



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**REGULAR MEETING
September 15, 2015
COUNCIL CHAMBER, 735 ANACAPA STREET**

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:00 p.m. (The Finance Committee and Ordinance Committee met at 12:30 p.m.)

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Dale Francisco, Gregg Hart, Frank Hotchkiss, Cathy Murillo, Randy Rowse, Bendy White (2:02 p.m.), Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator Paul Casey, City Attorney Ariel Pierre Calonne, City Clerk Services Manager Gwen Peirce.

CEREMONIAL ITEMS

- 1. Subject: Proclamation Declaring September 2015 As National Alcohol And Drug Addiction Recovery Month (120.04)**

Action: Proclamation was presented to representatives from the Council on Alcoholism and Drug Abuse.

CHANGES TO THE AGENDA

City Administrator Casey recommended that the following item be removed from the Agenda, to be resubmitted at a later date:

- 5. Subject: Recodification Of Ordinance Authorizing Design-Build-Operate Public Works Contracts (540.10)**

(Cont'd)

5. (Cont'd)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the Municipal Code By Adding Section 4.52.165 Pertaining to Public Works Contracts.

Motion:

Councilmembers Rowse/White to remove Item No. 5 from the agenda.

Vote:

Unanimous voice vote.

PUBLIC COMMENT

Speakers: Michael Warnken; Denise Adams; Brandon Morse; Christel Barrus, Flamingo Disaster Preparedness Team; Jim Farned; Jesse Espinosa on behalf of Sara Pacheco; Jacqueline Inda; Phil Walker; Lee Moldaver; Tom Widroe, CityWatch; Scott Wenz, Cars Are Basic; John Thomas, Mental Wellness Center; Richard Robinson; Geof Bard.

CONSENT CALENDAR (Item Nos. 2 –13)

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

Motion:

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

Vote:

Unanimous roll call vote.

2. Subject: Adoption Of Ordinance To Amend Municipal Code Chapter 5.66, News Racks (530.01)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 5.66 of the Santa Barbara Municipal Code to Establish News Rack Regulations.

Action: Approved the recommendation; Ordinance No. 5718.

3. Subject: Adoption Of Ordinance For Amendment To Agreement For Elings Park Recycled Water Booster Pump Station (540.13)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving Amendment No. 1 to Agreement No. 24,316 Between the City of Santa Barbara and The Elings Park Foundation Dated January 10, 2013, for the Use and Delivery of the City's Recycled Water and for the Construction of an Onsite Recycled Water Booster Pump Station at Elings Park. (Cont'd)

3. (Cont'd)

Action: Approved the recommendation; Ordinance No. 5719; Agreement No. 24,316.1.

4. **Subject: Statement Of Investment Policy And Delegation Of Investment Authority For Fiscal Year 2016 (260.01)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the Investment Policy for the City and Rescinding Resolution No. 14-060.

Action: Approved the recommendation; Resolution No. 15-075 (September 15, 2015, report from the Finance Director; proposed resolution).

6. **Subject: Resolution Adopting The Findings For 1912 Mission Ridge Road Appeal (640.07)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Denying the Appeal and Upholding the Decision of the Single Family Design Board Granting Final Approval of the Project Design Approval for Additions to the Residence at 1912 Mission Ridge Road.

Action: Approved the recommendation; Resolution No. 15-076 (September 15, 2015, report from the City Attorney; proposed resolution).

7. **Subject: Contract For Construction Of Live-Fire Training Facilities Site Work Project (520.03)**

Recommendation: That Council:

- A. Award a contract with Hanly General Engineering Corporation in their low bid amount of \$89,229.50 for construction of the Fire Training Facilities Site Work Project, Bid No. 3795; and authorize the Public Works Director to execute the contract and approve expenditures up to \$8,923 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. Accept the donation from Santa Barbara County Fire Department, Montecito Fire Protection District, Joint Apprenticeship Committee, and the McCaw Foundation in the total amount of \$117,774 for construction of the Fire Training Facilities Site Work Project; and
- C. Increase estimated revenues and appropriations for the Fire Training Facilities Site Work Project in the Capital Outlay Fund by \$117,774, bringing the funding for the Project to \$357,774.

