



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING September 18, 2012 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:00 p.m. (The Finance and Ordinance Committees, which ordinarily meet at 12:30 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Dale Francisco, Frank Hotchkiss, Grant House, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, City Clerk Services Manager Gwen Peirce.

CEREMONIAL ITEMS

1. Subject: Proclamation Declaring September 21, 2012 As Alzheimer's Action Day (120.04)

Action: Proclamation presented to representatives of the Alzheimer's Association.

PUBLIC COMMENT

Speakers: Stella Larson; Kenneth Loch; Sherrie Fisher, Santa Barbara Metropolitan Transit District; Phil Walker; Mike Jordan; Juanita Chatham and Shonnie DeArmond, Santa Barbara Peace Initiative; Steve Price; K8 Longstory.

CONSENT CALENDAR (Item Nos. 2 – 13)

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

Motion:

Councilmembers Murillo/Hotchkiss to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

2. Subject: Adoption Of Ordinance For A Lease Agreement With Clean Seas, L.L.C. (330.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Five-Year Lease Agreement with One Five-Year Option with Clean Seas, L.L.C. at a Monthly Rent of \$2,200, for Approximately 1,800 Square Feet of Water Area Adjacent to Marina 1-F Finger in the Santa Barbara Harbor, Effective October 18, 2012.

Action: Approved the recommendation; Ordinance No. 5593; Lease Agreement No. 24,252.

3. Subject: Adoption Of Ordinance For Amendments To Municipal Code 9.116 (520.02)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 9.116 of the Santa Barbara Municipal Code Relating to Emergency Services.

Action: Approved the recommendation; Ordinance No. 5594.

4. Subject: Adoption Of Ordinance For Signature Flight Support Corporation Restated Lease (330.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Airport Director to Execute a Restated Lease Agreement No. 12,037 Dated August 1, 1983, As Amended, Between Signature Flight Support Corporation, a California Corporation, and the City of Santa Barbara Encompassing Approximately 938,321 Square Feet Located at 515 Robert Marxmiller Place at the Santa Barbara Airport.

Action: Approved the recommendation; Ordinance No. 5595.

5. Subject: Adoption Of Ordinance Approving Sale Of City Surplus Real Property Located At 309 West Ortega Street (330.03)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the Sale of the Surplus Real Property Located at 309 West Ortega Street (APN 037-113-007) to Raquel Medina, an Unmarried Woman, in the High Bid Amount of \$400,300.

Action: Approved the recommendation; Ordinance No. 5596; Agreement No. 24,253.

6. Subject: Introduction Of Ordinance Approving Sale Of City Surplus Real Property Located At 136 West Haley Street and 306 West Ortega Street (330.03)

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the Sale of the Surplus Real Property Located at 136 West Haley Street (APN 037-162-010) to Victor Kirschbaum, in the high bid amount of \$350,000, and 306 West Ortega Street (APN 037-073-028) to G. Scott Armstrong & Cathy L. Armstrong, Trustees of the Armstrong Family Trust U/A/D 2/12/02, in the high bid amount of \$250,000; and
- B. Authorize the City Administrator to execute the Land Purchase Agreements and Escrow Instructions and Title Transfer Documents, as approved by the City Attorney, to effectuate the sale of the real property located at 136 West Haley Street and 306 West Ortega Street.

Action: Approved the recommendations (September 18, 2012 report from the Public Works Director; proposed ordinance).

7. Subject: Contract For Construction For The La Colina Road Sidewalk Infill Project (530.04)

Recommendation: That Council:

- A. Award a contract to Mendez Concrete, Inc., waiving minor irregularities, in their low bid amount of \$239,530.50 for construction of the La Colina Road Sidewalk Infill Project, Bid No. 3640;
- B. Authorize the Public Works Director to execute the contract and approve expenditures up to \$25,000 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. Accept Measure A Regional Safe Routes to School Grant funding in the total amount of \$111,004 for construction of the La Colina Road Sidewalk Infill Project; and

(Cont'd)

7. (Cont'd)

- D. Authorize the increase of estimated revenues and appropriations in the Fiscal Year 2013 Streets Grants Capital Fund by \$111,004 for the La Colina Road Sidewalk Infill Project.

Action: Approved the recommendations; Contract No. 24,254 (September 18, 2012 report from the Public Works Director).

