

CITY OF SANTA BARBARA CITY COUNCIL

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Paul Casey
Acting City Administrator

Ariel Pierre Calonne
City Attorney

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

DECEMBER 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.

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

1. Subject: Minutes

Recommendation: That Council waive further reading and approve the minutes of the adjourned regular meeting of November 24, 2014, and the regular meeting of November 25, 2014.

2. Subject: Adoption Of Ordinance For Business Tax Exemption For Artists Earning Less Than \$5,000 In Annual Gross Receipts (210.01)

Recommendation: That Council 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.

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

Recommendation: That Council 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)

4. Subject: November 2014 Investment Report (260.02)

Recommendation: That Council accept the November 2014 Investment Report.

5. Subject: Fiscal Year 2015 Interim Financial Statements For The Four Months Ended October 31, 2014 (250.02)

Recommendation: That Council accept the Fiscal Year 2015 Interim Financial Statements for the Four Months Ended October 31, 2014.

6. Subject: Contract For Construction Of The Alameda Park Well Relocation Project - Infrastructure And Site Restoration (540.10)

Recommendation: That Council:

- A. Reject the apparent low bid for construction from Aguilera Brothers Construction, Inc., as non-responsive for the Alameda Park Well Relocation Project - Infrastructure and Site Restoration; and
- B. Award a contract with Brough Construction, Inc., in their lowest responsive bid amount of \$180,855 for construction of the Alameda Park Well Relocation Project - Infrastructure and Site Restoration, Bid No. 3728; and authorize the Public Works Director to execute the contract and approve expenditures up to \$18,100 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.

7. Subject: Contract For Construction Of Voluntario Street Curb Cuts Project (530.04)

Recommendation: That Council award a contract with Lash Construction, Inc., in their low bid amount of \$210,890 for construction of the Voluntario Street Curb Cuts Project, Bid No. 3739, and authorize the Public Works Director to execute the contract and approve expenditures up to \$21,089 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.

8. Subject: Contract For El Estero Wastewater Treatment Plant Stormwater Master Plan (540.13)

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract, subject to approval as to form by the City Attorney, with CDM Smith in the amount of \$134,728 for design services of the El Estero Wastewater Treatment Plant Stormwater Master Plan, and authorize the Public Works Director to approve expenditures of up to \$13,472 for extra services of CDM Smith that may result from necessary changes in the scope of work.

CONSENT CALENDAR (CONT'D)

9. Subject: Contract For Final Design Of El Estero Wastewater Treatment Plant Secondary Process Improvements Project - Phase II (540.13)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a City Professional Services contract with Brown and Caldwell in the amount of \$788,683 for final design of the El Estero Wastewater Treatment Plant Secondary Process Improvements Project - Phase II, and authorize the Public Works Director to approve expenditures of up to \$78,868 for extra services of Brown and Caldwell that may result from necessary changes in the scope of work; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Finding that the El Estero Wastewater Treatment Plant Secondary Treatment Process Improvement Project is Substantially Complex and, Therefore, Requires a Construction Contract Retention of Ten Percent.

10. Subject: Armored Car Transportation Services Agreement (210.03)

Recommendation: That Council authorize the Finance Director to negotiate and execute a one-year contract, in a form acceptable to the City Attorney, with Brinks Security Services to provide Armored Car Transportation services for the period of January 1, 2015, through December 31, 2015, for an annual amount of \$36,120.

11. Subject: Set A Date For Public Hearing Regarding Appeal Of Planning Commission Approval For 511 Brosian Way (640.07)

Recommendation: That Council:

- A. Set the date of January 27, 2015, at 2:00 p.m. for hearing the appeal filed by Patricia Foley of the Planning Commission approval of an application for property owned by John Park and located at 511 Brosian Way, Assessor's Parcel No. 047-030-011, A-1 One-Family Residence Zone, General Plan Designation: Low Density Residential. The project proposes construction of a two-story, 5,886 square-foot, single-family residence and attached three-car garage on a vacant 2.2-acre lot in the Hillside Design District. The project includes 3,870 cubic yards of fill grading and 510 yards of cut grading. The discretionary application required for the project is a Coastal Development Permit to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone; and
- B. Set the date of January 26, 2015, at 1:30 p.m. for a site visit to the property located at 511 Brosian Way.

CONSENT CALENDAR (CONT'D)

CONSENT PUBLIC HEARINGS

12. Subject: Tax Equity and Fiscal Responsibility Act (TEFRA) Hearing For Cottage Health Systems Debt Issuance (280.01)

Recommendation: That Council hold a public hearing and adopt, by reading of title only, A Resolution of the City Council of the City of Santa Barbara Approving the Issuance of the California Statewide Communities Development Authority Revenue Bonds (Cottage Health System Obligated Group), Series 2015, in an Aggregate Principal Amount Not to Exceed \$150,000,000 for the Purpose of Financing and Refinancing the Acquisition, Construction, Improvement, Equipping, Renovation, Rehabilitation and Remodeling of Certain Health Support Facilities of Santa Barbara Cottage Hospital and Certain Other Matters Related Thereto.

13. Subject: Request For Designation Of 400 Hitchcock Way (Tesla Motors, Inc.) As A Community Benefit Project (640.09)

Recommendation: That Council find the proposed development at 400 Hitchcock Way for Tesla Motors, Inc., a Community Benefit Project pursuant to Santa Barbara Municipal Code Section 28.85.020.A.3 and allocate 8,700 square feet of nonresidential floor area to the project from the Community Benefit Project category.

NOTICES

14. The City Clerk has on Thursday, December 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.
15. Cancellation of the regular City Council meetings of December 23 and December 30, 2014, and January 6, 2015.

This concludes the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

FINANCE DEPARTMENT

16. Subject: Public Hearing On The Proposed Modification Of The 2011-2015 Santa Barbara South Coast Tourism Business Improvement District (290.00)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Modifying the Santa Barbara South Coast Tourism Business Improvement District; and
- B. Adopt the Modified Santa Barbara South Coast Tourism Business Improvement District Management District Plan.

PUBLIC WORKS DEPARTMENT

17. Subject: Stage Two Drought Update (540.05)

Recommendation: That Council receive an update on the status of the current drought and related efforts.

COMMUNITY DEVELOPMENT DEPARTMENT

18. Subject: Consideration Of Drought-Related Restrictions And Regulations (640.02)

Recommendation: That Council:

- A. Receive a report outlining possible water use and development restrictions to be considered in response to drought;
- B. Direct Planning Division staff to further develop options for development-related regulations in consultation with the Planning Commission, and return to Council for action in 2015 pending persistent or worsening drought conditions; and
- C. Direct Water Resources staff to work with the Water Commission on further water use restrictions and return to Council for action in 2015 pending persistent or worsening drought conditions.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

19. 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, 15 minutes; anytime

Report: None anticipated

ADJOURNMENT