



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING December 4, 2007 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the joint meeting of the Council and the Redevelopment Agency to order at 2:02 p.m. (The Ordinance Committee met at 12:30 p.m. and the Finance Committee met at 1:00 p.m.)

PLEDGE OF ALLEGIANCE

Mayor Blum.

ROLL CALL

Councilmembers present: Brian B. Barnwell, Iya G. Falcone, Roger L. Horton, Grant House, Helene Schneider, Das Williams, Mayor Blum.

Councilmembers absent: None.

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

CEREMONIAL ITEMS

1. Subject: Employee Recognition - Service Award Pins (410.01)

Recommendation: That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through December 31, 2007.

Documents:

December 4, 2007, report from the Administrative Services Director.

Speakers:

Staff: Award Recipient Jon "Rocky" Peebles, City Administrator James Armstrong.

(Cont'd)

1. (Cont'd)

By consensus, the Council approved the recommendation. The following employees were recognized:

25-Year Pin

Jon "Rocky" Peebles, Water Distribution Superintendent, Public Works
(Moved from November 13, 2007 Meeting)

20-Year Pin

Robert Badger, Information Systems Supervisor, Administrative Services
Rose Frausto, Accounting Assistant, Public Works
Victor Llamas, Water Distribution Operator II, Public Works

15-Year Pin

Douglas Wilson, Plumber, Public Works

10-Year Pin

Ashley Parker, Meter Reader, Finance
Stanley Macias, Painter, Airport

5-Year Pin

Kathleen Kennedy, Associate Planner, Community Development
Christopher Hansen, Building Inspector/Plan Check Supervisor, Community
Development
Douglas Robbins, Parking Enforcement Officer, Police
Lin Goodnick, Administrative Specialist, Airport

2. Subject: Sheffield Water Quality Project - Recipient Of 2007 Helen Putnam Award (120.08)

Speakers:

League of California Cities: David Mullinax.

Action: Award presented to Mayor Blum.

CHANGES TO THE AGENDA

Mayor Blum announced that the public hearing scheduled for December 4, 2007, at 2:00 p.m., to hear the appeal of the Planning Commission's denial for 1400 Rogers Court has been continued to February 26, 2008, at 2:00 p.m.

PUBLIC COMMENT

Speakers: Terry Tyler.

ITEM REMOVED FROM THE CONSENT CALENDAR

Councilmember Horton stated he would abstain from voting on the following item due to a conflict of interest related to his ownership of property proximate to the subject property.

10. Subject: Approval Of Map And Execution Of Agreements For 1759 Grand Avenue (640.08)

Recommendation: That Council approve and authorize the City Administrator to record Parcel Map No. 20,762, by 1759 Grand Avenue Associates, LLC, a Delaware Limited Liability Company, for a subdivision located at 1759 Grand Avenue, Santa Barbara County Assessor's Parcel Number 027-141-006, finding the Final Map in conformance with the General Plan for the City of Santa Barbara (City); execute and record an Agreement Relating to Subdivision Map Conditions Imposed on Real Property; and execute and record an Agreement for Land Development Improvements.

Documents:

December 4, 2007, report from the Acting Public Works Director.

Motion:

Councilmembers Barnwell/Falcone to approve the recommendation; Agreement Nos. 22,619 and 22,620.

Vote:

Unanimous voice vote (Abstention: Councilmember Horton).

CONSENT CALENDAR (Item Nos. 3 – 9, 11 – 17, and 21 - 24)

The titles of the ordinances related to Item Nos. 4, 5 and 6 were read.

Motion:

Councilmembers Barnwell/Falcone to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

CITY COUNCIL

3. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meetings of November 13 (cancelled due to lack of a quorum), and November 20, 2007.

Action: Approved the recommendation.

4. Subject: Adoption Of Ordinance For 2007 Fire Code (520.03)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Santa Barbara Municipal Code Chapter 8.04, Adopting by Reference the 2006 Edition of the International Fire Code, the 2007 California Fire Code, Appendix Chapter 1, Appendix Chapter 4 and Appendices B, C and H of Said Codes; Adopting Local Amendments to Said Codes; and Repealing Ordinance No. 5257 (Adoption of the Previous Uniform Fire Code).

Action: Approved the recommendation; Ordinance No. 5439.

