



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING
April 23, 2013
COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Pro Tempore Randy Rowse called the meeting to order at 2:01 p.m. (The Ordinance Committee met at 12:30 p.m., and the Finance Committee, which ordinarily meets at 12:30 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Pro Tempore Rowse.

ROLL CALL

Councilmembers present: Dale Francisco, Frank Hotchkiss, Grant House, Cathy Murillo, Bendi White, Mayor Pro Tempore Rowse.

Councilmembers absent: Mayor Helene Schneider.

Staff present: Acting City Administrator Paul Casey, City Attorney Stephen P. Wiley, Deputy City Clerk Deborah L. Applegate.

CEREMONIAL ITEMS

- 1. Subject: Proclamation Declaring April 21-27, 2013 As National Crime Victim's Rights Week**

Action: Proclamation was read.

CHANGES TO THE AGENDA

Item Removed from Agenda

Acting City Administrator Paul Casey stated that the following item was being removed from the agenda:

10. Subject: Contract For Construction Management Services For The Punta Gorda Street Bridge Replacement Project (530.04)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a City Professional Services contract with Filippin Engineering in the amount of \$330,674 for construction management support services for the Punta Gorda Street Bridge Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$33,067 for extra services that may result from necessary changes in the scope of work;
- B. Authorize the Public Works Director to execute a City Professional Services contract with Penfield & Smith in the amount of \$13,060 for engineering (design) support services for Lower Sycamore Creek Channel Widening, and authorize the Public Works Director to approve expenditures of up to \$1,306 for extra services that may result from necessary changes in the scope of work;
- C. Authorize the Public Works Director to execute a City Professional Services contract with Drake Haglan and Associates in the amount of \$50,000 for engineering (design) support services for the Punta Gorda Street Bridge Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$5,000 for extra services that may result from necessary changes in the scope of work; and
- D. Authorize the Public Works Director to execute a City Professional Services contract with Cardno ENTRIX in the amount of \$90,881 for environmental coordination and biological monitoring services for the Punta Gorda Street Bridge Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$9,088 for extra services that may result from necessary changes in the scope of work.

PUBLIC COMMENT

Speakers: Mike Jordan; Ottto Layman; Steve Price; K8 Longstory SOS Advocacy Group.

CONSENT CALENDAR (Item Nos. 2 – 8)

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

Motion:

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

Vote:

Unanimous roll call vote (Absent: Mayor Schneider).

2. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of April 9, 2013.

Action: Approved the recommendation.

3. Subject: Records Destruction For Public Works 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 by the Public Works Department in the Fleet Management Division.

Action: Approved the recommendation; Resolution No. 13-021 (April 23, 2013, report from the Public Works Director; proposed resolution).

4. Subject: Adoption Of Ordinance For Granting Of Easements On City Property At Chapala And Yanonali Streets (330.03)

Recommendation: That Council Adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the Granting of Easements for Public Utilities In and Under the City-Owned Property at Chapala and Yanonali Streets.

Action: Approved the recommendation; Ordinance No. 5617; Agreement Nos. 24,485 – 24,488.

5. Subject: Parma Park Trust Funds For The Maintenance Of Parma Park (570.05)

Recommendation: That Council increase appropriations and estimated revenues by \$73,529 in the Parks and Recreation Department Fiscal Year 2013 Miscellaneous Grants Fund for maintenance of Parma Park.

Action: Approved the recommendation (April 23, 2013, report from the Parks and Recreation Director).

6. Subject: Award Of Professional Services Agreement For Document Printing And Mailing Services To Infosend, Inc. (210.01)

Recommendation: That Council authorize the Finance Director to execute a professional services agreement with InfoSend, Inc. for a term of three years with an optional two-year extension as additional one (1) year increments.

Action: Approved the recommendation; Agreement No. 24,482 (April 23, 2013, report from the Finance Director).

7. Subject: Appropriation Of Asset Forfeiture Funds For The Council On Alcoholism And Drug Abuse Criminal Justice Early Identification Specialist Position And "Kids Fight Drugs" Calendar (210.01)

Recommendation: That Council increase appropriations and estimated revenues by \$52,000 in the Fiscal Year 2013 Police Department Police Asset Forfeiture and Grants Fund for continued funding for the Council on Alcoholism and Drug Abuse (CADA) Criminal Justice Early Identification Specialist position (\$47,000) and the City of Santa Barbara's share of the cost for the "Kids Fight Drugs" calendar (\$5,000).

Action: Approved the recommendation (April 23, 2013, report from the Police Chief).

NOTICES

8. The City Clerk has on Thursday, April 18, 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.

This concluded the Consent Calendar.

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Grant House reported that the Committee received a presentation from staff regarding the status of the Environmental Impact Report prepared by BEACON for the model draft Single-Use Bag Ordinance. The draft City Single-Use Bag Ordinance will be referred to the entire Council at a future meeting.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

ADMINISTRATIVE SERVICES DEPARTMENT

9. **Subject: Recommendation To Conduct Vote-By-Mail General Municipal Election (110.03)**

Recommendation: That Council authorize the City Clerk to conduct the November 5, 2013 General Municipal Election as a Vote-By-Mail Election.

