

**CITY OF SANTA BARBARA
CITY COUNCIL**

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Mayor Pro Tempore
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Ordinance Committee Chair
Dale Francisco
Finance Committee Chair
Gregg Hart
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Bendy White



James L. Armstrong
City Administrator

Ariel Pierre Calonne
City Attorney

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

**SEPTEMBER 16, 2014
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.citytv18.com for rebroadcasts of Finance and Ordinance Committee meetings, and for any changes to the replay schedule.

ORDER OF BUSINESS

- 12:30 p.m. - Finance Committee Meeting, David Gebhard Public Meeting Room,
630 Garden Street
- 2:00 p.m. - City Council Meeting

FINANCE COMMITTEE MEETING - 12:30 P.M. IN THE DAVID GEBHARD PUBLIC MEETING ROOM, 630 GARDEN STREET (120.03)

Subject: Increasing City Administrator Contracting Authority And Clarifying City Council Budgetary Control For Capital Projects

Recommendation: That the Finance Committee:

- A. Consider and recommend to Council an increase in the City Administrator's contracting authority, from \$25,000, as established in Resolution No. 96-045, to \$35,000 to reflect CPI increases since 1996; and
- B. Hear a report from staff and recommend Council approval of proposed budget policies that would clarify current requirements established by City Charter Section 1205 related to the Council's level of budgetary control for capital projects.

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL ITEMS

1. **Subject: Proclamation Declaring September 2014 As Adult Literacy Awareness Month (120.04)**

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

2. **Subject: Adoption Of Ordinance For Airline Terminal Solar Photovoltaic Power Purchase Agreement At 500 Fowler Road (560.01)**

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 Power Purchase Agreement with SunEdison to Develop, Own, Operate and Maintain a Solar Photovoltaic Generating System at the Airport, and Sell All Power Generated to the Airport.

3. **Subject: Adoption Of Ordinance For The Assignment And Grant Of Easements To The County Flood Control District (330.03)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the Assignment of Existing City Easement Interests on Private Properties and the Granting of Easements on City-Owned Properties to the County of Santa Barbara Flood Control and Water Conservation District for Flood Control and All Related Purposes, and Authorizing the City Administrator to Execute as Necessary the Assignment and Grant Deeds in a Form Approved by the City Attorney.

CONSENT CALENDAR (CONT'D)

4. Subject: Introduction Of Ordinance Authorizing Approval Of Clean Water State Revolving Fund Installment Sale Agreement For Air Process Improvement Project (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 Authorizing the Approval and Execution by the Public Works Director of an Installment Sale Agreement in Connection With the Air Process Improvement Project Clean Water State Revolving Fund Project No. 7857-110.

5. Subject: Professional Services For City Administrator Recruitment (450.01)

Recommendation: That Council:

- A. Authorize the Administrative Services Director to execute a professional services agreement with Andersen and Associates in the amount of \$27,000, with extra services totaling \$2,700, for a total not-to- exceed amount of \$29,700, to conduct the recruitment and selection process for a new City Administrator; and
- B. Allocate \$33,200 from General Fund Appropriated Reserves to the Mayor and Council's Fiscal Year 2015 budget to cover the cost of the professional services agreement, candidate travel and expenses, and other unforeseen expenses related to the recruitment and selection process.

6. Subject: Contract For Construction Of The Cabrillo Boulevard Bridge Replacement Project (530.04)

Recommendation: That Council:

- A. Award a contract with Lash Construction, Incorporated, in their low bid amount of \$13,989,150.50 for construction of the Cabrillo Boulevard Bridge Replacement Project, Bid No. 3574, and authorize the Public Works Director to execute the contract and approve expenditures up to \$1,398,915 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;
- B. Authorize the Public Works Director to execute a contract, subject to receipt of a Conformance Letter from Caltrans Audits and Investigations, with MNS Engineers, Incorporated, in the amount of \$1,803,838 for construction management services, and approve expenditures of up to \$143,626 for extra services of MNS Engineers, Incorporated, that may result from necessary changes in the scope of work;

(Cont'd)

CONSENT CALENDAR (CONT'D)

6. (Cont'd)

