



# CITY OF SANTA BARBARA

## CITY COUNCIL MINUTES

**REGULAR MEETING**  
**February 12, 2008**  
**COUNCIL CHAMBER, 735 ANACAPA STREET**

### CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:04 p.m. (The Ordinance Committee met at 12:00 p.m. and the Finance Committee met at 1:00 p.m.)

### PLEDGE OF ALLEGIANCE

Mayor Blum.

### ROLL CALL

Councilmembers present: Dale Francisco, Roger L. Horton, Grant House, Helene Schneider, Das Williams, Mayor Blum.

Councilmembers absent: Iya G. Falcone.

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

### CEREMONIAL ITEMS

1. Subject: Proclamation Declaring February As Firefighter Appreciation Month (120.04)

Speakers:

- Staff: City of Santa Barbara Fire Engineer Olga Herrera.
- Muscular Dystrophy Association: Volunteer Intern Julie Mino.

Action: Proclamation presented to Fire Engineer Olga Herrera on behalf of the City of Santa Barbara Firefighters.

### PUBLIC COMMENT

Speakers: Wayne Scoles, David Wass, Ruth Wilson, Bret Hughes, Richard Robinson, Charles Croninger, Mr. Pennington.

## ITEMS REMOVED FROM CONSENT CALENDAR

3. Subject: Adoption Of Ordinance Regarding Peak Las Positas Subdivision (680.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the City Council of the City of Santa Barbara Repealing City Ordinance No. 5403 Adopted on December 19, 2006, Initiating the Annexation of the Peak Las Positas Veronica Meadows Property and Approving the Peak Las Positas Veronica Meadows Specific Plan and Other Related Council Actions.

Documents:

- Proposed Ordinance (introduced on February 5, 2008).
- February 12, 2008, letter from Steven A. Amerikaner.

The title of the ordinance was read.

Speakers:

- Member of the Public: Steven Amerikaner.
- Staff: City Attorney Stephen Wiley.

Motion:

Councilmembers Horton/House to table this item for two weeks.

Vote:

Majority voice vote (Noes: Councilmembers Schneider, Williams; Abstentions: Councilmember Francisco; Absent: Councilmember Falcone).

Councilmember House stated that he would abstain from voting on the following item due to a conflict of interest related to the location of his residence which is proximate to the project.

11. Subject: Set A Date For Public Hearing Regarding Appeal Of Architectural Board Of Review Approval For 924 Jimeno Road (640.07)

Recommendation: That Council:

- A. Set the date of March 18, 2008, at 2:00 p.m. for hearing the appeal filed by Tony Fischer of the Architectural Board of Review's Approval of an application by Vadim Hsu, Architect for Herendeen Family Trust, and located at 924 Jimeno Road, Assessor's Parcel Number 029-052-009, E-1 Single-Family Residence Zone, General Plan Designation: Residential, 3 Units per Acre. The project proposes the construction of a new 1,392 square-foot first- and second-floor addition to an existing 1,657 square-foot residence, the demolition of the existing 262 square-foot two-car garage and construction of a 500 square-foot garage on an 8,623 square-foot lot located in the Hillside Design District; and

(Cont'd)

## 11. (Cont'd)

- B. Set the date of March 17, 2008, at 1:30 p.m. for a site visit to the property located at 924 Jimeno Road.

## Documents:

January 24, 2008, letter of appeal.

## Motion:

Councilmembers Schneider/Horton to approve the recommendations.

## Vote:

Unanimous voice vote (Abstention: Councilmember House; Absent: Councilmember Falcone).

**CONSENT CALENDAR (Item Nos. 2, 4 - 10 and 12 - 14)**

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

## Motion:

Councilmembers Schneider/Horton to approve the Consent Calendar as recommended.

## Vote:

Unanimous roll call vote (Absent: Councilmember Falcone).

## 2. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the special meeting of January 28, the regular meeting of January 29, and the special meeting of January 30, 2008.

Action: Approved the recommendation.

## 4. Subject: Fire Management Salary Increases (410.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 07-053, the Position and Salary Control Resolution for Fiscal Year 2008, Affecting Fire Battalion Chief Salaries.

