



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING
September 16, 2014
COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:01 p.m. (The Finance Committee met at 12:30 p.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: Gregg Hart, Frank Hotchkiss, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: Dale Francisco.

Staff present: City Administrator James L. Armstrong, City Attorney Ariel Pierre Calonne, Deputy City Clerk Susan Tschech.

CEREMONIAL ITEMS

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

Action: Proclamation presented to Beverly Schwartzberg, Library Services Coordinator for the City.

Councilmember Francisco entered the meeting at 2:07 p.m.

PUBLIC COMMENT

Speakers: Clint Orr, The California Country Dance Foundation; Thomas Welche, Service Employees International Union Local 620; Lloyd DeArmond, Peace Day Santa Barbara; Phil Walker; Nancy Tunnell.

CONSENT CALENDAR (Item Nos. 2 – 12)

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

Motion:

Councilmembers Hotchkiss/Rowse to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

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.

Action: Approved the recommendation; Ordinance No. 5665; Agreement No. 24,975.

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.

Action: Approved the recommendation; Ordinance No. 5666; Deed Nos. 61-444 – 61-452.

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.

(Cont'd)

4. (Cont'd)

Speakers:

Staff: Wastewater System Manager Christopher Toth.

Action: Approved the recommendation (September 16, 2014, report from the Public Works Director; proposed ordinance).

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.

Action: Approved the recommendations; Agreement No. 24,976 (September 16, 2014, report from the Recruitment Committee).

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;
- 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;

(Cont'd)

6. (Cont'd)

- 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.

Action: Approved the recommendations; Contract Nos. 24,977 – 24,981 (September 16, 2014, report from the Public Works Director).

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.

Speakers:

Staff: Wastewater System Manager Christopher Toth.

Action: Approved the recommendation; Contract No. 24,982 (September 16, 2014, report from the Public Works Director).

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.

Action: Approved the recommendations (September 16, 2014, report from the Library Director).

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.

Action: Approved the recommendation (September 16, 2014, report from the Fire Chief).

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.

Action: Approved the recommendations; Agreement No. 24,983 (September 16, 2014, report from the Assistant to the City Administrator).

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.
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 concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dale Francisco reported that the Committee met to review Staff recommendations to increase the City Administrator's contracting authority and to establish budget policies that would clarify the Council's level of budgetary control for capital projects. The Committee approved the recommendations, which will be submitted to the full Council next week.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTSPUBLIC 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.

Documents:

- September 16, 2014, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Acting Water Resources Manager Joshua Haggmark, Acting Water Conservation Coordinator Madeline Ward, Water Resources Supervisor Kelley Dyer, City Attorney Ariel Calonne.
- Members of the Public: Phil Walker, Mike Jordan, Ethan Shenkman.

(Cont'd)

13. (Cont'd)

Discussion:

Staff's presentation included: 1) charts showing water use trends during the current water year; 2) supply strategy; 3) drought response capital projects, including the reactivation of the desalination plant; 4) an update on conservation outreach; and 5) tools for influencing water usage. Councilmembers asked questions and thanked Staff for the thorough report.

Motion:

Councilmembers Murillo/Rowse to approve recommendation B.

Vote:

Unanimous voice vote.

Councilmember Francisco left the meeting at 3:53 p.m. and returned at 4:15 p.m.

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.

Documents:

- September 16, 2014, report from the Police Chief.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Police Chief Camerino Sanchez, Deputy Police Chief Frank Mannix, Police Captains David Whitham, Alex Altavilla and Gilbert Torres, Police Lieutenant James Pflieger.
- Members of the Public: Sharon Byrne, Milpas Community Association.

Discussion:

Staff's presentation included: 1) Trends, over several years, in both violent and property crime categories; 2) enforcement efforts in the downtown corridor; 3) significant investigations; 4) a staffing and hiring update; 5) the relocation of the communications center; and 5) the status of several department programs. Councilmembers' questions were answered.

Councilmember Francisco left the meeting at 5:13 p.m.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Rowse reported that the Downtown Parking Committee met last week to discuss the proposed State Street Corridor Program.
- Councilmember Murillo commented on her attendance at meetings of: 1) the City/County Affordable Housing Task Group, which has invited both Santa Barbara City College and the University of California at Santa Barbara to join in the discussion of the area's need for more housing; and 2) the Santa Barbara Youth Council, which has developed an Anti-Bullying Project.
- Councilmember White mentioned that City Staff had presented its "Infrastructure Road Show" to members of City advisory groups, and that a series of additional workshops have been scheduled to obtain input from the community about this effort.
- Mayor Schneider reported that the U.S. Conference of Mayors is working with cities across the country to coordinate activities to combat bullying. She also spoke about the 3rd annual Family and Health Fair, which was a highly successful partnership between the City, County, School District and more than 50 organizations; in particular, she thanked Mark Alvarado, Neighborhood and Outreach Services Supervisor for the City.

RECESS

The Mayor recessed the meeting at 5:18 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 15 – 17.

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

Documents:

September 16, 2014, report from the Administrative Services Director.

Time:

5:22 p.m. – 5:30 p.m.

No report made.

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

Documents:

September 16, 2014, report from the City Attorney.

Time:

5:30 p.m. – 6:17 p.m.

No report made.

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

Documents:

September 16, 2014, report from the City Attorney.

Time:

6:17 p.m. – 7:09 p.m.

Recess: 7:09 p.m. – 7:10 p.m.

Announcement:

City Attorney Calonne reported that the City Council approved the initiation of litigation on a vote of 5-1-1 (Noes: Councilmember Murillo; Abstentions: Councilmember Hart). Particulars concerning the litigation will be announced after the actual suit is filed.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 7:11 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



HELENE SCHNEIDER
MAYOR

ATTEST: 

SUSAN TSCHUCH, CMC
DEPUTY CITY CLERK