

CITY OF SANTA BARBARA CITY COUNCIL

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Paul Casey
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Ariel Pierre Calonne
City Attorney

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

APRIL 11, 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.

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: Re-establishment Of The Sign Committee (120.03)

Recommendation: That the Ordinance Committee:

- A. Review and consider draft ordinance amendments to Santa Barbara Municipal Code Chapter 22.70 (Sign Regulations) to re-establish the Sign Committee to full committee status; and
- B. Recommend that the ordinance amendments be forwarded to the City Council for adoption.

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL ITEMS

1. **Subject: Proclamation Declaring April As National Poetry Month And Appointment Of Poet Laureate Enid Osbourne For 2017 - 2019 (120.04)**

Recommendation: That Council declare April as National Poetry Month and approve the City Arts Advisory Committee's recommendation for the City Poet Laureate from April 11, 2017 to April 1, 2019.

2. **Subject: National Library Week April 9-15, 2017 (120.04)**

Recommendation: That Council proclaim April 9-15, 2017 as National Library Week.

3. **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 April 30, 2017.

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

4. Subject: Reauthorization Of Public, Educational And Governmental Access Fees And Establishing A Schedule Of Penalties For State Franchised Video Service Providers (510.04)

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Reauthorizing a Fee for Public, Educational, and Government Access Purposes (PEG Fee) on State Video Franchise Holders within the City of Santa Barbara;
- B. Adopt, by reading of title only, a Resolution of the City of Santa Barbara Rescinding Resolution No. 13-049, Entitled "Establishing a Public, Education, and Government Access Fee on State Franchised Video Service Providers for Use in Providing Public, Educational and Government Access Video Services", Effective May 17, 2017; and
- C. Adopt, by reading of title only, A Resolution of the City Council of the City of Santa Barbara Establishing a Schedule of Penalties for State Franchised Video Service Providers that Breach Customer Service and Privacy Standards.

5. Subject: Introduction Of Ordinance Approving Sale Of Excess City Land At 20 West Mason Street Related To The Mason Street Bridge Replacement Project (530.04)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the City Administrator to Execute the Land Purchase Agreement, Escrow Instructions, and Grant Deed as Approved by the City Attorney for the Sale of Certain City Excess Land, Located at 20 West Mason Street, to James and Kelly Hallman in the amount of \$2,300,098.

6. Subject: Introduction Of Ordinance For Agreement To Use Recycled Water For Irrigation At The First Baptist Church Of Santa Barbara At 949 Veronica Springs Road (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 First Baptist Church of Santa Barbara for Purchase, Use, and Delivery of the City's Recycled Water.

CONSENT CALENDAR (CONT'D.)

7. **Subject: Introduction Of Ordinance For Agreement To Use Recycled Water For Irrigation At Stonecreek Owners' Association On Portions Of Rebecca Lane, Stonecreek Road And Richelle Lane (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 Stonecreek Owners' Association for Purchase, Use, and Delivery of the City's Recycled Water.

8. **Subject: Resolution Of Acceptance Of Grant Deeds For Public Street Purposes From Development Projects At 717 North Milpas, 3880 State, And 3869 State Streets (530.04)**

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting an Easement for Street Purposes on the Property Known as 717 North Milpas Street;
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting an Easement for Street Purposes on the Property Known at 3880 State Street; and
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting a Portion of Land In Fee for Street Purposes on the Property Known as 3869 State Street.

9. **Subject: Contract For Construction Of La Cumbre Sidewalk Infill Project, Phase 1 (530.04)**

Recommendation: That Council:

- A. Reject the apparent low bid from Alpha to Omega Constructors of \$334,562.63 for the La Cumbre Sidewalk Infill Project, Phase 1 - Bid No. 3696, as non-responsive;
- B. Award a contract with S&H Civilworks, in their low bid amount of \$345,900 for construction of the La Cumbre Sidewalk Infill Project, Phase 1 - Bid No. 3696, and authorize the Public Works Director to execute the contract and approve expenditures up to \$34,590 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;

(Cont'd.)

CONSENT CALENDAR (CONT'D.)

9. Cont'd.

- C. Transfer \$139,227 of existing and appropriated Transportation Development Act funds to the Streets Grant Fund for construction;
- D. Transfer \$34,277 of existing and appropriated Streets Capital Fund funds to the Streets Grant Fund for construction; and
- E. Authorize the increase in appropriations and estimated revenues in the Fiscal Year 2017 Streets Grant Fund in the amount of \$440,276 funded from the local Measure A Grant (\$266,772), a transfer of funds from the Transportation Development Act Fund (\$139,227) and a transfer from the Streets Capital Fund for construction.

10. **Subject: Approval Of On-Call Engineering Service Firms For Water System Facilities (540.13)**

Recommendation: That Council:

- A. Approve a list of pre-qualified professional engineering firms to provide on-call engineering services for Water System Facilities, that will expire on April 11, 2020;
- B. Authorize the Public Works Director to execute a three-year Master Agreement with Carollo Engineers in the amount of \$350,000; and
- C. Authorize the Public Works Director to execute a three-year Master Agreement with Dudek, in the amount of \$350,000.