Action: Approved the recommendation; Resolution No. 08-009 (February 12, 2008, report from the Assistant City Administrator).

5. Subject: Contract For Construction For Mission Street At Route 101 Class II Bike Lane And Sidewalk Improvements (530.04)

Recommendation: That Council:

- A. Award and authorize the Public Works Director to execute a contract with Lash Construction, Inc. (Lash) in their low bid amount of \$2,175,995, for construction of the Mission Street at Route 101 Class II Bike Lane and Sidewalk Improvements, Bid No. 3435A, which includes Bid Alternate C-1, in the amount of \$102,350; and to approve expenditures up to \$174,080 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. Authorize the Public Works Director to execute a contract with MNS Engineers, Inc. (MNS), in the amount of \$19,000 for construction support services, and approve expenditures of up to \$2,000 for extra services that may result from necessary changes in the scope of work;
- C. Accept Regional Surface Transportation Program (RSTP) Grant funding in the amount of \$611,000; increase the estimated Fiscal Year 2008 Streets Capital Program Fund revenues by \$611,000, and appropriate this amount to the Fiscal Year 2008 Streets Capital Program;
- D. Accept Regional Surface Transportation Program Grant funding in the amount of \$865,000; increase the estimated Fiscal Year 2008 Streets Capital Program Fund revenues by \$865,000, and appropriate this amount to the Fiscal Year 2008 Streets Capital Fund;
- E. Accept Local Surface Transportation Program (LSTP) Grant funding in the amount of \$347,000; increase the estimated Fiscal Year 2008 Streets Capital Program Fund revenues by \$347,000, and appropriate this amount in the Fiscal Year 2008 Streets Capital Fund;
- F. Approve the Freeway Maintenance Agreement with Caltrans and authorize the City Administrator to sign said agreement;
- G. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving an Agreement Between the City of Santa Barbara and the State of California Department of Transportation Obligating City to Maintain, Repair, and Replace as Necessary the Special Coating Applied on Traffic Signals and Lighting Poles and Appurtenances Installed Within the State Highway Route 101 Right-of-Way in the City, and authorize the City Administrator to sign said agreement; and
- H. Authorize the Public Works Director to execute a contract with Penfield & Smith for construction inspection services in the amount of \$85,000.

Speakers:

- Staff: City Administrator James Armstrong.
- Members of the Public: Scott Wenz, Cars Are Basic; Ralph Fertig, President, Santa Barbara Bicycle Coalition.

(Cont'd)

## 5. (Cont'd)

Action: Approved the recommendations; Recommendations A, B and H: Contract Nos. 22,665 - 22,667 (February 12, 2008, report from the Acting Public Works Director; proposed ordinance; February 12, 2008, email communication from the Assistant Public Works Director/City Engineer).

## 6. Subject: Lease Agreement With Nicholas Ise, Doing Business As Marina Network (330.04)

Recommendation: That Council approve and authorize the Waterfront Director to execute a one-year lease agreement, with a one-year option, with Nicholas Ise for an information technology center at a monthly base rent of \$375 involving a 167 square-foot office space at 125 Harbor Way #21, in the Santa Barbara Harbor.

Action: Approved the recommendation; Agreement No. 22,668 (February 12, 2008, report from the Waterfront Director).

## 7. Subject: Consolidation Of Licenses For Citywide Geographic Information System (GIS) Software Upgrade (340.08)

Recommendation: That Council find it in the City's best interest to waive the formal bid process, as authorized by Municipal Code 4.52.080 (k), and authorize the City's General Services Manager to execute a sole source purchase order with Environmental Systems Research Institute, Inc. (ESRI, Inc.), in an amount not to exceed \$50,000 to upgrade the City's Desktop GIS software to the most current version.

Action: Approved the recommendation (February 12, 2008, report from the Administrative Services Director).

## 8. Subject: Approval Of Emergency Purchase Order For Carbon (540.10)

Recommendation: That Council retroactively approve the issuance of an emergency purchase order in the amount of \$102,400 to Norit as the low bidder for the purchase of powdered activated carbon to be used for treatment of water at the Cater Water Treatment Plant.

