



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

SPECIAL MEETING
June 19, 2012

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 10:03 a.m. at the David Gebhard Public Meeting Room, 630 Garden Street.

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Dale Francisco, Frank Hotchkiss, Grant House (10:06 a.m.), Cathy Murillo (10:08 a.m.), Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: None.

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

PUBLIC COMMENT

No one wished to speak.

WORK SESSIONS

1. Subject: Workshops Regarding Resource Recovery Project At Tajiguas Landfill (630.01)

Recommendation: That Council receive a report from staff regarding the Resource Recovery Park Project at the Tajiguas Landfill.

Documents:

- June 19, 2012, report from the Finance Director.
- PowerPoint presentation prepared and made by Staff.

(Cont'd)

1. (Cont'd)

Speakers:

- Staff: Environmental Services Manager Matthew Fore, Finance Director Robert Samario, City Attorney Stephen Wiley.
- Members of the Public: Mike Lunsford, Gaviota Coast Conservancy; Jon Dewey, Mustang Renewable Power Ventures; Mark Schleich, Santa Barbara County Public Works Department.

Discussion:

Environmental Services Manager Matthew Fore explained the background for and the description of the proposed Resource Recovery Park project, the purpose of which is to capture recyclable material left in trash transported to the Tajiguas Landfill. He reviewed what was learned from a site visit made to the City of San Jose, which included tours of two Material Recovery Facilities and one composting facility. Mr. Fore concluded his presentation with a description of two options for development of the project as well as Staff's recommendation that both options be studied as part of the required environmental review. An additional meeting of Council to discuss this issue is scheduled for Thursday, June 21, 2012, at 3:00 p.m.

RECESS

12:05 p.m. – 2:00 p.m. The Council reconvened at City Hall, 735 Anacapa Street. Mayor Schneider presiding.

Councilmembers present: Francisco, Hotchkiss, House, Murillo, Rowse, White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator Armstrong, City Attorney Wiley, Deputy City Clerk Tschech.

The Finance and Ordinance Committees, which ordinarily meet at 12:30 p.m., did not meet on this date.

PUBLIC COMMENT

Speakers: Amy Walker; Robert Burke; Claudia Bratton, Summer Solstice; K8 Longstory.

CONSENT CALENDAR (Item Nos. 2 – 9)

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

Motion:

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

Vote:

Unanimous roll call vote.

2. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the special meetings of May 16, and June 6, 2012.

Action: Approved the recommendation.

3. Subject: Property Tax Exchange Agreement For 455 And 457 North Hope Avenue Annexation (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 Hope Avenue Reorganization, an Annexation of Properties Located at 455 North Hope Avenue (Assessor's Parcel Nos. 057-191-011 and 057-191-014) and 457 North Hope Avenue (Assessor's Parcel No. 057-170-012) to the City of Santa Barbara, and Detachment from the Santa Barbara County Fire Protection District, Goleta Water District and County Service Area 32.

Action: Approved the recommendation; Resolution No. 12-035 (June 19, 2012, report from the Finance Director; proposed resolution).

4. Subject: Contract For Asset Management Program Development Services For The Water Distribution System (540.01)

Recommendation: That Council authorize the Public Works Director to execute a contract with Brown and Caldwell in the amount of \$437,842 to provide Asset Management Program Development Services for the Water Distribution System, and authorize the Public Works Director to approve expenditures of up to \$43,784 for extra services of Brown and Caldwell that may result from necessary changes in the scope of work, for a total amount not to exceed \$481,626.

Action: Approved the recommendation; Contract No. 24,156 (June 19, 2012, report from the Public Works Director).

5. Subject: Contract For Professional Services For Right-Of-Way Acquisition And Relocation Assistance For Cota Street Bridge Replacement Project (530.04)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a Professional Services Contract with Hamner, Jewell & Associates in the amount of \$50,000, for right-of-way acquisition and relocation assistance services for the Cota Street Bridge Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$5,000 for extra services of Hamner, Jewell & Associates that may result from necessary changes in the scope of work;
- B. Accept Federal Highway Administration Highway Bridge Program Grant funding in the total amount of \$2,036,190 for the Cota Street Bridge Replacement Project; and
- C. Authorize the increase of estimated revenues and appropriations in the Fiscal Year 2012 Streets Grant Capital Fund by \$2,036,190 for the Cota Street Bridge Replacement Project.

Action: Approved the recommendations; Contract No. 24,157 (June 19, 2012, report from the Public Works Director).

6. Subject: Approval Of Santa Barbara Metropolitan Transit District As The Sole Vendor To Provide Busboard Display Space For Airport Advertising Panels (560.01)

Recommendation: That Council find it to be in the City's best interest to waive the formal bid process as authorized by Municipal Code Section 4.52.070(k) and approve the Santa Barbara Metropolitan Transit District (MTD) as the sole source for providing the City with busboard advertising for the Airport Department's marketing campaigns from July 1, 2012, through June 30, 2018, and authorize the General Services Manager to issue a purchase order to MTD for \$48,414 for busboard display space for Fiscal Year 2013, and to issue purchase orders in subsequent fiscal years, if required, subject to approved funding for the program.

