



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**REGULAR MEETING
SEPTEMBER 25, 2018
COUNCIL CHAMBERS, 735 ANACAPA**

CALL TO ORDER

Mayor Cathy Murillo called the meeting to order at 2:00 p.m. (The Finance Committee and Ordinance Committee, which ordinarily meet at 12:30 p.m., did not meet on this day.)

PLEDGE OF ALLEGIANCE

Mayor Murillo.

ROLL CALL

Councilmembers present: Jason Dominguez, Eric Friedman, Oscar Gutierrez, Gregg Hart, Randy Rowse, Kristen W. Sneddon, Mayor Murillo.

Councilmembers absent: None.

Staff present: City Administrator Paul Casey, City Attorney Ariel Calonne, City Clerk Services Manager Sarah Gorman.

CEREMONIAL ITEMS

1. Subject: Remembering Our Fallen Week October 5-11, 2018 (120.04)

Recommendation: Proclamation provided to Jane Frederick, Daughters of the American Revolution.

CHANGES TO THE AGENDA

PUBLIC COMMENT

Speakers: Caroline; Lindsey Baker, League of Women Voters; Michael Baker, United Boys & Girls Clubs; Anna Marie Gott; Bonnie Donovan, West Beach Neighborhood; Jose Arturo Gallegos; Michael Merenda; Alexandra Klein; Alejandra Melgoza, CAUSE; Megan Davis.

CONSENT CALENDAR (Items 2 – 12)

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

Motion:

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

Vote:

Unanimous roll call vote.

2. Subject: Adoption Of Ordinance For A License Agreement To The County Of Santa Barbara For The East Mountain Drive Roadway And Embankment Damage Repair Project On A Portion Of Gould Park At Cold Spring Trail (530.01)

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving a License Agreement With the County of Santa Barbara, A Political Subdivision of the State of California, for the East Mountain Drive Roadway and Embankment Damage Repair Project Above East Mountain Drive, Located Outside of the City Limits on a Portion of City-Owned Property Known as Gould Park, and Authorizing the City Administrator to Execute the License Agreement.

Action: Approved the recommendation; Ordinance No. 5852; Agreement No. 26,275.

3. Subject: Fiscal Year 2019 Interim Financial Statements For The One Month Ended July 31, 2018 (250.02)

Recommendation: That Council Accept the Fiscal Year 2019 Interim Financial Statements for the One Month Ended July 31, 2018.

Action: Approved the recommendation; (September 25, 2018, report from the Finance Director).

4. Subject: August 2018 Investment Report (260.02)

Recommendation: That Council accept the August 2018 Investment Report.

Action: Approved the recommendation; (September 25, 2018, report from the Finance Director).

5. Subject: 2018 Annual Employees' Charitable Giving Campaign (170.01)

Recommendation: That Council authorize the City's 2018 Charitable Giving Campaign.

Action: Approved the recommendation; (September 25, 2018, report from the Administrative Services Director).

6. Subject: Contract For Design To Replace La Colina Wastewater Force Main No. 1 (540.13)

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Carollo Engineers, in the amount of \$42,309 for design services for the replacement of La Colina Wastewater Force Main No. 1, and authorize the Public Works Director to approve expenditures of up to \$4,230 for extra services of Carollo Engineers that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Agreement No. 26,276 (September 25, 2018, report from the Public Works Director).

7. Subject: Agreement For Kronos Workforce Dimensions Timekeeping And TeleStaff Public Safety Scheduling Software Solutions (170.04)

Recommendation: That Council:

