



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING May 7, 2013 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the joint meeting of the Council and the Santa Barbara Financing Authority to order at 2:00 p.m. (The Finance Committee met at 11:30 a.m. The Ordinance Committee, which ordinarily meets 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, Deputy City Clerk Susan Tschech.

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 May 31, 2013.

Documents:

May 7, 2013, report from the Assistant City Administrator/Administrative Services Director.

(Cont'd)

1. (Cont'd)

Speakers:

- Staff: City Administrator James Armstrong, Award Recipients Stephen Wiley, Bettie Weiss.
- Member of the Public: Kate Smith.

By consensus, the Council approved the recommendation, and the following employees were recognized:

5-Year Pin

Amber Anderson, Fire Department
Brian Baxter, Fire Department
Joshua Brousseau, Fire Department
Andrew Lee, Fire Department
Josef Mairleitner, Fire Department
Paul Spinale, Fire Department
Ernesto Lazaro, Public Works Department
Anthony Trejo, Public Works Department
Edmundo Aguilar, Public Works Department
Seth Gelber, Public Works Department
Laura Condon, Parks and Recreation Department
Jeffrey Langley, Parks and Recreation Department

10-Year Pin

Ramon Bravo, Public Works Department

15-Year Pin

Bruce McDonald, Public Works Department

20-Year Pin

R Patrick Kelly, Public Works Department

30-Year Pin

Stephen Wiley, City Attorney's Office
Bettie Weiss, Community Development Department

2. **Subject: Proclamation Declaring May 2013 As Public Gardens Appreciation Month (120.04)**

Action: Proclamation presented to Joni Kelly.

CHANGES TO THE AGENDA

Item Removed from Agenda

City Administrator Armstrong stated that the following item was being removed from the Agenda:

16. Subject: Public Employee Performance Evaluation - Government Code Section 54957 (160.01)

Recommendation: That Council hold a closed session for a Public Employee Performance Evaluation per Government Code Section 54957.

Title: City Attorney

Scheduling: Duration, 40 minutes; anytime

Report: None anticipated

(Continued from April 30, 2013)

PUBLIC COMMENT

Speakers: k8 longstory, Rasta Mom.

Councilmember Francisco left the meeting at 2:21 p.m. and returned at 2:26 p.m.

ITEM REMOVED FROM CONSENT CALENDAR

Councilmembers Hotchkiss and White stated they would abstain from voting on the following item due to conflicts of interest related to their ownership of property located within the Wildland Fire Suppression Assessment District.

8. Subject: Set A Date For Public Hearing Regarding Renewal Of Levy For Fiscal Year 2014 For The Wildland Fire Suppression Assessment (290.00)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring its Intention to Renew the Wildland Fire Suppression Assessment Within the Foothill and Extreme Foothill Zones; Declaring the Work to be of More Than General or Ordinary Benefit and Describing the District to be Assessed to Pay the Costs and Expenses Thereof; Preliminarily Approving the Updated Engineer's Report; Stating Intention to Levy Assessments for Fiscal Year 2013-2014; and Establishing a Time of 2:00 P.M. on Tuesday, May 21, 2013, in the City Council Chambers for a Public Hearing on the Wildland Fire Suppression Assessment.

Documents:

- May 7, 2013, report from the Fire Chief.
- Proposed Resolution.

The title of the resolution was read.

Motion:

Councilmembers Rowse/Murillo to approve the recommendation; Resolution No. 13-028.

Vote:

Unanimous roll call vote (Abstentions: Councilmembers Hotchkiss, White).

CONSENT CALENDAR (Item Nos. 3 – 7, 9 and 10)

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

Motion:

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

Vote:

Unanimous roll call vote.

3. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of April 30, 2013.

Action: Approved the recommendation.

4. Subject: Adoption Of Ordinance For City Consent To Sublease Amendment Between Signature Flight Support Corporation And Coastal Aviation Maintenance, LLC (330.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the City's Consent to an Amendment of a Sublease Between Signature Flight Support Corporation, a California Corporation, and Coastal Aviation Maintenance, LLC, a California Limited Liability Company, for the Sublease of a Portion of the Premises Leased to Signature Flight Support in Restated Lease Agreement No. 12037.2 Located at 303 John Donaldson Place.

Action: Approved the recommendation; Ordinance No. 5618; Agreement No. 12,037.3.