Action: Approved the recommendation (February 12, 2008, report from the Acting Public Works Director).

9. Subject: Increase Change Order Authority For Creek Water Quality Monitoring Laboratory Costs (540.14)

Recommendation: That Council authorize an increase in the Parks and Recreation Director's authority to approve expenditures for increased laboratory costs by \$15,678 (from \$24,322 to \$40,000) to continue the Water Quality Monitoring Program's Fiscal Year 2008 Research Plan, Purchase Order No. 377562.

Action: Approve the recommendation (February 12, 2008, report from the Parks and Recreation Director).

10. Subject: Notice Of Completion For Area B Slurry Seal (530.04)

Recommendation: That Council accept the work completed by Roy Allan Slurry Seal, Inc., Contract No. 22,446, for the Area B Slurry Seal, Bid No. 3505, located at various locations shown on the Attachment, in the final contract amount of \$1,614,615.68, including approved changes, and approve filing of a Notice of Completion.

Action: Approved the recommendation (February 12, 2008, report from the Acting Public Works Director).

#### NOTICES

12. The City Clerk has on Thursday, February 7, 2008, 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.
13. Cancellation of the regular Redevelopment Agency meeting of February 12, 2008, due to lack of business.
14. Cancellation of the regular City Council and Redevelopment Agency meetings of February 19, 2008, due to lack of a quorum.

This concluded the Consent Calendar.

#### **REPORT FROM THE ORDINANCE COMMITTEE**

Ordinance Committee Chair Das Williams reported that the Committee met to discuss design compatibility and directed staff to return to the Committee with a draft ordinance.

## REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Roger L. Horton reported that the Committee met to discuss the need for a new Financial Management System. The Committee approved staff's recommendation which will be presented to the Council as Agenda Item No. 15.

## CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

### FINANCE DEPARTMENT

15. Subject: Contract For Financial Management System Needs Assessment (210.01)

Recommendation: That Council authorize the Finance Director to execute a professional services contract in a form approved by the City Attorney with AEF Systems Consulting, Incorporated, in the amount of \$94,500 for a needs assessment in connection with the planned replacement of the City's Financial Management System, and approve expenditures of up to \$9,000 for extra services that may result from necessary changes to the scope of work.

Documents:

February 12, 2008, report from the Finance Director.

Speakers:

Staff: Assistant Finance Director Robert Samario.

Motion:

Councilmembers Horton/Schneider to approve the recommendation; Contract No. 22,669.

Vote:

Unanimous voice vote (Absent: Councilmember Falcone).

### PUBLIC WORKS DEPARTMENT

16. Subject: Status Report On Underground Utility Assessment Districts (530.07)

Recommendation: That Council receive an update and Status Report on Underground Utility Assessment Districts (UUAD).

Documents:

- February 12, 2008, report from the Acting Public Works Director.
- Letter from H. Maria Patermann.

(Cont'd)

16. (Cont'd)

Speakers:

- Staff: Principal Engineer John Ewasiuk, Acting Public Works Director Paul Casey, City Attorney Stephen Wiley.
- Members of the Public: Ray E. Johnson, John Hutchings, Rose Wills, Louis Prezelin, Stephanie Moret, Michael Marzolla, Charlie Boss.

By consensus, the Council received the report.

Councilmember Williams stated that he has a conflict of interest related to the location of his residence which is proximate to the project location for the following item and left the meeting at 4:09 p.m.

17. Subject: Approve Professional Services To Initiate The Underground Utility Assessment District On Chapala Street (530.07)

Recommendation: That Council:

- A. Receive and file this report as a "Certificate of Sufficiency" that residents between 1209 and 2535 Chapala Street, including properties along portions of their surrounding streets, have submitted a petition signed by property owners of not less than 60% of land area proposed to be included within the benefit assessment district, requesting that an Underground Utility Assessment District (UUAD) be initiated;
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Initiating Proceedings for the Formation of an Underground Utility Assessment District for Chapala Street; and
- C. Authorize the Public Works Director to execute a professional services contract with Harris and Associates (Harris) in the amount of \$29,200 for Assessment Engineer Services associated with the Chapala Street UUAD Project.