5. Subject: Adoption Of 2007 State Building Codes Ordinance (640.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Repealing Ordinance No. 5256 in its Entirety and Amending Santa Barbara Municipal Code Chapter 22.04, Adopting by Reference, the California Administrative Code, 2007 Edition; the California Building Code, 2007 Edition; the Uniform Housing Code, 1997 Edition; the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition; the California Plumbing Code, 2007 Edition; the California Mechanical Code, 2007 Edition; the California Electrical Code, 2007 Edition; the California Historical Building Code, 2007 Edition; the California Existing Building Code, 2007 Edition; and the California Energy Code, 2007 Edition; Adopting Local Revisions to Said Codes; and Adopting, Deleting, and Amending Certain Appendix Chapters of Said Codes.

Action: Approved the recommendation; Ordinance No. 5440.

6. Subject: Adoption Of Ordinance For Agreement For Construction And Operation Of Firestone Road Lift Station And Collection System Facilities At The Airport (540.13)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving an Agreement for Construction and Operation of Firestone Road Lift Station and Collection System Facilities Between the City of Santa Barbara and the Goleta Sanitary District, Dated January 3, 2008, at the Airport.

Action: Approved the recommendation; Ordinance No. 5441; Agreement No. 22,617.

7. Subject: Acceptance Of Proposition 12 Grant Funds For Dwight Murphy Park Sports Field Fencing Project (570.07)

Recommendation: That Council increase appropriations and estimated revenues by \$38,191 in the Fiscal Year 2008 Parks and Recreation Capital Budget for the Dwight Murphy Park Sports Field Fencing Project based on receiving a \$103,191 Proposition 12 Per Capita Grant from the California Department of Parks and Recreation.

Action: Approved the recommendation (December 4, 2007, report from the Parks and Recreation Director).

8. Subject: Contract For Design Of The Cater Water Treatment Plant Solids Removal System (540.10)

Recommendation: That Council authorize the Public Works Director to execute a Professional Services Contract with Carollo Engineers, Inc., (Carollo), in a not-to-exceed amount of \$119,388 for design services, and \$11,939 for extra services for necessary changes in the scope of work, for the design of a Solids Removal System at the Cater Water Treatment Plant (Cater).

Action: Approved the recommendation; Agreement No. 22,618 (December 4, 2007, report from the Acting Public Works Director).

9. Subject: Extra Services For The Santa Barbara Airport Consolidated Rental Car Facility For The Inclusion Of Photovoltaics (560.04)

Recommendation: That Council authorize the Public Works Director to approve additional expenditures for extra services by Pierce Goodwin Alexander and Linville in the amount of \$79,300, for a total extra services amount of \$107,327, and a total contract amount of \$507,716 for the Santa Barbara Airport Consolidated Rental Car Project, Contract No. 22,435, for the purpose of developing design and construction drawings for the inclusion of photovoltaics in the project.

Action: Approved the recommendation (December 4, 2007, report from the Acting Public Works Director).

11. Subject: Approve Renewal Of Water Meter Standardization And Sole-Source Supplier (540.06)

Recommendation: That Council:

- A. Find it in the City's best interest to standardize to Metron water meters for one-inch and larger water meters; and

(Cont'd)

11. (Cont'd)

- B. Find it in the City's best interest to waive formal bid procedures as authorized by Municipal Code Section 4.52.080(k) and authorize the General Services Manager to negotiate with, and issue a purchase order within approved budgets to, Metron-Farnier, LLC, as the sole-source supplier for one-inch and larger Metron water meters for one year, with four one-year renewal options.

Action: Approved the recommendations (December 4, 2007, report from the Acting Public Works Director).

12. Subject: Increase Purchase Order For Questys Solutions (530.01)

Recommendation: That Council approve and authorize the General Services Manager to increase Sole Source Purchase Order No. 377192 to Questys Solutions (Questys) by \$23,594.70, for a total purchase order amount of \$46,994.84.

Action: Approved the recommendation (December 4, 2007, report from the Acting Public Works Director).

13. Subject: Notice Of Completion For Mission Canyon Road Water Main Project (540.06)

Recommendation: That Council accept the work completed by Schock Contracting Corporation (Schock), Contract No. 22,083, for the Mission Canyon Road Water Main Project, Bid No. 3476, in the final contract amount of \$394,891.82, including approved changes, and approve filing of a Notice of Completion.