Action: Approved the recommendation (June 19, 2012, report from the Airport Director).

7. Subject: Lease Agreement With Santa Barbara Fish Market (330.04)

Recommendation: That Council approve a four-year lease agreement with Santa Barbara Fish Market, Inc., for approximately 734 square feet of office space at 132-B Harbor Way, at a base rent of \$1,995 per month, with annual Consumer Price Index adjustments, plus a \$110 monthly utility charge.

Action: Approved the recommendation; Agreement No. 24,158 (June 19, 2012, report from the Waterfront Director).

8. Subject: Alcoholic Beverage Control Grant Assistance To Local Law Enforcement Agencies (520.04)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing Acceptance of Funding Granted by the Department of Alcoholic Beverage Control for the Alcoholic Beverage Control Grant Assistance to Local Law Enforcement Agencies Project;
- B. Authorize the Police Chief to execute the grant agreement award; and
- C. Appropriate the City's grant allocation of \$99,180 to the Miscellaneous Grant Fund.

Action: Approved the recommendations; Resolution No. 12-036; Agreement No. 24,159 (June 19, 2012, report from the Chief of Police; proposed resolution).

NOTICES

- 9. The City Clerk has on Thursday, June 14, 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.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

10. Subject: Public Hearing For The Parking And Business Improvement Area Annual Assessment Report For Fiscal Year 2013 (550.10)

Recommendation: That Council:

- A. Consider appropriate protests to the Parking and Business Improvement Area Annual Assessment Report for Fiscal Year 2013, as required under the California Parking and Business Improvement Area Law of 1989; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Fixing and Assessing the Parking and Business Improvement Area Assessment Rates for Fiscal Year 2013, and Confirming Approval of the Parking and Business Improvement Area Annual Assessment Report for Fiscal Year 2013.

Councilmember Rowse stated he would not participate in this item due to a conflict of interest related to his ownership of a business located within the assessment district, and he left the meeting at 2:14 p.m.

(Cont'd)

10. (Cont'd)

Documents:

- June 19, 2012 report from the Public Works Director.
- Proposed Resolution.
- Affidavit of Publication.
- PowerPoint presentation prepared and made by Staff.

The title of the resolution was read.

Public Comment Opened:

2:14 p.m.

Speakers:

Staff: Transportation Manager Browning Allen, Administrative Assistant Malcolm Hamilton, City Administrator James Armstrong.

Public Comment Closed:

2:18 p.m.

Motion:

Councilmembers House/White to approve recommendation B; Resolution No. 12-037.

Vote:

Unanimous roll call vote (Absent: Councilmember Rowse).

Councilmember Rowse returned to the meeting at 2:21 p.m.

FINANCE DEPARTMENT**11. Subject: Adoption Of The Operating And Capital Budget For Fiscal Year 2013 (230.05)**

Recommendation: That Council adopt, by reading of title only:

- A. A Resolution of the Council of the City of Santa Barbara Adopting the Budget for Fiscal Year 2013 by Appropriating Moneys for the Use and Support of Said City from the Funds and to the Purposes Herein Specified;
- B. A Resolution of the Council of the City of Santa Barbara Establishing the City's Appropriation Limitation for Fiscal Year 2013;
- C. A Resolution of the Council of the City of Santa Barbara Revising the City's Appropriation Limitation for Fiscal Year 2012;
- D. A Resolution of the Council of the City of Santa Barbara Establishing Certain City Fees and Rescinding Resolution Nos. 11-048, 11-066, and 11-067;

(Cont'd)

11. (Cont'd)

- E. A Resolution of the Council of the City of Santa Barbara Authorizing Classified and Unclassified Positions in the City's Service Effective July 1, 2012, and Providing a Schedule of Classifications and Salaries for the Same in Accordance with the Operating Budget for the 2013 Fiscal Year;
- F. A Resolution of the Council of the City of Santa Barbara Authorizing the Continuation of Capital and Special Project Appropriations to Fiscal Year 2013;
- G. A Resolution of the Council of the City of Santa Barbara for Paying and Reporting the Value of Employer-Paid Member Contributions (EPMC) for Regular Miscellaneous Employees Effective June 16, 2012; and
- H. A Resolution of the Council of the City of Santa Barbara for Employer-Paid Member Contributions for Hourly Employees Effective June 16, 2012.

Documents:

- June 19, 2012 report from the Finance Director.
- Proposed Resolutions.
- PowerPoint presentation prepared and made by Staff.

The titles of the resolutions were read.

Speakers:

- Staff: Finance Director Robert Samario, City Attorney Stephen Wiley, City Administrator James Armstrong.
- Rental Housing Mediation Task Force: Member Chris Casebeer.
- Members of the Public: Patricia Bartoli-Wible, Southern California Edison; Tim Mahoney, Southern California Gas Co.