(Cont'd)

7. (Cont'd)

Action: Approved the recommendations; Contract No. 25,315 (September 15, 2015, report from the Public Works Director and Fire Chief).

8. **Subject: Introduction Of Ordinances For Lease Amendments With Mercury Air Center - Santa Barbara, Inc. And Signature Flight Support Corporation (330.04)**

Recommendation: That Council:

- A. Introduce and subsequently 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 Lease Amendment to Lease Agreement No. 200846, as Previously Amended November 22, 2011, with Mercury Air Center - Santa Barbara, Inc., a California Corporation, dba Atlantic Aviation, Amending the "Term" and "Rent" Provisions to Extend the Expiration Date to May 8, 2018, and Provide for Appropriate Rental Increases During the Extended Term; and
- B. Introduce and subsequently 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 Lease Amendment to Restated Lease No. 12,037.2, with Signature Flight Support Corporation, a California Corporation, Dated October 18, 2012, Amending the "Term" and "Rent" Provisions to Extend the Expiration Date to May 8, 2018, and Provide for Appropriate Rental Increases During the Extended Term.

Action: Approved the recommendations (September 15, 2015, report from the Airport Director; proposed ordinances).

9. **Subject: Contract For Design Of Cota Parking Lot Improvements And Access Control Project (550.01)**

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Stantec Consulting Services, Inc., in the amount of \$34,775 for design services of the Cota Lot Improvements and Access Control Project and approve expenditures of up to \$3,478 for extra services that may result from necessary changes in the scope of work, for a total contract amount of \$38,253.

Action: Approved the recommendation; Contract No. 25,316 (September 15, 2015, report from the Public Works Director).

10. Subject: Contract For Professional Services For The Listing And Sale Of Excess City Properties Acquired For Bridge Replacement Projects (530.01)

Recommendation: That Council authorize the Public Works Director to execute a contract for professional services with Goodwin & Thyne Properties for the listing and sale of the excess residential City-owned properties known as 221 West Cota Street, 230 West Cota Street, 536 Bath Street, and 20 West Mason Street.

Action: Approved the recommendation; Contract No. 25,317 (September 15, 2015, report from the Public Works Director).

11. Subject: Contract For Construction Of Pedestrian Crosswalk Improvements At Four Intersections (530.04)

Recommendation: That Council:

- A. Accept Highway Safety Improvement Program grant funding in the total amount of \$493,500 for the Highway Safety Improvements Program Pedestrian Crosswalk Enhancements Project;
- B. Award a contract with Lash Construction, Inc., in their low bid amount of \$442,466.50 for construction of the Highway Safety Improvement Program Pedestrian Crosswalk Enhancements Project, Bid No. 3681; and authorize the Public Works Director to execute the contract and approve expenditures up to \$44,250 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;
- C. Approve the transfer of \$76,217 in available appropriations from the Streets Capital Fund to the Streets Grant Fund and appropriate for the use of the Highway Safety Improvement Program Pedestrian Crosswalk Enhancements Project in the Streets Grants Fund; and
- D. Authorize an increase in appropriations and estimated revenues related to the Highway Safety Improvement Program grant funding by \$493,500 in the Fiscal Year 2016 Streets Grant Fund to cover the cost of construction.

Documents:

- September 15, 2015, report from the Public Works Director.
- PowerPoint Presentation prepared and made by staff.

Speakers:

- Staff: Supervising Transportation Engineer Derrick Bailey.
- Members of the Public: Scott Wenz, Cars Are Basic.

Action: Approved the recommendations; Contract No. 25,318.