5. Subject: Introduction Of Ordinance For Power Purchase Agreement (380.01)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council 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.

Action: Approved the recommendation (May 7, 2013, report from the Public Works Director; proposed ordinance).

6. Subject: Introduction Of Ordinance For Fire Management Memorandum Of Understanding (440.02)

Recommendation: That Council:

- A. 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 introduction and subsequent 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
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara For Paying and Reporting the Value of Employer-Paid Member Contributions for Certain Fire Management Association Employees Effective January 12, 2013;
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara For Paying and Reporting the Value of Employer-Paid Member Contributions for Certain Fire Management Association Employees Effective June 29, 2013;
- D. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara For Paying and Reporting the Value of Employer-Paid Member Contributions for Certain Fire Management Association Employees Effective January 11, 2014; and
- E. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara For Paying and Reporting the Value of Employer-Paid Member Contributions for Certain Fire Management Association Employees Effective January 10, 2015.

Action: Approved the recommendations; Resolution Nos. 13-023 – 13-026 (May 7, 2013, report from the Assistant City Administrator; proposed ordinance and resolutions).

7. Subject: Acquisition Of Real Property At 15 And 20 W. Mason Street For The Mason Street Bridge Replacement Project (330.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara to Acquire and Accept In Fee the Real Property Interests Located at 15 and 20 W. Mason Street to Accommodate the Mason Street Bridge Replacement Project, and Authorize the Public Works Director to Execute Such Agreements and Documents, to be Approved as to Form by the City Attorney, as Necessary for the Acquisition and Acceptance of Said Real Property Interests, and Record Said Real Property Interests in the Official Records of the County of Santa Barbara.

Action: Approved the recommendation; Resolution No. 13-027; Agreement Nos. 24,493 and 24,494 (May 7, 2013, report from the Public Works Director; proposed resolution).

NOTICES

9. The City Clerk has on Thursday, May 2, 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.
10. Receipt of communications advising of vacancies created on: 1) the Rental Housing Mediation Task Force with the resignation of Pamela McMaster, and 2) the Santa Barbara Youth Council with the resignation of Sami Soto.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dale Francisco reported that the Committee met to hear Staff recommendations for the proposed refunding of Water Revenue Certificates Of Participation; the Committee approved the recommendations, which will be considered by the full Council as Item No. 11 on this Agenda. The Committee also reviewed proposed fee changes related to the Recommended Budget for Fiscal Year 2014.

FINANCING AUTHORITY REPORTS

11. Subject: 2013 Water Revenue Refunding Certificates Of Participation (240.04)

Recommendation:

- A. That the Board adopt, by reading of title only, A Resolution of the Board of Directors of the Santa Barbara Financing Authority Authorizing the Execution and Delivery by the Santa Barbara Financing Authority of an Installment Sale Agreement and a Trust Agreement in Connection With the Execution and Delivery of City of Santa Barbara Water Revenue Refunding Certificates of Participation, Series 2013, Authorizing the Execution and Delivery of Such Certificates Evidencing Principal in an Aggregate Amount of Not to Exceed \$30,000,000, and Authorizing Related Actions; and
- B. That Council adopt, by reading of title only, A Resolution of the City Council of the City of Santa Barbara Authorizing the Execution and Delivery by the City of an Escrow Agreement in Connection With the Execution and Delivery of City of Santa Barbara Water Revenue Refunding Certificates of Participation, Series 2013, Approving a Notice of Intention to Sell and Authorizing the Distribution of an Official Notice of Sale in Connection with Authorizing the Execution and Delivery of Such Certificates Evidencing Principal in an Aggregate Amount of Not to Exceed \$30,000,000, Authorizing the Distribution of a Preliminary Official Statement in Connection Therewith, and Authorizing Related Actions.

(Cont'd)

11. (Cont'd)

Documents:

- May 7, 2013, report from the Finance Director and the Assistant City Attorney.
- Proposed Resolutions.
- PowerPoint presentation prepared and made by Staff.

The titles of the resolutions were read.

Speakers:

- Staff: Finance Director Robert Samario.
- KNN (Financial Advisor): Managing Director David Brodsky.

Motion:

Council/Board members House/White to approve the recommendations; Financing Authority Resolution No. FA-008; City Council Resolution No. 13-029; City Council Agreement No. 24,495.

Vote:

Unanimous roll call vote.

