



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**REGULAR MEETING
February 12, 2013
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 12:30 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: Dale Francisco, Frank Hotchkiss, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: Grant House.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, City Clerk Services Manager Gwen Peirce.

CEREMONIAL ITEMS

1. **Subject: 2013 Architectural Board Of Review And Historic Landmarks Commission Design Awards (640.03)**

Recommendation: That Council join the Architectural Board of Review and the Historic Landmarks Commission in presenting the 2013 Design Awards.

Documents:

- February 12, 2013, report from the Assistant City Administrator.
- PowerPoint presentation prepared and made by Staff.

Speaker:

- Staff: Senior Planner Jaime Limon.
- Architectural Board of Review Members: Vice Chair Kirk Gradin, Stephanie Poole.
- Historic Landmarks Commission Member: Don Sharpe. (Cont'd)

1. (Cont'd)

Action: The George Washington Smith Award was presented to Mark Shields. The Lockwood de Forrest Award was presented to Martha Degasis, Arcadio Studio. The Saint Barbara Award was presented to Kellam De Forest.

Councilmember House arrived at 2:05 p.m.

PUBLIC COMMENT

Speakers: Bob Hansen; Kenneth Loch; Dr. Robert L. Johns, PhD.; Patricia Bartoli-Wible, Southern California Edison.

ITEM REMOVED FROM THE CONSENT CALENDAR

3. Subject: Adoption Of An Ordinance Of The Council Of The City Of Santa Barbara Granting An Exclusive Ten-Year Franchise For Citywide Solid Waste Collection And Disposal Services To Marborg Industries, Inc. (630.01)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Granting an Exclusive Ten-year Franchise for Citywide Solid Waste Collection and Disposal Services to MarBorg Industries, Inc., a California Corporation, and Approving and Authorizing the City Administrator to Execute a Memorandum of Understanding Between the City and MarBorg Industries, Inc. Providing for MarBorg's Waiver of Certain Compensation Under the Existing Zone One and Zone Two Franchise Agreements in Consideration of the Grant of the New Citywide Franchise to MarBorg.

Documents:

Proposed Ordinance.

Motion:

Councilmembers Rowse/Francisco to approve the recommendation and adopt Ordinance No. 5608; Agreement No. 24,364.

Vote:

Majority roll call vote (Noes: Councilmember Murillo).

CONSENT CALENDAR (Item Nos. 2, 4 – 7)

Motion:

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

Vote:

Unanimous voice vote.

2. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of January 29, 2013.

Action: Approved the recommendation.

4. Subject: Approval Of Extension For The South Coast Energy Efficiency Partnership Agreement (630.06)

Recommendation: That Council authorize the Public Works Director to extend the 2010-2012 Energy Partnership Agreement between Southern California Edison, the Southern California Gas Company and the City of Santa Barbara to cover the 2013-2014 transition period.

Speakers:

Members of the Public: Patricia Bartoli-Wible, Southern California Edison.

Action: Approved the recommendation; Lease Agreement No. 23,275.1 (February 13, 2013, report from the Public Works Director).

5. Subject: Vehicle Access Security Gate Project At Police Department (520.04)

Recommendation: That Council:

- A. Accept \$215,000 from the County of Santa Barbara and authorize the Chief of Police to execute a grant agreement with the County of Santa Barbara for the funding necessary for the City SBPD Vehicle Access Security Gate Project; and
- B. Increase appropriations and estimated revenues by \$215,000 in the Miscellaneous Grants Fund for Fiscal Year 2013 for the Vehicle Access Security Gate Project.

Action: Approved the recommendations (February 12, 2013, report from the Chief of Police).

6. Subject: Proposed Lease Agreement With Alexandra Maryanski And Jonathan Turner For A 167 Square Foot Office Space Located At 125 Harbor Way At A Monthly Rent Of \$441.00 (330.04)

Recommendation: That City Council approve a two-year lease agreement with Alexandra Maryanski and Jonathan Turner for office space located at 125 Harbor Way, #21.