- A. Approve a Professional Services Agreement with Kronos Incorporated attaching and integrating the Workforce Dimensions contract and the Telestaff contract as set forth below;
- B. Approve a contract with Kronos Incorporated for the Workforce Dimensions software as a service (SaaS) timekeeping and absence solutions for an initial period of 5 years, with a one-time cost of \$51,450 and an annual licensing cost for each contract year of \$38,135, for a total contract amount of \$242,125; and provide change authority of up to \$103,991 for optional enhancements and changes that may occur over the contract term, for total authorization of up to \$346,116 over 5 years;
- C. Approve a contract with Kronos Incorporated for the TeleStaff software as a service (SaaS) public safety scheduling solution for an initial period of 5 years, with one-time cost of \$70,372 and annual licensing costs for each contract year of \$35,040, for a total contract amount of \$245,572; and authorize change authority of \$24,557 over the contract term for total authorization of up to \$270,129 over 5 years;
- D. Authorize the Administrative Services Director to secure project management services for the implementation of the Kronos systems, in an estimated amount of \$61,624, and return to Council for contract approval; and
- E. Approve an allocation of \$677,869 in the Information Technology Capital Fund from the Financial Management System Replacement Project to the Time & Attendance System Project.

Action: Approved the recommendations; Agreement Nos. 26,277; 26,278; 26,279 (September 25, 2018, report from the Administrative Services Director).

8. Subject: Authorization For Agreement For Legal Services With Manning & Kass, Ellrod, Ramirez, Trester, LLP For General Litigation Support (160.03)

Recommendation: That Council:

- A. Authorize the City Attorney to execute a legal services agreement with Manning & Kass, Ellrod, Ramirez, Trester, LLP, for general litigation support in Bridget Bryden v. COSB, SBSC Case No. 17CV01529, Sonya Huerta, et al. v. The City of Santa Barbara, et al., USDC Case No. CV 17-6225-TJH(JEMx), and other litigation in an amount not to exceed \$120,000; and
- B. Increase appropriations in the Fiscal Year 2019 City Attorney's Office budget from the General Fund Reserve for Contingencies in the amount of \$120,000, for legal services with Manning & Kass, Ellrod, Ramirez, Trester, LLP.

Action: Approved the recommendations; Agreement No. 26,280 (September 25, 2018, report from the City Attorney).

9. Subject: Authorization For Amendment For Expert Services With Recon Research Corporation And For Retention Of Experts As Necessary For Trial (160.03)

Recommendation: That Council:

- A. Increase appropriations by \$150,000 in Fiscal Year 2019 General Fund, City Attorney's Office budget, funded from the General Fund Reserve for Contingencies; and
- B. Authorize the City Attorney to retain expert witnesses and related services as necessary for trial in an amount not to exceed \$150,000 in the pending litigation in Rolland Jacks, et al., v. City of Santa Barbara SBSC Case No. 1383959 and Theodore Kracke v. City of Santa Barbara VCSC Case No. 56-2016-00490376-CU.

Action: Approved the recommendations; Agreement Nos. 26,294 and 26,295 (September 25, 2018, report from the City Attorney).

10. Subject: Residential Organics Curbside Collection (630.01)

Recommendation: That Council receive a report from staff providing information for the implementation of a for residential organics curbside collection program.

Action: Approved the recommendation; (September 25, 2018, report from the Finance Director).

NOTICES

11. Subject: The City Clerk has on Thursday, September 20, 2018, 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. Subject: Received a letter of resignation from Rental Housing Mediation Board Member Yuet Connie Ng; the vacancy will be part of the current City Advisory Groups recruitment.

This concluded the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ADMINISTRATOR

13. **Subject: Proposed Lease Agreement With Santa Barbara Arts Collaborative For Community Arts Workshop Site At 631 Garden Street (150.04)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the City Administrator to Execute a Twenty Five Year Lease Agreement with the Santa Barbara Arts Collaborative for the Development and Use of the City-Owned Property Located at 631 Garden Street as a Community Arts Workshop, Commencing Upon the Effective Date of the Enabling Ordinance.

Documents:

- September 25, 2018, report from the City Administrator.
- Proposed ordinance.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Senior Assistant to the City Administrator Nina Johnson.
- Santa Barbara Arts Collaborative: Marianne Clark and Casey Caldwell.

Motion:

Councilmembers Hart/Dominguez to approve the recommended action.

