



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING
October 16, 2012
COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:00 p.m. (The Finance Committee met at 12:00 p.m., and 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: Frank Hotchkiss, Grant House, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: Dale Francisco.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Sarah Fox.

CHANGES TO THE AGENDA

Motion:

Councilmembers White/Rowse to consider Agenda Item No. 10 prior to Item No. 9.

Vote:

Unanimous voice vote (Absent: Councilmember Francisco).

PUBLIC COMMENT

Speakers: Richard Robinson, Wayne Scoles, Kaliana Sage, Kenneth Loch, Susie Thompson, Robert Burke, Carl Wagner.

Councilmember Francisco entered the meeting at 2:11 p.m.

CONSENT CALENDAR (Item Nos. 1 – 8)

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

Motion:

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

Vote:

Unanimous roll call vote.

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meetings of October 2 and October 9, 2012.

Action: Approved the recommendation.

2. Subject: Fiscal Year 2013 Interim Financial Statements For The Two Months Ended August 31, 2012 (250.02)

Recommendation: That Council accept the Fiscal Year 2013 Interim Financial Statements for the Two Months Ended August 31, 2012.

Action: Approved the recommendation (October 16, 2012, report from the Finance Director).

3. Subject: Adoption Of Ordinance For A Lease Agreement With Brophy And Sons, Inc. (330.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a 23-Year Lease with Brophy & Sons, Inc., Doing Business As Brophy Brothers Restaurant and Clam Bar and On The Alley, at an Average Base Rent of \$35,800 Per Month or 10% of Gross Sales, Whichever is Greater, Effective November 16, 2012.

Action: Approved the recommendation; Ordinance No. 5600; Agreement No. 24,275.

4. Subject: Implementation Of Governmental Accounting Standards Board Statement No. 54 (210.01)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Defining the New Components of Fund Balance in Accordance With Governmental Accounting Standards Board Statement No. 54.

Action: Approved the recommendation; Resolution No. 12-069 (October 16, 2012, report from the Finance Director; proposed resolution).

5. Subject: Property Tax Exchange Agreement For Cieneguitas (Foothill Center) Reorganization (680.04)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara in the Matter of Providing for a Negotiated Exchange of Property Tax Revenues Pertaining to the Cieneguitas (Foothill Center) Reorganization, an Annexation of Properties Located at 4151 Foothill Road (Assessor's Parcel Number 059-160-017), 675 Cieneguitas Road (Assessor's Parcel Number 059-160-021), and 681 Cieneguitas Road (Assessor's Parcel Number 059-160-023) to the City of Santa Barbara, Detachment from the Santa Barbara County Fire Protection District, Goleta Sanitary District, Goleta Water District, County Service Area 3 and County Service Area 32.

Action: Approved the recommendation; Resolution No. 12-070 (October 16, 2012, report from the Finance Director; proposed resolution).

6. Subject: Approval Of Purchase Order To Cold Canyon Landfill For Water Treatment Solids Disposal (540.10)

Recommendation: That Council:

- A. Find it to be in the City's best interest to waive the formal bidding process, in accordance with Section 4.52.070(L) of the Santa Barbara Municipal Code, and authorize the City's General Services Manager to issue a Purchase Order in the amount of \$135,000 to Cold Canyon Landfill for disposal of up to 3,600 tons of water treatment solids; and
- B. Authorize the City's General Services Manager to increase the Purchase Order with Adamske Consulting Inc. (Purchase Order No. 387671) for Fiscal Year 2013 in the amount of \$92,375 for additional hauling costs to Cold Canyon Landfill.

Speaker:

Staff: Water Systems Manager Cathy Taylor.

Action: Approved the recommendation (October 16, 2012, report from the Public Works Director).

7. Subject: Renewal Of Lease Agreement For The Hope Avenue Well Site (540.10)

Recommendation: That Council approve and authorize the Public Works Director to execute a Fourth Amendment to Agreement No. 17,408 between the City and the Channel Islands Young Men's Christian Association to extend the term of the lease and to adjust the annual rental amount.

Action: Approved the recommendation; Agreement No. 24,276 (October 16, 2012, report from the Public Works Director).

NOTICES

8. The City Clerk has on Thursday, October 11, 2012, 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 FINANCE COMMITTEE

Finance Committee Chair Dale Francisco reported that the Committee received a presentation from staff regarding employee salary and benefits. The Committee also considered the implementation of Governmental Accounting Standards Board Statement No. 54, which was approved by the full Council as Agenda Item No. 4.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTSPARKS AND RECREATION DEPARTMENT

- 10. Subject: Interview And Appointment Of Youth Intern Applicant To Parks And Recreation Commission (570.08)**

Recommendation: That Council:

- A. Interview applicant Kate Yee for the position of Youth Intern on the Parks and Recreation Commission; and
- B. Request that Mayor Schneider appoint Kate Yee to the position of Youth Intern on the Parks and Recreation Commission.

