

**CITY OF SANTA BARBARA
CITY COUNCIL**

Helene Schneider
Mayor
Randy Rowse
Mayor Pro Tempore
Grant House
Ordinance Committee Chair
Dale Francisco
Finance Committee Chair
Frank Hotchkiss
Cathy Murillo
Bendy White



James L. Armstrong
City Administrator

Stephen P. Wiley
City Attorney

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

**MAY 14, 2013
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: In compliance with the Americans with Disabilities Act, if you need special assistance to gain access to, comment at, or participate in this meeting, please contact the City Administrator's Office at 564-5305 or inquire at the City Clerk's Office on the day of the meeting. If possible, notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements in most cases.

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.citytv18.com for rebroadcasts of Finance and Ordinance Committee meetings, and for any changes to the replay schedule.

ORDER OF BUSINESS

- 11:00 a.m. - Special Finance Committee Meeting, David Gebhard Public Meeting Room, 630 Garden Street
- 12:00 p.m. - Special Ordinance Committee Meeting, Council Chamber
- 2:00 p.m. - City Council Meeting Begins
- 5:00 p.m. - Recess
- 6:00 p.m. - City Council Meeting Reconvenes

SPECIAL FINANCE COMMITTEE MEETING - 11:00 A.M. IN THE DAVID GEBHARD PUBLIC MEETING ROOM, 630 GARDEN STREET (120.03)

1. Subject: Fiscal Year 2013 Third Quarter Review

Recommendation: That the Finance Committee recommend that Council:

- A. Hear a report from staff on the status of revenues and expenditures in relation to budget for the nine months ended March 31, 2013;
- B. Accept the Fiscal Year 2013 Interim Financial Statements for the Nine Months Ended March 31, 2013; and
- C. Approve the proposed third quarter adjustments to Fiscal Year 2013 appropriations and estimated revenues as detailed in the attached schedule of Proposed Third Quarter Adjustments.

(See Council Agenda Item No. 14)

2. Subject: Finance Committee Review Of The Proposed Two-Year Financial Plan For Fiscal Years 2014 And 2015

Recommendation: That the Finance Committee hear a report from staff on the Proposed Two-Year Financial Plan for Fiscal Years 2014 and 2015, including the Recommended Budget for Fiscal Year 2014.

SPECIAL ORDINANCE COMMITTEE MEETING - 12:00 P.M. IN THE COUNCIL CHAMBER (120.03)

Subject: Municipal Code Amendments For Implementation Of The Average Unit-Size Density (AUD) Incentive Program

Recommendation: That the Ordinance Committee consider proposed amendments to the Municipal Code for implementation of the Average Unit-Size Density Incentive Program.

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL ITEMS

1. **Subject: Proclamation Declaring May 19-25, 2013, As National Public Works Week (120.04)**

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

2. **Subject: Minutes**

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of April 23, 2013, and the special meetings of May 1 and 2, 2013.

3. **Subject: Adoption Of Ordinance For Power Purchase Agreement (380.01)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the City of Santa Barbara Authorizing the Execution and Delivery of a California Renewable Energy Small Tariff Agreement with Southern California Edison, Inc., for the Purpose of Selling Electricity, Generated at the City's Conduit Hydroelectric Plant, and Authorizing Related Actions.

CONSENT CALENDAR (CONT'D)

4. Subject: Adoption Of Ordinance For Fire Management Memorandum of Understanding (440.02)

Recommendation: That Council ratify the Memorandum of Understanding between the City of Santa Barbara and the Santa Barbara Fire Managers Association for the period of July 1, 2012, through June 30, 2015, by adoption of, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting the 2012-2015 Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara Fire Managers Association.

5. Subject: Records Destruction For Airport Department (160.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the Airport Department in the Administration Division.

6. Subject: Agreements With Martin & Chapman Company And Donna M. Grindey, CMC, For Election Services Related To The November 5, 2013, General Municipal Election (110.03)

Recommendation: That Council:

- A. Authorize the Assistant City Administrator to execute a \$134,000 professional services agreement with Martin & Chapman Company for election services necessary concerning the City's November 2013 General Election, and to approve expenditures of up to \$20,100 for extra services that may result from necessary changes in the scope of work; and
- B. Authorize the Assistant City Administrator to execute a \$30,000 professional services agreement with Donna M. Grindey, CMC, for election services, and to approve expenditures of up to \$4,500 for extra services that may result from necessary changes in the scope of work.

7. Subject: Representative Services Agreement With Carpi & Clay, Inc. (570.03)

Recommendation: That Council authorize the Waterfront Director to execute a Representative Services Agreement between the City of Santa Barbara and Carpi & Clay, Inc., doing business as Carpi, Clay & Smith, for liaison and contact services with the United States Government, at a rate not to exceed \$1,600 per

month, and in a total amount not to exceed \$38,400 for Fiscal Years 2014 and 2015.