Vote:

Unanimous roll call vote.

PUBLIC HEARING

14. **Subject: Designation Of The Alhecama Theatre As A City Landmark (640.06)**

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Designating the Alhecama Theatre at 215A East Canon Perdido Street as a City Landmark.

Documents:

- September 25, 2018, report from the Community Development Director.
- Proposed resolution.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Associate Planner Nicole Hernandez; Senior Planner Irma Unzueta.
- California State Parks: Danita Rodriguez.
- Historic Landmarks Commission: Anthony Grumbine.
- Members of the public: Debby Aceves, Santa Barbara Trust for Historic Preservation; Michael Imwalle, Santa Barbara Trust for Historic Preservation.

Motion:

Councilmembers Friedman/Sneddon to approve the recommended action; Resolution No. 18-077.

Vote:

Unanimous roll call vote.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

FINANCE DEPARTMENT

15. Subject: Update On Tajiguas Resource Recovery Project (630.01)

Recommendation: That Council hear a status report on the Tajiguas Resource Recovery Project.

Councilmember Hart recused himself from consideration of this item due to his status as a County of Santa Barbara Supervisor-Elect. He was excused from the meeting at 3:24 p.m.

Documents:

- September 25, 2018, report from the Finance Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Finance Director Robert Samario; Environmental Services Manager Rene Eyerly.
- County of Santa Barbara: Leslie Wells.
- Mustang MSV: John Dewey.

Discussion:

Staff's presentation included discussion of the Material Recovery Facility, which will sort solid waste into categories for the Anaerobic Digestion Facility, the recycling market, and the landfill. Council's questions were answered.

Motion:

Councilmember Dominguez to delay the current project to look into trying to move interest rate to a flat rate.

Vote:

Motion died for lack of a second.

RECESS

4:30 p.m. – 4:40 p.m.

Councilmember Hart returned to the meeting at 4:40 p.m.

PUBLIC WORKS DEPARTMENT

16. Subject: Capital Improvement Program Annual Report For Fiscal Year 2018 (230.01)

Recommendation: That Council hear a presentation from staff regarding the Capital Improvement Program Annual Report For Fiscal Year 2018.

Documents:

- September 25, 2018, report from the Finance Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: City Engineer Brian D'Amour.

Discussion:

Staff made a presentation, including a discussion of the pavement maintenance program. Councilmembers' questions were answered.

CITY ADMINISTRATOR

17. Subject: Request From Councilmembers Hart And Friedman Regarding Local Community Workforce Agreement Policy For City Of Santa Barbara Capital Construction Projects (120.02)

Recommendation: That Council consider the request from Councilmembers Hart and Friedman that staff provide information on a local Community Workforce Agreement Policy for City of Santa Barbara capital construction projects.

Documents:

- September 25, 2018, report from the City Administrator.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Public Works Director Rebecca Bjork; Assistant City Attorney Daniel Hentchke.
- Members of the public: Robert Rivas, Local Union 114 Santa Maria; Peter Ryan, Local 413 IBEW; Kevin Norton; Stephen Lopez, IBEW 413; Chuck Hiddleston, IBEW IU 413; Brian Gregory, Santa Barbara County Electrical JATC; Paul Rodriguez Jr, Santa Barbara County Electrical JATC; Chris Scott, Santa Barbara County Electrical JATC; Martin A. Rodriguez, Ironworkers Local 433; Tory Skinner; Tri Counties Building Trades; Todd Berry, SMART Local 104; Tyler Scheidt, SMART Local 104; Phillip Wilks, Ironworkers; Garrett Greenya; Phil Roberts; Jay Sheeler.

Discussion:

Councilmembers Hart and Friedman introduced the item. Staff answered Councilmember questions.

Motion:

Councilmembers Friedman/Hart to have staff research project labor agreements, bring the item back to the Ordinance Committee, and to do so quickly, with the possibility of using outside help.

