Street; 129 E. Anapamu Street is the subject of an appeal hearing set for December 13, 2016 at 2:00 p.m.

This concludes the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

FINANCE DEPARTMENT

- 16. Subject: Materials Delivery Commitment And Processing Services Agreement With The County Of Santa Barbara And The City Of Santa Barbara For The Tajiguas Resource Recovery Project (630.06)**

Recommendation: That Council:

- A. Consider the Final Subsequent Environmental Impact Report for the Tajiguas Resource Recovery Project and make the required CEQA findings for approval of the Tajiguas Resource Recovery Project Materials Delivery Commitment and Processing Services Agreement as specified in the Attachment; and
- B. 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 Administrator, or his or her designee, of the Tajiguas Resource Recovery Project Materials Delivery Commitment and Processing Services Agreement between the County of Santa Barbara and the City of Santa Barbara.

PUBLIC WORKS DEPARTMENT

- 17. Subject: Amended Stage Three Drought Declaration Restricting The Watering Of Turfgrass To Achieve 40% Water Conservation (540.01)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Establishing a Revised Water Use Reduction Target and Updated Water Use Regulations Effective During a Stage Three Emergency, and Repealing Resolution Nos. 14-009, 14-027, 15-036, and 16-023.

- 18. Subject: Update On Renewable Energy Options For Desalination (630.06)**

Recommendation: That Council hear a presentation from staff regarding renewable energy options for offsetting greenhouse gas emissions produced by the operation of the City of Santa Barbara's Charles Meyer Desalination Plant.

MAYOR AND COUNCIL REPORTS

19. Subject: Appointments To City Advisory Groups (140.05)

Recommendation: That Council make appointments to the City's advisory groups.

QUASI-JUDICIAL HEARING RULES APPLY TO THIS ITEM

PUBLIC HEARINGS

20. Subject: Appeal Of Planning Commission Denial Of A Coastal Development Permit For 1925 El Camino De La Luz Residence Project (640.07)

Recommendation: That Council:

- A. Consider the Final Mitigated Negative Declaration and Addendum for the project at 1925 El Camino De La Luz and make the CEQA findings specified in this Council Agenda Report; and
- B. Take one of the following three actions to resolve the appeal of the Planning Commission's denial of a Coastal Development Permit for a residential project at 1925 El Camino De La Luz:
 1. Deny the appeal of the applicant, Emprise Trust, and uphold the Planning Commission's denial of the project; or
 2. Uphold the applicant's appeal, and approve the project (consistent with the City's certified Local Coastal Plan), including adoption of the Final Mitigated Negative Declaration and Addendum; or
 3. Uphold the applicant's appeal, and approve the project under Coastal Act Section 30010 provisions for avoiding a taking, including adoption of the Final Mitigated Negative Declaration and Addendum; and
- C. Direct staff to return to Council with Decision and Findings reflecting the outcome of the appeal.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

PUBLIC COMMENT (IF NECESSARY)

ADJOURNMENT

To Monday, December 12, 2016, at 1:30 p.m. at 129 East Anapamu Street.
(See Agenda Item No. 15)