

**CITY OF SANTA BARBARA  
CITY COUNCIL**

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



**Paul Casey**  
*City Administrator*

**Ariel Pierre Calonne**  
*City Attorney*

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

**MARCH 7, 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](http://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 March 31, 2017.

### **CHANGES TO THE AGENDA**

### **PUBLIC COMMENT**

### **CONSENT CALENDAR**

**2. Subject: Adoption Of Ordinance For Police Management Association Memorandum Of Understanding (330.05)**

Recommendation: That Council adopt by reading of title only, an Ordinance of the Council of the City of Santa Barbara adopting the 2017 Memorandum of Understanding between the City of Santa Barbara and the Santa Barbara Police Management Association.

(Cont'd)

## CONSENT CALENDAR (CONT'D)

**3. Subject: Waive Formal Competition Under The Best Interest Waiver And Approve Pro Force Law Enforcement As The Vendor To Provide Replacement Tasers To The Police Department (330.05)**

Recommendation: That Council:

- A. Waive the formal bid process as authorized by Municipal Code Section 4.52.070(L), Best Interest Waiver, and authorize the General Services Manager to issue a purchase order to Pro Force Law Enforcement as the most favorable source to provide the City with replacement Tasers in an amount not to exceed \$200,000.00, including four one-year renewal options;
- B. Approve a transfer of \$200,000 from existing appropriations in the Police Department, General Fund, Budget to the General Fund Capital Fund; and
- C. Increase appropriations and estimated revenues in the General Fund Capital Fund by \$200,000 for the Taser Replacement Project.

**4. Subject: Increase In Construction Change Order Authority For Arroyo Burro Creek Restoration At Barger Canyon (540.14)**

Recommendation: That Council:

- A. Authorize an increase in the Public Works Director's Change Order Authority to approve expenditures for extra work for Arroyo Burro Creek Restoration at Barger Canyon - Civil Contract, Contract No. 25,629 in the amount of \$62,768, for a total Project expenditure authority of \$753,211.50; and
- B. Approve an increase in appropriations and revenues in the Creeks Capital Fund in the amount of \$62,768 funded from the Creeks Capital Fund reserves for the Upper Arroyo Burro Creek Restoration Project.

## NOTICES

5. Subject: The City Clerk has on Thursday, March 2, 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.
6. Subject: Receipt of communication advising of vacancy created on the Creeks Advisory Committee with the resignation of Paul Bullock. This vacancy will be part of the next recruitment.

This concludes the Consent Calendar.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### **PUBLIC WORKS DEPARTMENT**

**7. Subject: Drought Update And Resolution Regarding Grant Application Requirements For The Federal Bureau Of Reclamation (540.05)**

Recommendation: That Council:

- A. Receive an update on the status of the current drought, drought-response capital projects, and continuing conservation efforts; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing Submittal of a Grant Application Under the Federal Bureau of Reclamation WaterSMART Drought Resiliency Projects Grant Program.

**8. Subject: Report On The Findings Of The Potable Reuse Feasibility Study (540.01)**

Recommendation: That Council receive a presentation summarizing the findings of the Potable Reuse Feasibility Study.

### **PUBLIC HEARINGS**

**9. Subject: Continuance Of Appeal Filed By The City Of Goleta Of The Planning Commission's Approval Of A Development Plan For A Light Industrial Park at 6100 Hollister Avenue (640.07)**

Recommendation: That Council continue the appeal filed by the City of Goleta of the Planning Commission's approval of a Development Plan for a Light Industrial Park at 6100 Hollister Avenue until April 11, 2017. The City of Goleta requested this continuance due to a scheduling conflict and staff recommends continuance to this date.

### **COUNCIL AND STAFF COMMUNICATIONS**

### **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

### **PUBLIC COMMENT (IF NECESSARY)**

## CLOSED SESSIONS

### 10. Subject: Conference with City Attorney - Existing and Anticipated Litigation (160.03)

Recommendation: That Council:

- A. Hold a closed session to confer with the City Attorney regarding existing litigation pursuant to Government Code section 54956.9(d)(1), and take appropriate action as needed.

The existing litigation is:

David Anduri, Sr. et al. v. City of Santa Barbara, et al., USDC Case No. 2:16-CV-05461-MWF-SK

Rafael Baez v. Simon Valdez Burrusqueta, et al., SBSC Case No. 16CV02541

Richard Burt, et al. v. City of Santa Barbara, et al., USDC Case No. CV1607340-AG(AJW)

Socorro Cortes v. City of Santa Barbara, SBSC Case No. 16CV04061

Patricia Dzukola v. City of Santa Barbara, SBSC Case No. 15CV04278

Kendra L. Feshbach, et al. v. City of Santa Barbara, SBSC Case No. 16CV03385; Related to SBSC Case No. 17CV00447

Andrew Furst v. City of Santa Barbara, et al., USDC case No. 5:15-CV-02428 VAP(SPx)

Rolland Jacks v. City of Santa Barbara, et al., COA Case No. B253474

Judy Johnson v. City of Santa Barbara, SBSC Case No. 17CV00709

Theodore P. Kracke v. City of Santa Barbara, VSC Case No. 56-2016-00490376-CU

Pete Leyva v. City of Santa Barbara, et al., SBSC Case No. 16CV00963

Roger McIntosh v. City of Santa Barbara, et al., SBSC Case No. 16CV05688

Passion Moore v. City of Santa Barbara, et al., COA Case No. 15-55316

Lizette Padilla-Lee, et al. v. Debbie Lux, et al., SBSC Case No. 1486999; Related to Lizette Padilla-Lee, et al. v. City of Santa Barbara, SBSC Case No. 15CV04680

Avelina Perez v. City of Santa Barbara, SBSC Case No. 16CV01235

Yvette Waugh v. City of Santa Barbara, SBSC Case No. 16CV03844

- B. Hold a closed session to confer with the City Attorney regarding anticipated litigation pursuant to Government Code section 54956.9(d)(2)&(e)(3), and take appropriate action as needed.

(Cont'd)

## **CLOSED SESSIONS (CONT'D)**

### **10. Subject: Conference with City Attorney - Existing and Anticipated Litigation (160.03) (Cont'd)**

The anticipated litigation is based upon:

Significant exposure to litigation arising out of the tort claim of Bridget Bryden

Significant exposure to litigation arising out of the tort claim of Sonya and Yvonne Huerta (Joel Huerta)

Significant exposure to litigation arising out of the tort claim of Mitchell Kriegman

Significant exposure to litigation arising out of the tort claim of Mountain Air Sports / SB Beach House, et al.

Significant exposure to litigation arising out of the tort claim of Eduardo Olide

Significant exposure to litigation arising out of the tort claim of 669 Del Parque Water Main Break

- C. Hold a closed session to confer with the City Attorney regarding anticipated litigation pursuant to Government Code section 54956.9(d)(4), and take appropriate action as needed. Initiation of litigation on one matter.

## **ADJOURNMENT**