12. Subject: Compliance With Healthy Workplace Healthy Family Act Of 2014 (410.01)

Recommendation: That Council:

- A. Review sick leave administration changes for regular employees to comply with the Healthy Workplace Healthy Family Act of 2014;
- B. Ratify the agreement with the Hourly Bargaining unit through introduction and subsequent adoption of, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the Existing 2014-2016 Memorandum Of Understanding Between the City Of Santa Barbara and the Hourly Employees' Bargaining Unit to Comply with the Healthy Workplace Healthy Family Act of 2014; and
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving an Unrepresented Hourly Employees Paid Sick Leave Law Policy.

Action: Approved the recommendations; Resolution No. 15-077 (September 15, 2015, report from the Administrative Services Director; proposed ordinance; proposed resolution).

NOTICES

- 13. The City Clerk has on Thursday, September 10, 2015, 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 Francisco reported that the Committee met to approve a minor change to the investment policy and certain budget adjustments. The Statement of Investment Policy was approved as part of this agenda's Consent Calendar (Item No. 4). The proposed budget adjustments will be considered by the Council as Agenda Item No. 14.

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Rowse reported that the Committee met to hear and discuss amendments to the peddling and soliciting ordinance. The Committee voted to forward this item to the full Council at a future Council meeting and to put together a working group with business owners for their input on the ordinance. The proposed ordinance to permit carshare operations was pulled from the agenda and continued to a future agenda.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

FINANCE DEPARTMENT

14. Subject: Fiscal Year 2015 Fourth Quarter 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 Fiscal Year ended June 30, 2015;
- B. Accept the Interim Financial Statements for the Fiscal Year Ended June 30, 2015; and
- C. Approve the proposed adjustments to the Fiscal Year 2015 budget as detailed in the Schedule of Proposed Fourth Quarter Budget Adjustments.

Documents:

- September 15, 2015, report from the Finance Director.
- PowerPoint Presentation prepared and made by staff.

Speakers:

- Staff: Finance Director Bob Samario, Treasury Manager Julie Nemes, Accounting Manager Jennifer Tomaszewski.
- Members of the Public: Brandon Morse.

Motion:

Councilmembers Hart/Hotchkiss to approve Recommendations B and C.

Vote:

Unanimous voice vote.

PUBLIC WORKS DEPARTMENT

15. Subject: Southern California Edison Reliability Project Update (380.01)

Recommendation: That Council receive and comment on a presentation by Southern California Edison on their Downtown Santa Barbara Reliability Project.

Documents:

- September 15, 2015, report from the Public Works Director.
- PowerPoint Presentation prepared and made by Southern California Edison.

Speakers:

- Staff: Facilities Manager Jim Dewey.
- Southern California Edison: Local Public Affairs Region Manager Rondi Guthrie, Santa Barbara Service Center District Manager Alicia Pillado.
- Members of the Public: Jerry Brown.

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

16. Subject: Request From Montecito Water District For Regional Use Of The Charles E. Meyer Desalination Plant (540.10)

Recommendation: That Council:

- A. Direct Staff to send a letter to Montecito Water District to initiate formal discussions regarding the use of the City's Charles E. Meyer Desalination Plant as a Regional Water Supply; and
- B. Appoint an Ad Hoc Council Committee to consult with staff as issues arise.

Documents:

- September 15, 2015, report from the Public Works Director.
- PowerPoint Presentation prepared and made by staff.

Speakers:

- Staff: Public Works Director Rebecca Bjork, Principal Engineer Linda Sumansky.
- Montecito Water District Board of Directors: President Dick Shaikewitz, Director Charles Newman.
- Members of the Public: Phil Walker.

Motion:

Councilmembers Rowse/Hotchkiss to approve Recommendation A and to appoint Councilmembers White, Hart and Mayor Schneider to an Ad Hoc Council Committee to consult with staff as issues arise.

Vote:

Unanimous voice vote.