8. Subject: Increase In Construction Change Order Authority For Cater Water Treatment Plant Advanced Treatment Project (540.10)

Recommendation: That Council authorize an increase in the Public Works Director's change order authority to approve expenditures for extra work for the Cater Water Treatment Plant Advanced Treatment Project, Contract No. 23,803 in the amount of \$886,016 for a total project change order authority of \$2,284,016, bringing the total contract amount to \$16,264,016.

Action: Approved the recommendation (September 18, 2012 report from the Public Works Director).

9. Subject: Contract For Capital Campaign Counsel For Children's Library And Endowment Fundraising Campaign (570.04)

Recommendation: That Council:

- A. Authorize the Library Director to execute a Professional Services Contract in a form of contract approved by the City Attorney, with Whaley LeVay in the amount of \$96,000 for Library Capital Campaign Counsel for a fundraising campaign of \$5,000,000 for a new Children's Library and an endowment for future library services;
- B. Authorize the transfer of \$96,000 from the Library's Maximus Trust account to the Library Department's General Fund; and
- C. Increase estimated revenues and appropriations in the Fiscal Year 2013 Library Department, General Fund, by \$96,000.

Speaker:

Staff: Library Director Irene Macias.

Action: Approved the recommendations; Professional Services Contract No. 24,255 (September 18, 2012 report from the Library Director).

10. Subject: Purchase Of New Internet Website (170.04)

Recommendation: That Council:

- A. Authorize the Administrative Services Director to negotiate and execute a professional services agreement, in a form of agreement acceptable to the City Attorney, with PixelPushers, Inc., doing business as Civica Software, for the acquisition and implementation of a new City Internet website in an amount not to exceed \$130,000;
- B. Authorize the Administrative Services Director to approve additional services that may be identified during the implementation phase, in an amount not to exceed \$13,000;
- C. Authorize the Administrative Services Director to negotiate and execute a technical support and maintenance agreement, in a form acceptable to the City Attorney, for up to four years at an annual cost not to exceed \$5,880; and
- D. Appropriate \$43,000 in the Information Systems Capital Fund from reserves to cover the portion of the project not currently covered from existing appropriations.

Action: Approved the recommendations; Professional Services Agreement No. 24,256 (September 18, 2012 report from the Assistant City Administrator/ Administrative Services Director).

NOTICES

11. The City Clerk has on Thursday, September 13, 2012, 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.
12. Received letters of resignation from Santa Barbara Youth Council members Will Busch, Grant Sexton and Cody Sugarman; the vacancies will be part of the next recruitment for City Advisory Groups.
13. Recruitment for City Advisory Groups:
 - A. The City Clerk's Office will accept applications through Friday, October 19, 2012, at 5:00 p.m. to fill scheduled vacancies on various City Advisory Groups and the unscheduled vacancies resulting from resignations received in the City Clerk's Office through Wednesday, October 3, 2012;
 - B. The City Council will conduct interviews of applicants for vacancies on various City Advisory Groups on Tuesday, October 30, 2012, at 4:00 p.m. (Estimated Time), Tuesday, November 13, 2012, at 6:00 p.m., and Tuesday, November 20, 2012, at 4:00 p.m. (Estimated Time); and
 - C. The City Council will make appointments to fill vacancies on various City Advisory Groups on Tuesday, December 11, 2012.

This concluded the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ADMINISTRATOR

14. Subject: Introduction of Ordinance Adopting The 2012-2013 General Unit Memorandum of Understanding (440.02)

Recommendation: That Council:

- A. Ratify the Memorandum of Understanding between the City and the Santa Barbara City Employees' Association, Local 620, Service Employees' International Union, for the period of July 1, 2012 through September 30, 2013 and provide for certain compensation and benefit adjustments for Confidential employees, by introduction and subsequent adoption of, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting the 2012-2013 Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara City Employees' Association (General Unit) and Providing for Compensation Changes for Confidential Employees; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 12-042, the Position and Salary Control Resolution for Fiscal Year 2013, Affecting the Public Works Department, Effective September 18, 2012.

Documents:

- September 18, 2012 report from the Assistant City Administrator/ Administrative Services Director.
- Proposed Ordinance.
- Proposed Resolution.

The titles of the ordinance and resolution were read.

Speaker:

Staff: Employee Relations Manager Kristine Schmidt.

Motion:

Councilmembers House/Rowse to approve the recommendations; Resolution No. 12-064.

Vote:

Unanimous roll call vote.