Documents:

- April 23, 2013, report from the Assistant City Administrator.
- PowerPoint presentation prepared and presented by Staff.

Speakers:

Staff: City Clerk Services Manager Gwen Peirce.

Motion:

Councilmembers Hotchkiss/Francisco to approve the staff recommendation.

Vote:

Failed to carry by voice vote (Ayes: Councilmembers Francisco, Hotchkiss, Rowse; Noes: Councilmembers House, Murillo, White; Absent: Mayor Schneider.)

Motion:

Councilmembers White/Hotchkiss to approve the staff recommendation with additional direction to Staff to: 1) open City Hall on the Saturday prior to Election Day, between the hours of 8:00 a.m. – 5:00 p.m., as a ballot drop off location; and 2) return to Council with information on an additional drop off center to be located on the City's westside for the November 5, 2013 General Municipal Election.

Vote:

Unanimous roll call vote.

RECESS

Mayor Pro Tempore Rowse recessed the meeting at 2:50 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 12 and 13, with no reportable action anticipated.

CLOSED SESSIONS**12. Subject: Conference With Legal Counsel - Pending Litigation (160.03)**

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. Pending litigation considered is a workers' compensation claim: *David Gomez v. City of Santa Barbara*, WCAB case numbers ADJ1197775, ADJ1136460 & ADJ1982772.

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

Documents:

April 23, 2013, report from the Finance Director.

Time:

2:50 p.m. – 3:07 p.m.

No report made.

13. Subject: Conference With Legal Counsel - Pending Litigation (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. Pending litigation considered is a workers' compensation claim: *Michael Moses v. City of Santa Barbara*, WCAB case number ADJ7552390.

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

Documents:

April 23, 2013, report from the Finance Director.

Time:

3:07 p.m. – 3:15 p.m.

No report made.

RECESS

3:15 p.m. – 3:31 p.m. Mayor Schneider was present when the Council reconvened.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)PUBLIC WORKS DEPARTMENT**11. Subject: Contract For Conceptual Design Of The Union Pacific Railroad Bridge Over Cabrillo Boulevard (530.04)**

Recommendation: That Council:

- A. Authorize the City Administrator to enter into a Memorandum of Understanding, approved as to form by the City Attorney, with the Santa Barbara County Association of Governments for the Conceptual Design of the Union Pacific Railroad Bridge over Cabrillo Boulevard;
- B. Authorize the Public Works Director to execute a City Professional Services contract with HDR Engineering, Inc., in the amount of \$90,085, in a form of agreement approved by the City Attorney, for conceptual design services for the Union Pacific Railroad Bridge over Cabrillo Boulevard, and authorize the Public Works Director to approve expenditures of up to \$9,000 for extra services of HDR Engineering, Inc., that may result from necessary changes in the scope of work; and
- C. Increase appropriations and estimated revenues in the Streets Capital Fund by \$99,105 for the Conceptual Design of the Union Pacific Railroad Bridge over Cabrillo Boulevard funded from a payment from the Santa Barbara County Association of Governments.

Documents:

- April 23, 2013, report from the Public Works Director.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Assistant Public Works Director/City Engineer Pat Kelly, Principal Transportation Planner Rob Dayton.
- Santa Barbara County of Association of Governments: Fred Luna.

Motion:

Councilmembers House/Rowse to approve the recommendations; Agreement Nos. 24,483 and 24,484.

Vote:

Unanimous voice vote.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:


- Mayor Schneider commended the Community Environmental Council and everyone involved in sponsoring Earth Day, which drew over 35,000 visitors to the festival. She also reported on her attendance at Santa Barbara's Founding Day celebration, sponsored by the Santa Barbara Trust for Historic Preservation, where they honored the founding of the Presidio 231 years ago.
- Councilmember Rowse reported on the recent Downtown Parking Committee meeting he attended; the Committee will be presenting their budget to the Council for ratification in the near future.
- Councilmember Murillo reported on her attendance at a luncheon sponsored by the Santa Barbara Lodging and Restaurant Association. The presentation focused on new laws and legislation pertaining to the restaurant and hotel industry.
- Councilmember House reported on presentation by the Beach Erosion Authority for Clean Oceans and Nourishment (BEACON) to the Ordinance Committee regarding the Environmental Impact Report for the proposed Single-Use Bag Ordinance.
- Councilmember Hotchkiss reported that the Arts Commission Symposium was being held this Friday, April 26, 2013, at the Canary Hotel; he also spoke about his attendance at the Arts Advisory Committee meeting.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 4:04 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



HELENE SCHNEIDER
MAYOR

ATTEST:



DEBORAH L. APPLGATE
DEPUTY CITY CLERK



RANDY ROWSE
MAYOR PRO TEMPORE