

**CITY OF SANTA BARBARA
CITY COUNCIL**

Helene Schneider
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Dale Francisco
Finance Committee Chair
Gregg Hart
Frank Hotchkiss
Bendy White



Paul Casey
Acting City Administrator

Ariel Pierre Calonne
City Attorney

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

**DECEMBER 9, 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

- 2:00 p.m. - City Council Meeting Begins
- 5:00 p.m. - Recess
- 6:00 p.m. - City Council Meeting Reconvenes

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

AFTERNOON SESSION

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL ITEMS

1. Subject: Employee Recognition - Service Award Pins (410.01)

Recommendation: That Council authorize the Acting City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through December 31, 2014.

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

2. Subject: Minutes

Recommendation: That Council waive further reading and approve the minutes of the regular meetings of November 11, and November 18, 2014, and the regular meeting (cancelled) of December 2, 2014.

3. Subject: Business Tax Exemption For Artists Earning Less Than \$5,000 In Annual Gross Receipts (280.01)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adding Section 5.04.735 of the Santa Barbara Municipal Code to Create a Business Tax Exemption For Artists Earning Less Than \$5,000 In Annual Gross Receipts.

4. 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 in the Administration Division of the Airport Department.

5. Subject: Appropriation Of Funds From The Canine Unit Trust Fund (520.04)

Recommendation: That Council appropriate \$10,000 from the Police Canine Unit Trust Fund reserves for Fiscal Year 2015 to cover expenses related to the annual care, unexpected emergency care, maintenance and training for the canine program.

6. Subject: Contract For Asset Management Program Development Services For The Water Distribution System (540.11)

Recommendation: That Council authorize the Public Works Director to execute a contract with Brown and Caldwell in the amount of \$244,694 to provide Asset Management Program development services for the Water Distribution System, and authorize the Public Works Director to approve expenditures of up to \$24,469 for extra services of Brown and Caldwell that may result from necessary changes in the scope of work, for a total amount not to exceed \$269,163.

CONSENT CALENDAR (CONT'D)

7. Subject: Authorization To Apply For A State Revolving Fund Loan To Finance Needed Improvements At The El Estero Wastewater Treatment Plant And To Authorize Reimbursement Of Certain Expenses With Project Fund Proceeds (540.13)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Acting City Administrator to Execute and Deliver an Application to the State Water Resources Control Board for a Clean Water State Revolving Fund Financing Agreement; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Stating the City's Intent to Reimburse Expenditures Paid Prior to the Issuance of Obligations or the Approval by the State Water Resources Control Board of the Project Funds for the Biosolids Processes Improvements Project at the El Estero Wastewater Treatment Plant.

8. Subject: 2015 Bicycle Master Plan Award Of Contract (670.04)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a City Professional Services contract with Melendrez, a California corporation, in the amount of \$218,961 for professional services to update the Bicycle Master Plan; and approve up to \$24,039 for contract contingencies that may result from necessary changes in the scope of work; and
- B. Approve a transfer of \$43,000 from Transportation Development Act Fund reserves to the Streets Grants Fund to fund a portion of the contract with Melendrez, and increase appropriations and estimated revenues in the Streets Grants Fund by \$43,000.

9. Subject: State Grant Funding For Cachuma Emergency Pump Project (540.10)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving and Authorizing Execution of an Agreement with the California Department of Water Resources to Receive Drought Emergency Response Program Grant Funding for the Cachuma Emergency Pumping Facility Project; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving and Authorizing Execution of an Agreement with the California State Water Resources Control Board to Receive Public Water System Drought Emergency Response Program Grant Funding.

CONSENT CALENDAR (CONT'D)

10. Subject: Acceptance Of A Public Street Easement At 614 Chapala Street (530.04)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting a New Public Street Easement Adjacent to the Public Right-of-Way Known as 614 Chapala Street, for All Street Purposes.

11. Subject: Contract For Construction Of The Alameda Park Well Relocation Project - Well Drilling And Construction (540.10)

Recommendation: That Council:

- A. Reject the apparent low bid for construction from Yellow Jacket Drilling Services as non-responsive for the Alameda Park Well Relocation Project - Well Drilling and Construction, Bid No. 3756; and
- B. Award a contract with Zim Industries, Inc., waiving a minor irregularity, in their lowest responsive bid amount of \$1,094,725 for construction of the Alameda Park Well Relocation Project - Well Drilling and Construction, Bid No. 3756; and authorize the Public Works Director to execute the contract and approve expenditures up to \$110,000 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.

12. Subject: Contract For Construction Of Children's Library Renovation At The Central Library Building (570.04)

Recommendation: That Council:

- A. Award a contract with Viola, Inc. (Viola), in their low bid amount of \$1,497,296 for construction of the Children's Library Renovation at the Central Library Building, Bid No. 3754, and authorize the Public Works Director to execute the contract and approve expenditures up to \$225,000 to cover any cost increases that may result from contract change orders or for extra work and differences between estimated bid quantities and actual quantities measured for payment; and
- B. Increase appropriations and estimated revenues in the Capital Outlay Fund by \$1,222,296 funded from a transfer from the Library Gift Fund in the amount of \$450,000 and donations collected by the Santa Barbara Public Library Foundation on behalf of the Library in the amount of \$772,296 which will be transferred to the City.