Document:

October 16, 2012, report from the Parks and Recreation Director.

Speakers:

- Staff: Neighborhood and Outreach Services Supervisor Susan Young.
- Member of the Public: Applicant Kate Yee.

The Council heard Ms. Yee's presentation and their questions were answered.

Motion:

Councilmembers House/Hotchkiss to approve recommendation B.

Vote:

Unanimous voice vote.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

COMMUNITY DEVELOPMENT DEPARTMENT

9. Subject: Review Of Fiscal Year 2014 Human Services And Community Development Block Grant Funding Priorities, Application Release And Funding Process (610.05)

Recommendation: That Council:

- A. Review and provide input and direction to the Community Development and Human Services Committee (CDHSC) on proposed funding priorities and preferences for the Fiscal Year 2014 Human Services and Community Development Block Grant allocation process;
- B. Authorize staff to release the Fiscal Year 2014 funding application along with the committee application review process, criteria and schedule;
- C. Establish a funding commitment from the Fiscal Year 2014 General Fund in the minimum amount of \$703,256 for the Human Services Program; and
- D. Authorize the allocation of up to \$75,000 Fiscal Year 2014 Human Services Program funds to pay the City's share of staffing costs associated with the regional homeless collaborative.

Documents:

- October 16, 2012, report from the Assistant City Administrator/Community Development Director.
- PowerPoint presentation prepared and presented by Staff.

Speakers:

- Staff: Community Development Business Manager Sue Gray, Community Development Program Specialist Elizabeth Stotts, City Administrator James Armstrong, Transportation Manager Browning Allen.
- Community Development and Human Services Committee: Vice-Chair Greg Gorga, Member Daniel Ramirez
- Members of the Public: Monique Littlejohn, Boys and Girls Club of Santa Barbara; Gene Zannon, Zannon Family Foundation; Marsha Bailey, Women's Economic Ventures; Dr. Quynh Nguyen, Santa Barbara Neighborhood Clinic; Eva Inbar, Coalition for Sustainable Transportation (COAST); Sharon Byrne, Milpas Community Association.

Motion:

Councilmembers White/Hotchkiss to approve recommendations B - D, directing Staff to revise the 1st Priority for Human Services funding to read as follows:

"Programs which help meet basic human needs and/or reduce the community impact of homelessness and/or reduce the community impact of gang violence via a formal collaboration with the South Coast Task Force on Youth Gangs."

Vote:

Majority voice vote (Noes: Councilmember Murillo).

RECESS

3:46 p.m. – 3:57 p.m.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)CITY ADMINISTRATOR**10. Subject: Pension Reform Update (430.08)**

Recommendation: That Council receive an update on the California Public Employees' Pension Reform Act of 2013 and its expected effects on the City's CalPERS administered pension plans.

Documents:

- October 16, 2012, report from the Assistant City Administrator/Administrative Services Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

Staff: Employee Relations Manager Kristy Schmidt, Finance Director Robert Samario, City Administrator James Armstrong, City Attorney Stephen Wiley.

By consensus, the Council received the report and their questions were answered.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Hotchkiss reported on his visit to Restorative Policing Court, the Fire Department's live fire drill where they tested a new training technique, and his visit to the Police Department's dispatch office.
- Councilmember Murillo reported on the recent Metropolitan Transit District board meeting where they appointed Bill Shelor to the Board's "at large" position; she also reported on the Santa Barbara Youth Council's recent meeting.
- Councilmember Rowse reported that the Downtown Parking Committee met to review parking lot occupancy and as well as the Train Station's Water Wise Grass Project.
- Councilmember White reported that the Neighborhood Advisory Council recently discussed the Eastside transportation planning process as well as the Community Development Block Grant process. He also reported that the Wood-Claeysens Foundation has granted funds to extend Los Baños Pool's open period for next summer.
- Councilmember House reported on his attendance at the South Coast Homeless Advisory Committee meeting.
- Mayor Schneider recognized the Waterfront Department for its coordination of last weekend's Harbor and Seafood Festival.

RECESS

Mayor Schneider recessed the meeting at 5:17 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

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. The pending litigation is *Luke Brost as Trustee for the Luke Brost Living Trust, et al., v. City of Santa Barbara*, Case No. 1342979.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

October 16, 2012, report from the City Attorney.

Time:

5:22 p.m. – 5:35 p.m.

No report made.

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. The pending litigation is *Jeannetta Ann Purdue Rizkalla And Tarek Ramzi Rizkalla, v. City Of Santa Barbara, et al.*, SBSC Case No.1383789.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

October 16, 2012, report from the City Attorney.

Time:

5:35 p.m. – 5:48 p.m.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 5:48 p.m. in memory of David Damiano.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



HELENE SCHNEIDER
MAYOR

ATTEST:



SARAH FOX
DEPUTY CITY CLERK