Action: Approved the recommendation (December 4, 2007, report from the Acting Public Works Director).

14. Subject: Notice Of Completion For Mason Street Pedestrian Bridge At Sycamore Creek (530.04)

Recommendation: That Council accept the work completed by Schock Contracting Corporation (Schock), Contract No. 22,162, for the Mason Street Pedestrian Bridge at Sycamore Creek Project, Bid No. 4494, located at 1306 East Mason Street, in the final contract amount of \$389,400.25, including approved changes, and approve filing of a Notice of Completion.

Action: Approved the recommendation (December 4, 2007, report from the Acting Public Works Director).

15. Subject: Notice Of Completion For Sidewalk Infill Project (530.04)

Recommendation: That Council accept the work completed by General Pavement Management, Inc. (GPM), Contract No. 22,419, for the Sidewalk Infill Project, Bid No. 3467, in the final contract amount of \$456,277.15, including approved changes, and approve filing of a Notice of Completion.

Action: Approved the recommendation (December 4, 2007, report from the Acting Public Works Director).

16. Subject: Professional Actuarial Services Agreement GASB 45 - Accounting For Retiree Medical Benefits (430.08)

Recommendation: That Council:

- A. Authorize the Finance Director to negotiate and execute a professional services agreement with Aon Consulting for an actuarial valuation of the City's post-retirement benefits, including retiree medical insurance and sick leave conversion programs in an amount not-to-exceed \$30,000; and
- B. Allocate \$19,500 from the General Fund Appropriated Reserve to the Fiscal Year 2008 General Fund Finance Department budget to pay for the General Fund's portion of the actuarial valuation.

Action: Approved the recommendations; Agreement No. 22,621 (December 4, 2007, report from the Finance Director).

17. Subject: Set A Date For Public Hearing Regarding Appeal Of Planning Commission Decision For 518 State Street (640.07)

Recommendation: That Council:

- A. Set the date of February 5, 2008, at 2:00 p.m. for hearing the appeal filed by Lee Holzinger, representing the Church of Scientology, of the Planning Commission denial of an appeal of the Staff Hearing Officer's approval of an application for property owned by Craviotto Enterprises and located at 518 State Street, Assessor's Parcel No. 037-173-046, C-M Commercial Manufacturing Zone, General Plan Designation: General Commerce. The project proposes to construct a new two-story mixed-use building with commercial space on the first floor and two apartments on the second floor. The discretionary applications required are a Modification and a Development Plan; and
- B. Set the date of February 4, 2008, at 1:30 p.m. for a site visit to the property located at 518 State Street.

Action: Approved the recommendations (October 8, 2007, letter of appeal).

Agenda Item Nos. 18 – 21 appear in the Redevelopment Agency minutes.

NOTICES

22. The City Clerk has on Thursday, November 29, 2007, 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.
23. City Council site visits are scheduled for Monday, December 10, 2007, at 1:30 p.m. to the property located at 1722 State Street and the property located in the 00-800 Blocks of East Cabrillo Boulevard, which are the subjects of public hearings scheduled for December 11, 2007, at 2:00 p.m. and 6:00 p.m., respectively.
24. The site visit scheduled for December 3, 2007, at 1:30 p.m., and the public hearing scheduled for December 4, 2007, at 2:00 p.m., to hear the appeal of the Planning Commission's denial for 1400 Rogers Court have been continued to February 25, 2008, at 1:30 p.m., and February 26, 2008, at 2:00 p.m., respectively.

This concluded the Consent Calendar.

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Iya G. Falcone reported that the Committee met to review a draft ordinance pertaining to proposed locational and operational limitations of medical marijuana dispensaries. The Committee forwarded the draft ordinance to the Planning Commission for review and discussion.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Roger L. Horton reported that the Committee met to review the Redevelopment Agency's Fiscal Year 2008 Interim Financial Statements for the month ended July 31, 2007, the two months ended August 31, 2007, and the three months ended September 30, 2007, which were approved as part of this agenda's Consent Calendar (Item Nos. 19, 20 and 21).

Agenda Item No. 25 appears in the Redevelopment Agency minutes.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PARKS AND RECREATION DEPARTMENT

26. Subject: Interview And Appointment Of Youth Intern Applicant To The Council Committee On Youth And Children (570.06)

Recommendation: That Council:

- A. Interview applicant Chelsey Gonzales for the position of Youth Intern on the Council Committee on Youth and Children; and

(Cont'd)

26. (Cont'd)

- B. Request that Mayor Blum appoint Chelsey Gonzales to the position of Youth Intern on the Council Committee on Youth and Children.