Vote:

Majority roll call vote (Noes: Councilmembers Dominguez, Rowse, Sneddon)

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

- Councilmember Dominguez attended the following events or meetings: 1. Sea Level Rise Subcommittee; 2. Art gallery for Girls Inc; 3. Police Station ad hoc Committee; 4. Natural History Museum ribbon cutting; 5. Ribbon cutting at Municipal Tennis Court; 6. Airport Commission meeting.
- Councilmember Friedman attended the following events or meetings: 1. Natural History Museum butterfly exhibit opening; 2. Barger Canyon tour with Creeks Commission; 3. Cameron Benson paddle out; 4. Sea Level Rise Subcommittee; 5. Passing of Bud Bottoms.

- Councilmember Gutierrez attended the following events or meetings: 1. Ribbon cutting at Municipal Tennis Court; 2. Ribbon cutting of new brewery on State Street; 3. Natural History Museum butterfly exhibit opening; 4. Condolence on passing of Elena Ventura.
- Councilmember Sneddon attended the following events or meetings: 1. Ribbon cutting at Municipal Tennis Court; 2. Barger Canyon tour with Creeks Commission; 3. Water Commission meeting; 4. Gave Peace Prize Proclamation for local chapter of United Nations Association to Deepa Willingham; 5. Attended Creeks Weeks finale at Watershed Resource Recovery Center; 6. Welcome Back portion of Cameron Benson's friendship paddle; 7. COMB meeting; 8. Police Station ad hoc Committee; 9. Tour of Police station; 10. ArtWalk at SB Natural History Museum; 11. Lois Capps' book event; 12. Sea Level Rise Subcommittee.
- Mayor Murillo attended the following events or meetings: 1. Home for Good homelessness collaborative; 2. Update on County collaboration efforts to move people out of Santa Ynez River near Lompoc; 3. Pop up event regarding business matchmaking; 4. Ribbon Cutting for Tennis Courts playground, thanking Bendy White; 5. SBCAG meeting; 6. National Rehab Awareness awards; 7. Cameron Benson's friendship paddle.

PUBLIC COMMENT (IF NECESSARY)

RECESS

Mayor Murillo recessed to closed session at 6:30 p.m. and stated that no reportable action is anticipated.

By consensus, Council determined to hear items 19 and 20 at a later meeting.

CLOSED SESSIONS

18. Subject: Conference With City Attorney – Anticipated Litigation (160.03)

Recommendation: That Council hold a closed session to consider significant exposure to litigation (one potential case) pursuant to Government Code section 54956.9(d)(2) & (e)(3) and take appropriate action as needed.

The anticipated litigation is based upon significant exposure to litigation arising out of the of the claim of Travelers Insurance regarding 237 Calle Mazanita.

Scheduling: Duration: 20 minutes; anytime
Report: None anticipated

Documents:
- September 25, 2018, report from the City Attorney.

Time: 6:30 p.m. – 6:40 p.m.

No report made.

19. Subject: Conference With City Attorney – Anticipated Litigation (160.03)

Recommendation: That Council hold a closed session to consider significant exposure to litigation (one potential case) pursuant to Government Code section 54956.9(d)(2) & (e)(1) and take appropriate action as needed.

Scheduling: Duration: 15 minutes; anytime
Report: None anticipated

Documents:

- September 25, 2018, report from the City Attorney.

20. Subject: Conference With City Attorney – Existing 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 Committee for Social Justice, et al., v. City of Santa Barbara, et al., USDC Case No. 18-CV-08120.

Scheduling: Duration, 15 minutes; anytime
Report: None anticipated

Documents:

- September 25, 2018, report from the City Attorney.

ADJOURNMENT

Mayor Murillo adjourned the meeting at 6:40 p.m. in the name of Bud Bottoms and Elaine Ventura.

Approved and adopted by the City Council of the City of Santa Barbara on November 13, 2018.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



CATHY MURILLO
MAYOR

ATTEST:



SARAH GORMAN
CITY CLERK SERVICES MANAGER