

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 10, 2017 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 January 31, 2017.

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 December 13, 2016, and the cancelled regular meetings of December 20 and 27, 2016, and January 3, 2017.

3. Subject: November 2016 Investment Report (260.02)

Recommendation: That Council accept the November 2016 Investment Report.

4. Subject: Office Lease Agreement With Santa Barbara Fish Market (570.03)

Recommendation: That Council approve a five-year lease agreement with Santa Barbara Fish Market, Inc., at an average initial base rent of \$2,187.85 per month, for the 734 square foot office space located at 132 Harbor Way, Suite B, which is located above the West Marine store.

CONSENT CALENDAR (CONT'D)

5. **Subject: Approval Of Emergency Purchase Order For El Estero Recycled Water Treatment Plant Piping Repairs (540.13)**

Recommendation: That Council approve an emergency Purchase Order for \$44,236 to Stanek Constructors, Inc., for repair of damaged piping at the Recycled Water Treatment Plant.

6. **Subject: Downtown Santa Barbara Annual Assessment Report For 2017 And Intention To Levy (290.00)**

Recommendation: That Council:

- A. Approve the Downtown and Old Town Business Improvement District Annual Assessment Report for 2017; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring Council's Intention to Levy Downtown Business Improvement District and Old Town Business Improvement District Assessment Rates for 2017, at a Public Hearing to be Held on February 28, 2017, at 2:00 p.m.

7. **Subject: Authorization To Amend Agreement For Legal Services With Colantuono, Highsmith & Whatley, PC for *Kendra L. Feshbach v. City of Santa Barbara*. (160.01)**

Recommendation: That Council authorize the City Attorney to amend Legal Services Agreement Number 21600170 with Colantuono, Highsmith & Whatley, PC to increase the not to exceed amount by \$115,000 from \$35,000 to \$150,000 for special counsel services related to for *Kendra L. Feshbach v. City Of Santa Barbara* SBSC Case No. 16CV03385.

NOTICES

8. The City Clerk has on Thursday, January 5, 2017, 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

CITY ADMINISTRATOR

9. Subject: Presentation From The Wolf Museum Of Exploration And Innovation (330.01)

Recommendation: That Council receive a presentation from the Wolf Museum of Exploration and Innovation.

PUBLIC WORKS DEPARTMENT

10. Subject: Increase In Construction Change Order Authority For The Charles E. Meyer Desalination Facility (540.08)

Recommendation: That Council:

- A. Authorize an increase in the Public Works Director's Change Order Authority to approve expenditures for extra work and a claims resolution contingency for the Charles E. Meyer Desalination Facility contract with IDE Americas, Inc., Contract No. 25,277, in the amount of \$9,575,000, for a total Project expenditure authority of \$60,926,654;
- B. Authorize an increase in the extra services amount with Carollo Engineers, Inc., for to the Owner Support Services contract for the Charles E. Meyer Desalination Facility, Contract No. 25,222, in the amount of \$200,000, for a total Project expenditure authority of \$2,623,782;
- C. Authorize the Public Works Director to amend and increase a City Professional Services Contract for cultural monitoring with Patrick Tumamait, Contract No. 21600039, in an amount of \$25,000, for a total Project expenditure authority of \$95,000;
- D. Approve an increase in appropriations in the Water Fund in the amount of \$9,950,000, funded from the Water Fund reserves and authorize the transfer of such funds from the Water Fund to the Water State Revolving Fund (SRF) Loan Fund to cover the proposed cost increases related to the reactivation of the Charles E. Meyer Desalination Facility, including \$150,000 for City engineering staff time, until an amendment to the SRF Loan is authorized, at which time loan proceeds will be utilized to offset any use of reserves; and
- E. Approve an increase in appropriations and estimated revenues in the Water SRF Loan Fund in the amount of \$9,950,000, funded from the Water Fund reserves.

MAYOR AND COUNCIL REPORTS

11. Subject: Appointment Of Mayor Pro Tempore, Ordinance Committee, and Finance Committee (130.01)

Recommendation: That Council consider the appointment of a Mayor Pro Tempore, and Chairs and Members of the Ordinance and Finance Committees.

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

Recommendation: That Council consider the appointment of Liaisons to Advisory Boards and Commissions.

PUBLIC COMMENT (IF NECESSARY)

CLOSED SESSIONS

13. Subject: Conference With City Attorney - Pending Litigation (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (d)(1) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is *Santa Barbara Channelkeeper v. City of Santa Barbara*, USDC Case No. CV-1103624 JHN (AGRx).

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

QUASI-JUDICIAL HEARING RULES APPLY TO THIS ITEM

PUBLIC HEARINGS

14. Subject: Appeal Of Historic Landmarks Commission's Review After Final Approval For Alterations To A Restaurant At 129 E. Anapamu Street (640.07)

Recommendation: That Council consider the appeal of John and Anna Campbell, and the basis for the Historic Landmarks Commission decision to grant Review After Final Design Approval for tenant improvements at 129 E. Anapamu Street, in consideration of the Project Compatibility criteria provided in this report.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

ADJOURNMENT