MAYOR AND COUNCIL REPORTS

17. Subject: Council Liaison To The Cachuma Operations And Maintenance Board (540.03)

Recommendation: That Council affirm the appointment of Councilmember Bendy White as the Council liaison to the Cachuma Operations And Maintenance Board, and select an alternate.

Documents:

September 15, 2015, report from the City Administrator.

Motion:

Councilmembers Francisco/Rowse to affirm Councilmember White's appointment as the Council liaison to the Cachuma Operations and Maintenance Board.

Vote:

Unanimous voice vote.

(Cont'd)

17. (Cont'd)**Motion:**

Councilmembers Hart/Rowse to appoint Councilmember Murillo as the alternate to the Cachuma Operations and Maintenance Board.

Vote:

Majority voice vote (Noes: Councilmember Hotchkiss).

RECESS

4:26 p.m. – 4:32 p.m.

18. Subject: Request From Mayor Schneider And Councilmember Murillo Regarding Planned Parenthood Health Care And Educational Services (180.02)**Recommendation: That Council:**

- A. Consider the request from Mayor Schneider and Councilmember Murillo to receive a presentation regarding Planned Parenthood centers; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Recognizing Planned Parenthood for Its Important Contributions to Women's Health in the City of Santa Barbara.

Documents:

- September 15, 2015, report from the City Administrator.
- Proposed Resolution.

Speakers:

Planned Parenthood of Santa Barbara, Ventura and San Luis Obispo Counties: Chief Executive Officer Jenna Tosh.

Members of the Public: Lauren Beccue; Brandon Morse; Linda Foster; Steve Thomas; Bonnie Raisin; Marion Rosecrance; Barbara Najera; Christine Crickshank; Debbie Saucedo; Rhonda Huesgen; Julie Mickelberry, Planned Parenthood.

Motion:

Councilmembers Murillo/Hart to approve Recommendation B and adopt a Resolution recognizing Planned Parenthood; Resolution No. 15-078.

Vote:

Majority roll call vote (Noes: Councilmembers Francisco and Hotchkiss).

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**Information:**

- Councilmember Murillo reported on recent meetings of the Rental Housing Mediation Board and Santa Barbara Youth Council.

(Cont'd)

Information: (Cont'd)

- Councilmember Hart spoke regarding the cancellation of a recent Beach Erosion Authority for Clean Oceans and Nourishment (BEACON) Board meeting.
- Councilmember White reported on his attendance at a recent Water Commission meeting.
- Mayor Schneider commented on the successful Grand Opening of the newly renovated Children's Section at the Central Library.

RECESS

The Mayor recessed the meeting at 5:23 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 19, and she stated that no reportable action is anticipated.

CLOSED SESSIONS**19. Subject: Conference with City Attorney - Existing Litigation (160.03)**

Recommendation: That Council hold a closed session to confer with the City Attorney regarding existing litigation pursuant to Government Code section 54956.9(d)(1), and take appropriate action as needed.

The existing litigation is:

Carter, Camille v. City of Santa Barbara, SBSC Case No. 1438672
Reyes, Toni M. v. City of Santa Barbara, SBSC Case No. 1416050
Wikman, Monika v. City of Santa Barbara, SBSC Case No. 1467345
Fox, Karen et al. v. City of Santa Barbara, et al., SBSC Case No. 1469026
Martinson, Trevor J. v. City of Santa Barbara, SBSC Case No. 1486849
Corral, Debra, and Sanchez, Theodore (Deceased), Trustees v. City of Santa Barbara, SBSC Case No. 1466439
 Scheduling: Duration, 60 minutes; anytime
 Report: None anticipated

Documents:

September 15, 2015, report from the City Attorney.

Time:

5:25 p.m. – 6:10 p.m. Councilmember Francisco was absent.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 6:10 p.m. in memory of Eliseo Campos.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



HELENE SCHNEIDER
MAYOR

ATTEST:



GWEN PEIRCE, CMC
CITY CLERK SERVICES MANAGER