COMMUNITY DEVELOPMENT DEPARTMENT

15. Subject: Santa Barbara Climate Action Plan (650.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the Santa Barbara Climate Action Plan and Making Environmental Findings Pursuant to the California Environmental Quality Act.

Documents:

- September 18, 2012 report from the Assistant City Administrator/Community Development Director.
- Proposed Resolution.
- September 18, 2012 PowerPoint presentation prepared and made by Staff.
- September 18, 2012 document presented by Jim Caldwell, Santa Barbara Association of Realtors.

The title of the resolution was read.

Public Comment Opened:

3:29 p.m.

Speakers:

- Staff: Assistant City Administrator/Community Development Director Paul Casey, Project Planner/Environmental Analyst Barbara Shelton, Principal Planner John Ledbetter, Water Resources Manager Rebecca Bjork, Facilities Manager Jim Dewey.
- Members of the Public: Susan Shank, Santa Barbara League of Women Voters; Steve Little; Sherrie Fisher, Santa Barbara Metropolitan Transit District; Robert Bernstein, Sierra Club; Michael Chiacos, Community Environmental Council; Phil Walker; Hillary Hauser, Heal the Ocean; Jim Caldwell, Santa Barbara Association of Realtors.

Public Comment Closed:

3:48 p.m.

Motion:

Councilmembers White/Francisco to approve the recommendations; Resolution No. 12-065.

Vote:

Majority roll call vote (Noes: Councilmember House).

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Murillo reported on recent Neighborhood Advisory Council and Youth Council meetings.
- Councilmember Rowse reported on a recent Downtown Parking Committee meeting.
- Mayor Schneider expressed her appreciation to City staff who participated in the United Way Day of Caring event.

RECESS

Mayor Schneider recessed the meeting at 4:58 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 16 and 17, and said that no reportable action is anticipated.

CLOSED SESSIONS

16. Subject: Conference with Legal Counsel – Pending Litigation (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (a) 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

Document:

September 18, 2012 report from the City Attorney.

Time:

5:03 p.m. – 5:17 p.m.

No report made.

17. Subject: Conference With Labor Negotiator (440.05)

Recommendation: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristy Schmidt, Employee Relations Manager, regarding negotiations with the Police Management Association and the new Fire Management Association, and regarding discussions with certain unrepresented managers about salaries and fringe benefits.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

(Cont'd)

17. (Cont'd)

Document:

September 18, 2012 report from the Assistant City Administrator/
Administrative Services Director.

Time:

5:20 p.m. – 6:00 p.m.

No report made.

RECESS

6:00 p.m. – 6:03 p.m.

Mayor Schneider presiding.

Councilmembers present: Francisco, Hotchkiss, House, Murillo, Rowse, White, Mayor
Schneider.

Councilmembers absent: None.

Staff present: City Administrator Armstrong, City Clerk Services Manager Peirce.

PUBLIC COMMENT

No one wished to speak.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

18. Subject: General Plan Implementation - Public Works Priorities (650.06)

Recommendation: That Council provide direction on priorities for Public Works
Department resources regarding implementation of the General Plan and other
interests in Neighborhood Transportation Management Plans to address
pedestrian and traffic safety.

Documents:

- September 18, 2012 report from the Public Works Director.
- September 18, 2012 PowerPoint presentation prepared and made by
Staff.
- September 18, 2012 document and video presented by Caitlin Carlson,
Coalition for Sustainable Transportation (COAST) Eastside Walks.

(Cont'd)

18. (Cont'd)

Speakers:

- Staff: Public Works Director Christine Andersen, Transportation Manager Browning Allen, Principal Transportation Planner Rob Dayton.
- Neighborhood Advisory Council: Chair Theresa Pena.
- Members of the Public: Caitlin Carlson, Ana Rico, Lupe Gonzalez, Eva Inbar, Cynthia White, Ann Harkey, Sebastian Aldana, Jr., John Kelley, David VanHoy, Dennis Thompson, Jessica Urrea.

Motion:

Mayor Schneider/Councilmember Francisco to direct staff to conduct community outreach and return to Council with both short-term and long-term implementation projects for the Eastside neighborhood, coinciding with the budget process, as well as a policy discussion for the allocation of Community Development Block Grant capital funds for Fiscal Year 2014.

Vote:

Unanimous voice vote.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 7:53 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST: _____
GWEN PEIRCE, CMC
CITY CLERK SERVICES MANAGER