Action: Approved the recommendation; Lease Agreement No. 24,365 (February 12, 2013, report from the Waterfront Director).

NOTICES

7. The City Clerk has on Thursday, February 7, 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 FINANCE COMMITTEE

Finance Committee Chair Dale Francisco reported that the Committee met to review an item regarding Loan Subordination Requests from Habitat for Humanity, which has been referred to Council for a future meeting. He stated that the Committee also reviewed the Fiscal Year 2013 Mid-Year Reports, which will be presented to Council under Agenda Item No. 10.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTSPUBLIC WORKS DEPARTMENT**8. Subject: Report From Santa Barbara Metropolitan Transit District (150.05)**

Recommendation: That Council hear a report regarding the Santa Barbara Metropolitan Transit District services.

Documents:

- February 12, 2013, report from the Public Works Director.
- PowerPoint Presentation prepared and made by the Santa Barbara Metropolitan Transit District Staff.

Speakers:

- Staff: Transportation Manager Browning Allen.
- Metropolitan Transit District: General Manager Sherrie Fisher, Board Chair David Davis.

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

ADMINISTRATIVE SERVICES DEPARTMENT**9. Subject: Update On Code Of Conduct For Advisory Group Members And Adoption Of Revised City Advisory Group Guidelines (140.02)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving the Revised Guidelines for the City of Santa Barbara Advisory Groups and Rescinding Resolution Nos. 03-006 and 06-092. (Cont'd)

9. (Cont'd)

Documents:

- February 12, 2013, report from the Assistant City Administrator.
- Proposed Resolution.
- PowerPoint Presentation prepared and made by Staff.

The title of the resolution was read.

Speakers:

- Staff: Assistant City Administrator Paul Casey, City Clerk Services Manager Gwen Peirce, City Attorney Stephen Wiley.
- Members of the Public: Philip Suding.

Motion:

Councilmembers House/Hotchkiss to approve the recommendation and adopt Resolution No. 13-006 with minor revisions to the sections pertaining to Compensation, AB1234 Ethics Training and Code of Conduct.

Vote:

Unanimous roll call vote.

FINANCE DEPARTMENT**10. Subject: Fiscal Year 2013 Mid-Year Review (250.02)**

Recommendation: That Council:

- A. Hear a report from staff on the status of revenues and expenditures in relation to budget for the six months ended December 31, 2012;
- B. Accept the fiscal year 2013 Interim Financial Statements for the Six Months Ended December 31, 2012; and
- C. Approve the proposed mid-year adjustments to Fiscal Year 2013 appropriations and estimated revenues as detailed in the attached schedule of Proposed Mid-Year Adjustments.

Documents:

- February 12, 2013, report from the Finance Director.
- PowerPoint Presentation prepared and made by Staff.

Speakers:

Staff: Finance Director Robert Samario.

Motion:

Councilmembers Francisco/Hotchkiss to approve the recommendations.

Vote:

Unanimous voice vote.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember White reported on his attendance at the Human Services Commission interviews and a recent Water Commission meeting where they discussed capital programs on water and wastewater systems.
- Councilmember Hotchkiss reported on a ribbon cutting ceremony that he attended at the new Baskin Robbins on upper State Street.
- Mayor Schneider spoke regarding Santa Barbara's role in the 2013 Amgen Tour of California.
- Councilmember House reported on a recent Community Action Commission meeting where they received a report on their Emergency Plan.

RECESS

Mayor Schneider recessed the meeting at 4:30 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 11, and she stated that no reportable action is anticipated.

CLOSED SESSIONS

11. **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 *Santa Barbara Channelkeeper v. City of Santa Barbara*, USDC Case No. CV-1103624 JHN (AGRx)

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

Documents:

February 12, 2013, report from the City Attorney.

Time:

4:35 p.m. – 5:23 p.m.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 5:23 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



HELENE SCHNEIDER
MAYOR

ATTEST: 

GWEN PEIRCE, CMC
CITY CLERK SERVICES MANAGER