11. **Subject: Amendment Of Agreement With Bureau Veritas - Increasing Contract For Plan Review Services (610.01)**

Recommendation: That Council approve the Second Amendment to Agreement No. 25387 and the associated contract to increase funding by \$69,000 for a total amount of \$229,000 with Bureau Veritas for plan review services.

12. **Subject: Monetary Donation for Animal Control Program Equipment (520.05)**

Recommendation: That Council:

- A. Accept a donation of \$5,400 from the Deborah K. Oldham Trust of 2001 for the Animal Control program; and
- B. Increase appropriations and estimated revenues in the Fiscal Year 2017 Police Department Miscellaneous Grants Fund for Animal Control equipment in the amount of \$5,400.

CONSENT CALENDAR (CONT'D.)

13. Subject: Increase Contract For Professional Services For Polygraphs For Police Department Personnel (520.04)

Recommendation: That Council authorize the Chief of Police to execute an increase of \$10,000 in the professional services agreement with polygraph examiner Joe Delia, bringing the total cost of a three-year agreement from \$45,000 to \$55,000 to cover the cost of performing polygraph tests for potential Police Department personnel through June 30, 2017.

14. Subject: Authorization For Execution Of Lease Agreement - Pretreatment Equipment For The Cater Water Treatment Plant (540.1)

Recommendation: That Council authorize the Public Works Director to execute a five-year lease agreement, subject to approval as to form by the City Attorney, with Premier Materials Technology, Inc., for pretreatment equipment to assist the Cater Water Treatment Plant at a monthly lease rate of \$5,014.96 or \$60,179.52 per year.

15. Subject: Set A Date For Public Hearing Regarding Appeal Of The Parks And Recreation Commission's Denial For Removal Of A Nicholas Willow Leafed Peppermint Tree Located At 2514 Castillo Street (570.08)

Recommendation: That Council:

- A. Set the date of May 2, 2017, at 2:00 p.m. for hearing the appeal filed by Blanca F. Benedict of the Parks and Recreation Commission denial of an application for removal of a Eucalyptus nicholii, Nichols Willow Leafed Peppermint tree located at 2514 Castillo Street; and
- B. Set the date of May 1, 2017, at 1:30 p.m. for a site visit to the property located at 2514 Castillo Street.

PUBLIC HEARINGS

16. Subject: Notice Of Intent To Adopt A Resolution Of Necessity To Acquire Real Property Interests For The De La Guerra Street Bridge Replacement Project (330.03)

Recommendation: That Council adopt, by reading of title only, unless a timely request for hearing is received, A Resolution of Necessity of the Council of the City of Santa Barbara to Acquire Real Property Rights on the Property Commonly Known as the De La Guerra Square Owners' Association Located at 314, 316, and 318 West De La Guerra Street.

CONSENT CALENDAR (CONT'D.)

NOTICES

17. Subject: The City Clerk has on Thursday, April 6, 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.
18. Subject: Receipt of communication advising of vacancy created on the Community Events and Festival Committee with the resignation of Brad Nack. This vacancy will be part of the current recruitment.

This concludes the Consent Calendar.

REPORT FROM THE ORDINANCE COMMITTEE

CLOSED SESSIONS

19. 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 section 54956.9(d)(2) & (e)(2) and take appropriate action as needed.

The anticipated litigation is based upon significant exposure to litigation arising out of the City of Goleta's appeal of the approval of development at 6100 Hollister Avenue.

Scheduling: Duration: 15 minutes; anytime
Report: None anticipated

20. 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 Mark Vierra v. City of Santa Barbara, WCAB Case #: ADJ9535185.

Scheduling: Duration, 20 minutes; anytime
Report: None anticipated

CLOSED SESSIONS (CONT'D.)

21. Subject: Conference With Real Property Negotiators (330.03)

Recommendation: That Council hold a closed session pursuant to Government Code Section 54956.8 to consider the possible acquisition of real property.

Real Property:	740 State Street, Suites 201 and 202, Santa Barbara (Leasehold interest)
City Negotiators:	Paul Casey, City Administrator; Bob Samario, Finance Director; Ariel Calonne, City Attorney
Negotiating Parties: Under Negotiation:	Mohammad and Gity Mahboob; Ray Mahboob Price and Terms of Payment
Scheduling:	Duration, 30 minutes; anytime
Report:	None anticipated

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

POLICE DEPARTMENT

22. Subject: Police Department Update (520.04)

Recommendation: That Council receive an oral presentation from the Police Chief regarding the Santa Barbara Police Department.

PUBLIC HEARINGS

QUASI-JUDICIAL HEARING RULES APPLY TO THE FOLLOWING AGENDA ITEM

23. Subject: Appeal Of 6100 Hollister Avenue Light Industrial Project Approval (640.07)

Recommendation: That Council:

- A. Consider the appeal of Michelle Greene, Goleta City Manager, of the Planning Commission's approval of a Development Plan for a light industrial and commercial project at 6100 Hollister Avenue; and
- B. Take one of the following three actions:
 - 1. Approve the Development Plan for the 6100 Hollister Avenue light industrial and commercial project, making findings supporting the action and subject to conditions of approval; or
 - 2. Continue the item with direction to staff about changes to the project, conditions of approval, and/or CEQA review process, and a return for further action; or
 - 3. Deny the project, making supporting findings.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

PUBLIC COMMENT (IF NECESSARY)

ADJOURNMENT