Motion:

Councilmembers Hotchkiss/House to approve recommendations A – C and E – H; Resolution Nos. 12-038 – 12-040 and 12-042 – 12-045.

Vote:

Unanimous roll call vote.

The Council then took up the resolution referred to in recommendation D. Councilmember Rowse stated he would abstain from voting on the approval of City fees related to downtown parking due to a conflict of interest related to his ownership of a business located within the Parking and Business Improvement Area. Councilmembers Rowse and White stated they would abstain from voting on the approval of Waterfront slip, mooring, and user fees due to conflicts of interest related to their rental of Harbor slips.

(Cont'd)

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

Councilmembers White/Hotchkiss to approve recommendation D, excluding those portions of the schedule attached to the associated resolution related to Downtown Parking Fees and Waterfront Harbor Slip, Mooring, and User Fees; Resolution No. 12-041.

Vote:

Unanimous roll call vote.

Motion:

Councilmembers White/House to approve that portion of the schedule attached to Resolution No. 12-041 related to Downtown Parking Fees.

Vote:

Unanimous roll call vote (Abstention: Councilmember Rowse).

Motion:

Councilmembers House/Hotchkiss to approve that portion of the schedule attached to Resolution No. 12-041 related to Waterfront Harbor Slip, Mooring, and User Fees.

Vote:

Unanimous roll call vote (Abstentions: Councilmembers Rowse, White).

PUBLIC HEARINGS**12. Subject: Appeal Of The Architectural Board Of Review Decision To Approve Revisions To Project At 336 North Milpas Street (640.07)**

Recommendation: That Council deny the appeal of Tony Fischer on behalf of the Mary Z. Frangos Trust, and uphold the Architectural Board of Review (ABR) approval for Review After Final on the application of Fresh & Easy Neighborhood Market for changes to perimeter walls and landscaping planters.

Documents:

- June 19, 2012 report from the Community Development Director.
- PowerPoint presentation prepared and made by Staff.
- Text of Santa Barbara Municipal Code Section 28.04.140 (Building Height), photograph of portion of project's perimeter wall in question, and copy of excerpt from project's approved building plans, all submitted by the Appellant.

Public Comment Opened:

2:40 p.m.

(Cont'd)

12. (Cont'd)**Speakers:**

- Staff: Senior Planner Jaime Limón, Chief Building Official George Estrella.
- Appellant: Attorney Tony Fischer, Constantino Frangos.
- Applicant: Ben Shearer, Director of Construction for Fresh & Easy Neighborhood Market, Inc.; Landscape Architect Bob Cunningham.

Public Comment Closed:

3:39 p.m.

Motion:

Councilmembers Hotchkiss/Francisco to approve the recommendation.

Vote:

Majority voice vote (Noes: Councilmembers House, White, Mayor Schneider).

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**Information:**

- Councilmember Murillo reported on her attendance at: 1) a meeting of the Neighborhood Advisory Council, at which a new interactive website for neighbors was presented; and 2) a joint meeting of PUEBLO and CLUE, during which immigration issues and relations with the Police Department were discussed.
- Councilmember White spoke about the Neighborhood Advisory Council and its willingness to begin to deal with several intractable problems facing the community.
- Councilmember Rowse mentioned his attendance at a meeting of the Mesa neighborhood with Police Department beat coordinators.
- Mayor Schneider reported on the recent meeting of LOSSAN (Los Angeles-San Diego Rail Corridor Agency) regarding the progress of State legislation to grant control of AMTRAK schedules to local jurisdictions. She also commented on the upcoming meeting of SBCAG (Santa Barbara County Association of Governments) to discuss the continuation of the VISTA inter-community bus service.

RECESS

The Mayor recessed the meeting at 4:27 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 13 and 14, and she stated there would be no reportable action taken during the closed sessions.

CLOSED SESSIONS**13. Subject: Conference With Labor Negotiator (440.05)**

Recommendation: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristy Schmidt, Employee Relations Manager, regarding negotiations with the City's General bargaining unit and the Police Management Association, and regarding discussions with certain unrepresented managers about salaries and fringe benefits.

Scheduling: Duration, 45 minutes; anytime
Report: None anticipated

Documents:

June 19, 2012 report from the Assistant City Administrator.

Time:

4:30 p.m. – 4:35 p.m.

No report made.

14. Subject: Conference with Legal Counsel - Potential Litigation (160.03)

Recommendation: That Council hold a closed session to consider the possible initiation of litigation pursuant to subsection (c) of Section 54956.9 of the Government Code and take appropriate action as needed (one potential case).

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

Documents:

June 19, 2012 report from the City Attorney.

Time:

4:35 p.m. – 4:45 p.m.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 4:45 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



HELENE SCHNEIDER
MAYOR

ATTEST:



SUSAN TSCHUCH, CMC
DEPUTY CITY CLERK