SUCCESSOR AGENCY REPORTS

12. Subject: Proposed Approval Of Long-Range Property Management Plan (620.01)

Recommendation: That the Successor Agency to the Redevelopment Agency of the City of Santa Barbara approve the Long-Range Property Management Plan for the Calle Cesar Chavez, Bath Street, Paseo Nuevo, Children's Museum and Railroad Depot properties and request review and approval by the Oversight Board.

Documents:

- May 7, 2013, report from the Assistant City Administrator/Community Development Director.
- Long-Range Property Management Plans for the Calle Cesar Chavez, Railroad Depot Regional Transportation Center and Bath Street parcels, and for the Paseo Nuevo Shopping Center reversionary interest.
- PowerPoint presentation prepared and made by Staff.

Speakers:

Staff: Assistant City Administrator Paul Casey, City Attorney Stephen Wiley.

(Cont'd)

12. (Cont'd)

Motion:

Councilmember House to disapprove the Staff recommendation to dispose of the Calle Cesar Chavez parcels through sale, and direct Staff to negotiate with the State for the City's ownership of these properties.

The motion died for lack of a second.

Motion:

Councilmembers Rowse/White to approve the Staff recommendation.

Vote:

Unanimous voice vote.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

13. Subject: Adoption Of Resolution Of Necessity For The Cota Street Bridge Replacement Project (330.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of Necessity by the Council of the City of Santa Barbara to Acquire the Real Property Commonly Known as 230 W. Cota Street.

Documents:

- May 7, 2013, report from the Public Works Director.
- Proposed Resolution.

The title of the resolution was read.

Public Comment Opened:

3:29 p.m.

Speakers:

Staff: Principal Engineer John Ewasiuk, City Attorney Stephen Wiley.

Public Comment Closed:

3:39 p.m.

Motion:

Councilmembers Murillo/Rowse to approve the recommendation; Resolution No. 13-030.

Vote:

Unanimous roll call vote.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Murillo reported on her attendance at the following events:
1) Cinco de Mayo celebration at Harding School; 2) Puerto Vallarta Sister Cities dinner; and 3) Breakfast at McDonalds, held at the Milpas Street location of the restaurant.
- Councilmember Hotchkiss commented on the Breakfast at McDonalds event.
- Councilmember White also remarked on the Breakfast at McDonalds event, and he reported on his attendance at: 1) the UCSB Economic Forecast presentation; 2) the Courthouse Legacy Foundation gathering at the Courthouse Mural Room; and 3) a panel regarding sustainable tourism, where a speaker outlined strategies used by the State of Hawaii to reduce the impacts of tourism.
- Councilmember Rowse spoke about a proposal by the Downtown Organization Governmental Relations Committee to extend the Downtown Organization Business Improvement District down lower State Street to the beach; he also mentioned his attendance at an awards ceremony sponsored by Safe Launch, an organization which provides youth with opportunities to give written voice to their experiences with addiction.
- Councilmember House reported on his attendance at: 1) the recent meeting of the Community Action Commission, at which the impact of reduced funding for the Commission's services was discussed; and 2) the Teen Leadership Conference.

RECESS

The Mayor recessed the meeting at 3:53 p.m. in order for the Council to reconvene in closed session for Item Nos. 14, 15, and 17; no reportable action is anticipated.

CLOSED SESSIONS

14. Subject: Conference with Legal Counsel - Threatened Litigation (160.03)

Recommendation: That Council hold a closed session to consider significant exposure to litigation (one potential case) pursuant to subsection (b)(1) of section 54956.9 of the Government Code and take appropriate action as needed.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

May 7, 2013, report from the City Attorney.

Time:

3:55 p.m. – 4:20 p.m.

No report made.

17. Subject: Conference With Labor Negotiator

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

Scheduling: Duration, 30 minutes; anytime
Report: None anticipated

Time:

4:20 p.m. – 4:48 p.m.

No report made.

15. Subject: Public Employee Performance Evaluation - Government Code Section 54957 (170.01)

Recommendation: That Council hold a closed session for a Public Employee Performance Evaluation per Government Code Section 54957.

Title: City Administrator
Scheduling: Duration, 40 minutes; anytime
Report: None anticipated

Documents:

May 7, 2013, report from the Mayor.

Time:

4:48 p.m. – 5:20 p.m.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 5:20 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST: _____
SUSAN TSCHECH, CMC
DEPUTY CITY CLERK