- C. Authorize the Public Works Director to execute a contract with Bengal Engineering, Incorporated, in the amount of \$226,820 for design support services during construction, and approve expenditures of up to \$22,682 for extra services of Bengal Engineering, Incorporated, that may result from necessary changes in the scope of work;
- D. Authorize the Public Works Director to execute a contract with Cardno ENTRIX in the amount of \$295,078 for environmental monitoring services during construction, and approve expenditures of up to \$29,508 for extra services of Cardno ENTRIX that may result from necessary changes in the scope of work;
- E. Authorize the Public Works Director to execute a contract with Ayars & Associates in the amount of \$189,200 for community outreach services during construction, and approve expenditures of up to \$18,920 for extra services of Ayars & Associates that may result from necessary changes in the scope of work;
- F. Accept Federal Highway Administration grant funding in the total amount of \$15,768,831 to cover the cost of construction;
- G. Increase appropriations and estimated revenues by \$15,768,831 in the Fiscal Year 2015 Streets Capital Grant Fund for the Cabrillo Boulevard Bridge Replacement Project, funded by the Federal Highway Administration grant; and
- H. Authorize an increase in appropriations of \$2,125,000 in the Streets Capital Fund from revenues anticipated through the future sale of surplus properties acquired for current bridge replacement projects, to cover the City's share of the cost of construction.

7. **Subject: Contract For Development Of Wastewater Collection System Strategic Management Program - Phase V (540.13)**

Recommendation: That Council authorize the Public Works Director to execute a contract with Brown and Caldwell in the amount of \$141,131 for wastewater collection system maintenance related business process development and related Sewer System Management Plan update, and to approve expenditures of up to \$14,113 for extra services that may result from necessary changes in the scope of work, for a total of \$155,244.

CONSENT CALENDAR (CONT'D)

8. Subject: Grant From The California State Library And Gift From The Friends Of The Montecito Library (570.04)

Recommendation: That Council:

- A. Approve and authorize the Library Director to accept an \$80,000 grant from the California State Library to develop and implement the program "Family Literacy Center: Unified Services to Support Reading Improvement;"
- B. Approve an increase to estimated Library Grant Revenues and a corresponding appropriation for the grant program in the General Fund, Library Department, by an amount of \$80,000; and
- C. Approve an increase of \$28,000 in estimated revenue and appropriations in the County Library Fund for the purchase and installation of a self-check machine and replacement book shelving from a donation from the Friends of the Montecito Library.

9. Subject: Allocate Existing Funding For Self-Contained Breathing Apparatus Appropriations To Ongoing Major Equipment Needs In The Fire Department (520.03)

Recommendation: That Council authorize the transfer of \$340,000 appropriated in the Capital Outlay Fund to the Fire Equipment Replacement Fund to fund ongoing major equipment needs in the Fire Department.

10. Subject: City Arts Advisory Committee And Community Events And Festivals Committee Funding Recommendations And Contract With The Santa Barbara County Arts Commission For Fiscal Year 2015 (610.04)

Recommendation: That Council:

- A. Review and approve the City of Santa Barbara Arts Advisory Committee and Community Events and Festivals Committee funding recommendations for Fiscal Year 2015; and
- B. Authorize the Assistant City Administrator to execute an agreement, subject to approval by the City Attorney, with the Santa Barbara County Arts Commission in the amount of \$447,260 as approved in the Fiscal Year 2015 budget.

NOTICES

11. The City Clerk has on Thursday, September 11, 2014, 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.

CONSENT CALENDAR (CONT'D)

NOTICES (CONT'D)

12. Receipt of communication advising of vacancy created on the Community Events and Festivals Committee with the resignation of Brittany Heaton. The vacancy will be part of the current City Advisory Groups Recruitment.

This concludes the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

13. Subject: Stage Two Drought Update (540.05)

Recommendation: That Council:

- A. Receive an update on the status of the current drought; and
- B. Appropriate \$225,000 from the Water Fund Reserves to the Fiscal Year 2015 Drought Fund budget for continued Water Conservation staffing needs in response to the drought.

POLICE DEPARTMENT

14. Subject: Police Department Update (520.04)

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

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

15. 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 Kristine Schmidt, Administrative Services Director, regarding negotiations with the Treatment and Patrol Bargaining Unit.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

16. 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 *Frank Banales, Sebastian Aldana, Jr., Jacqueline Inda, Cruzito Herrera Cruz, and Benjamin Cheverez, v. City of Santa Barbara, et al.*, SBSC Case No. 1468167.

Scheduling: Duration, 60 minutes; anytime

Report: None anticipated

17. Subject: Conference With City Attorney - Anticipated Litigation (160.03)

Recommendation: That Council hold a closed session to consider anticipated litigation pursuant to subsection (d)(4) of Section 54956.9 of the Government Code and take appropriate action as needed (one potential case).

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

ADJOURNMENT