Documents:

- February 12, 2008, report from the Public Works Director.
- Proposed Resolution.
- "Private Residential Underground Utilities Assessment District Resident Petition" signed by various property owners.

The title of the resolution was read.

Speakers:

- Staff: Principal Engineer John Ewasiuk.
- Member of the Public: Alex Pujo.

(Cont'd)

## 17. (Cont'd)

## Discussion:

Staff stated that there were typographical errors at the bottom of page 1 of the Council Agenda Report. It should state that the petition was signed by 96 of the 125 parcel owners which represents 78.7% of the area of land.

## Motion:

Councilmembers House/Horton to approve the recommendations;  
Resolution No. 08-010; Contract No. 22,670.

## Vote:

Unanimous roll call vote (Absent: Councilmembers Falcone, Williams).

**RECESS**

4:31 p.m. - 4:42 p.m. Councilmembers Francisco and Williams were absent when the Council reconvened.

**CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)**PUBLIC WORKS DEPARTMENT (CONT'D)

## 18. Subject: Adoption Of Ahwahnee Water Principles For Resource-Efficient Land Use (540.08)

Recommendation: That Council consider a request from Councilmembers House and Williams to adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the Ahwahnee Water Principles for Resource-Efficient Land Use (Ahwahnee Water Principles).

## Documents:

- February 12, 2008, report from the Acting Public Works Department.
- Proposed Resolution.
- El Estero Wastewater Treatment Plant brochure submitted by staff.
- February 11, 2008, email communication from Dennis Allen.

The title of the resolution was read.

Councilmembers Francisco and Williams entered the meeting at 4:43 p.m.

## Speakers:

Staff: Acting Water Resources Manager Rebecca Bjork.

## Motion:

Councilmembers Horton/Schneider to approve the recommendation;  
Resolution No. 08-011.

## Vote:

Unanimous roll call vote (Absent: Councilmember Falcone).

## COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

### Information:

- Mayor Blum thanked Councilmember House for attending a couple of events in her absence last week.
- Councilmember Horton reported on his, along with other Councilmembers, attendance at the annual Santa Barbara Natural History State of the Museum meeting. He also reported on his attendance at a meeting at the Bren School where they discussed new energy conservation methodology.
- Councilmember Williams spoke about his attendance at the Bren School meeting. He also reported on his attendance at the Cachuma Operations and Maintenance Board's Capital Improvement Projects Committee meeting.
- Councilmember Schneider reported on her attendance at a conference hosted by the Local Government Commission in Washington, DC. She also spoke about her attendance at the tour of the Granada Theatre and extended her appreciation to Peter Frisch, Executive Director of the Granada Theatre.

## RECESS

Mayor Blum recessed the meeting at 5:20 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 19. No reportable action is anticipated.

## CLOSED SESSIONS

19. Subject: Conference With Real Property Negotiators - Fremont Hall Army Reserve Center (330.03)

Recommendation: That Council hold a closed session to provide direction to City Administration staff and the City Attorney regarding the possible City acquisition of the real property known as Fremont Hall Army Reserve Center. Property: 3237 State Street (APN 051-112-019). City Negotiator: City Administrator's Staff and the City Attorney's Office. Negotiating Party: U.S. Army Representative. Under Negotiation: Price, terms of payment, possible exchange terms.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

(Continued from February 5, 2008)

### Documents:

February 5, 2008, report from the City Attorney.

### Time:

5:25 p.m. - 5:55 p.m.

No report made.

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 5:55 p.m. in honor of the residents and employees of the City of Kirkwood, Missouri.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC  
CITY CLERK SERVICES MANAGER

*Marty Blum*  
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MARTY BLUM  
MAYOR

ATTEST: *Brenda Alcazar*  
\_\_\_\_\_  
BRENDA ALCAZAR, CMC  
DEPUTY CITY CLERK