CONSENT CALENDAR (CONT'D)

8. Subject: Authorization To Award A Purchase Order For The Airport Building 247 Demolition Project (560.04)

Recommendation: That Council authorize the General Services Manager to issue a purchase order with Tryco Contracting Company, in their low bid amount of \$67,000 for the Airport Building 247 Demolition Project, Bid Number 3692, and approve expenditures of up to \$6,700 for extra services of Tryco Contracting Company that may result from necessary changes in the scope of work.

9. Subject: Contract For Construction For The Chapala Street Bridge Replacement Project (530.04)

Recommendation: That Council:

- A. Award a contract with Granite Construction Company in their low bid amount of \$1,411,510 for construction of the Chapala Street Bridge Replacement Project, Bid No. 3590;
- B. Authorize the Public Works Director to execute the contract in the amount of \$1,411,510 with Granite Construction Company and approve expenditures up to \$141,151 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. Authorize the Public Works Director to execute a contract with MNS Engineers, Incorporated, in the amount of \$478,596 for construction management services, and approve expenditures of up to \$16,404 for extra services of MNS Engineers that may result from necessary changes in the scope of work;
- D. Authorize the Public Works Director to execute a contract with Drake Haglan and Associates in the amount of \$45,080 for design support services during construction;
- E. Accept Federal Highway Administration Grant funding in the total amount of \$2,188,562 to cover the cost of construction;
- F. Increase appropriations and estimated revenues by \$2,188,562 in the Fiscal Year 2013 Streets Capital Fund for the Chapala Street Bridge Replacement Project funded by the Federal Highway Administration Grant;
- G. Authorize an appropriation of \$74,537 from available Streets Fund reserves to cover final City costs for the design and right-of-way phases as well as to cover the cost of work not eligible for reimbursement during the construction phase of this Project; and

- H. Increase appropriations and estimated revenues by \$2,000 in the Fiscal Year 2013 Streets Capital Fund for the Chapala Street Bridge Replacement Project from revenues from granting Crown Castle a utility easement.

CONSENT CALENDAR (CONT'D)

10. Subject: Tax Equity And Fiscal Responsibility Act Hearing for Covenant Retirement Communities, Inc. (Samarkand) Debt Issuance (280.01)

Recommendation: That Council hold a public hearing and adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving a Tax-Exempt Bond Financing to be Issued by the California Statewide Communities Development Authority to Benefit Covenant Retirement Communities, Inc., and Certain Affiliates.

11. Subject: Resolution Approving Application For Clean Beaches Initiative Grant (570.05)

Recommendation: That Council adopt by reading of title only, A Resolution of the Council of the City of Santa Barbara, Authorizing the Public Works Director to Submit a Clean Beaches Initiative Grant Application in an Amount Not to Exceed \$675,000, and Execute an Agreement with the California State Water Resources Control Board Grant Program.

12. Subject: Set A Date For Public Hearing Regarding Proposed Designation Of City Landmarks (640.06)

Recommendation: That Council set the date of June 18, 2013, at 2:00 p.m. for a public hearing to consider the proposed designation of multiple buildings at El Encanto Hotel as a City historic district.

NOTICES

13. The City Clerk has on Thursday, May 9, 2013, 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.

REPORT FROM THE FINANCE COMMITTEE

REPORT FROM THE ORDINANCE COMMITTEE

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

FINANCE DEPARTMENT

14. Subject: Fiscal Year 2013 Third Quarter Review (250.02)

Recommendation: That Council:

- A. Hear a report from staff on the status of revenues and expenditures in relation to budget for the nine months ended March 31, 2013;
- B. Accept the Fiscal Year 2013 Interim Financial Statements for the Nine Months Ended March 31, 2013; and
- C. Approve the proposed third quarter adjustments to Fiscal Year 2013 appropriations and estimated revenues as detailed in the schedule of Proposed Third Quarter Adjustments.

PUBLIC WORKS DEPARTMENT

15. Subject: Resolution To Place The Exchange Of A Leased Excess Portion Of MacKenzie Park On The Municipal Election Ballot In November 2013 (330.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Placement of a Measure on the November 2013 General Election Ballot to Obtain Voter Approval to Exchange 14,564 Square Feet of MacKenzie Park Property for 12,511 Square Feet of the Adjacent U.S. Army Reserve Center Property, as Required by City Charter Section 520.

PUBLIC HEARINGS

16. Subject: Appeal Of The Fire And Police Commission's Sixty (60) Day Suspension Of The Nightclub Dance Permit For Whiskey Richards (520.01)

Recommendation: That Council deny the appeal of William (Bill) Clayton, owner of Whiskey Richards nightclub, upholding the Fire and Police Commission's decision to suspend the nightclub dance permit for Whiskey Richards for a period of 60 days.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

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 Bargaining Unit, Supervisors' Bargaining Unit, and the General Bargaining Unit, and regarding discussions with certain unrepresented managers about salaries and fringe benefits.

RECESS

EVENING SESSION

RECONVENE

ROLL CALL

PUBLIC COMMENT

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ADMINISTRATOR

18. Subject: Request from Mayor Helene Schneider and Councilmember Bendy White for a Gang Injunction Informational Update (520.04)

Recommendation: That Council, as requested by Mayor Schneider and Councilmember White, receive an overview and update on the gang injunction.

ADJOURNMENT