CONSENT CALENDAR (CONT'D)

13. Subject: Agreements For Franceschi Park And Skofield Park Resident Caretakers (570.05)

Recommendation: That Council:

- A. Authorize the Parks and Recreation Director to execute a Caretaker Rental Agreement for Franceschi Park with Charles Christman, commencing January 1, 2015, through December 31, 2015; and
- B. Authorize the Parks and Recreation Director to execute a Caretaker Rental Agreement for Skofield Park with James Rumbley, commencing January 1, 2015, through December 31, 2015.

14. Subject: Pearl Chase Society Donation For The Purchase Of Irricades For The Historic Stone Pines On East Anapamu Street (570.05)

Recommendation: That Council increase appropriations and estimated revenues by \$14,560 in the Parks and Recreation Department Fiscal Year 2015 Miscellaneous Grants Fund for the purchase of irricades for the Historic Stone Pines on East Anapamu Street funded from a donation from the Pearl Chase Society.

15. Subject: Adoption Of Ordinance To Amend Municipal Code To Require The Payment Of Prevailing Wages On Public Works Projects As Defined By California Senate Bill 7 (210.01)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara to Amend Municipal Code Section 4.52.160 to Require the Payment of Prevailing Wages on Public Works Projects as Defined and Required by California Senate Bill 7.

CONSENT PUBLIC HEARINGS

16. Subject: Hotel And Related Commerce Zone Amendment (Clean-Up Amendment) For Area A Of The Cabrillo Plaza Specific Plan (640.09)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Section 28.22.030 of Chapter 28.22 of Title 28 of the Santa Barbara Municipal Code.

CONSENT CALENDAR (CONT'D)

NOTICES

17. The City Clerk has on Thursday, December 4, 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.

This concludes the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ADMINISTRATOR

18. **Subject: Downtown Organization Annual Assessment Report For 2015 And Intention To Levy (290.00)**

Recommendation: That Council:

- A. Approve the Downtown Organization and Old Town Business Improvement District Annual Assessment Report for 2015;
- B. Appoint an advisory board to oversee the Downtown Organization and Old Town Business Improvement District; and
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring Council's Intention to Levy Downtown Business Improvement District and Old Town Business Improvement District Assessment Rates for 2015, at a Public Hearing to be Held on January 13, 2015, at 2:00 p.m.

PARKS AND RECREATION DEPARTMENT

19. **Subject: Potential Acquisition Of Real Property At 810 Castillo Street (APN 037-032-020) For Creek Restoration And Water Quality Improvement (330.03)**

Recommendation: That Council receive a report on the potential acquisition of real property at 810 Castillo Street for a future creek restoration and water quality improvement project.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

PUBLIC WORKS DEPARTMENT

20. Subject: Rate Structure Policy Direction For The Drought Related Water Rate Study (540.05)

Recommendation: That Council receive a presentation and provide direction on assumptions for the Drought Related Water Rate Study, specifically for the level of desalination debt service to recover in fixed revenues, and the size of the Tier 2 allotment for Single Family Residential customers.

MAYOR AND COUNCIL REPORTS

21. Subject: Appointments To City Advisory Groups (140.05)

Recommendation: That Council make appointments to the City's advisory groups.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

22. Subject: Public Employment/Public Employee Appointment (160.01)

Recommendation: That Council hold a closed session pursuant to Section 54957 of the Government Code regarding the City Administrator selection process.

23. 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 Fire Management Association.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

CLOSED SESSIONS (CONT'D)

24. 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 purchase of real property.

Real Property: 810 Castillo Street, Santa Barbara, California, APN 037-032-020.

City Negotiators: Cameron Benson, Creeks Restoration/Clean Water Manager; Ariel Calonne, City Attorney; N. Scott Vincent, Assistant City Attorney.

Negotiating Parties: Errol Jahnke, Berkshire Hathaway HomeServices, for property owner, RBH Family Living Trust and Heidi Knightstep.

Under Negotiation: Price and terms of payment for real property.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

25. 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 *Lucio Delgadillo v. Taylor Electric, A Corp., Mark Taylor, The City Of Santa Barbara, Michael Ricotta, et al.* [SBSC Case No., 1439502].

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

RECESS

EVENING SESSION

RECONVENE

ROLL CALL

PUBLIC COMMENT

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PARKS AND RECREATION DEPARTMENT

26. Subject: Options For Municipal Golf Course (570.02)

Recommendation: That Council:

- A. Receive a report on the status of the municipal golf course, including trends, financial projections, and options the City might consider to improve the financial outlook for the continued operation of the course; and
- B. Provide direction to staff on whether to pursue continuing to operate the golf course in a model which would include outsourcing maintenance, or whether the policy issue and consideration of General Fund support should be addressed through the budget process with a decision reached by June 2015.

ADJOURNMENT