Documents:

December 4, 2007, report from the Parks and Recreation Director.

Speakers:

- Staff: Parks and Recreation Director Nancy Rapp, Recreation Supervisor Susan Young.
- Applicant: Chelsey Gonzales.

Motion:

Councilmembers House/Barnwell to approve the recommendations.

Vote:

Unanimous voice vote.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Mayor Blum thanked Councilmember Williams for assuming the role of Mayor Pro Tempore while she was ill and mentioned her attendance, along with Councilmembers Barnwell, Williams, Horton, and House, at the Milpas Street Holiday Parade.
- Councilmember Horton commented on the following: 1) his attendance, along with Councilmember Williams, at Washington Elementary School's "Eco-Invention" assembly; 2) his attendance at the Local Heroes luncheon hosted by the Santa Barbara Independent; and 3) his attendance at a community breakfast hosted by the Chancellor of the University of California Santa Barbara.
- Councilmember Williams remarked upon the following: 1) his attendance at a meeting of the Committee on Youth and Children; 2) his attendance at a Primo Boxing Club event; and 3) that there will be a free screening of "West Side Story" at the Marjorie Luke Theatre on Monday, December 10, 2007.
- Councilmember Schneider mentioned her attendance at a Metropolitan Transit District Board meeting.
- Councilmember House commented on the following: 1) he thanked Bob Ludwick and the Milpas Association for hosting the Milpas Street Holiday Parade; 2) his attendance at a presentation by Father Gregory Boyle of Homeboy Industries at UCSB's Campbell Hall; and 3) his attendance at the UCSB Chancellor's community breakfast.

RECESS

Mayor Blum recessed the meeting at 4:20 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 27 and 28, and she stated there would be no reportable action taken during the closed sessions.

CLOSED SESSIONS

27. Subject: Conference With Legal Counsel - Anticipated Litigation (160.03)

Recommendation: That Council hold a closed session to consider anticipated litigation pursuant to subsection (b) of section 54956.9 of the Government Code and take appropriate action as needed. There is significant exposure to litigation: one potential case.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

Documents:

December 4, 2007, report from the City Attorney.

Time:

4:23 p.m. - 4:38 p.m.

No report made.

28. Subject: Conference With Labor Negotiator (Fire) (440.05)

Recommendation: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to the City's labor negotiator Kristy Schmidt, Employee Relations Manager, regarding negotiations with the Firefighters' Association.

Scheduling: Duration, 45 minutes; anytime

Report: None anticipated

Documents:

December 4, 2007, report from the Assistant City Administrator.

Time:

4:38 p.m. - 5:55 p.m.

No report made.

RECESS

5:55 p.m. - 6:18 p.m.

Mayor Blum presiding.

Councilmembers present: Barnwell, House, Schneider, Williams, Mayor Blum.

Councilmembers absent: Falcone, Horton.

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

PUBLIC COMMENT

No one wished to speak.

MAYOR AND COUNCIL REPORTS

29. Subject: City Advisory Group Interviews (140.05)

Recommendation: That Council hold interviews of applicants to various City Advisory Groups at 6:00 p.m.

Documents:

December 4, 2007, report from the Administrative Services Director.

Speakers:

The following applicants were interviewed:

Architectural Board of Review:

Allen Zimmer

Keith Rivera

Arts Advisory Committee:

Michael Humphrey

Building and Fire Code Board of Appeals:

Bruce Burnworth

Community Development and Human Services Committee:

Michael Humphrey

Allan Anderson

Josephine Torres

Community Events and Festivals Committee:

Michael Humphrey

Jason McCarthy

Katrina Carl

Creeks Advisory Committee:

George Weber

Franklin Center Advisory Committee:

Dan La Berge

Harbor Commission:

Frank Kelly

William Anikouchine

(Cont'd)

29. (Cont'd)

Speakers (Cont'd):

Housing Authority Commission:

Stanley R. Eisele

Park and Recreation Commission:

Daraka Larimore-Hall

Planning Commission:

John C. Jostes

Rental Housing Mediation Task Force:

Barbara Smith-Sherrill

Sign Committee:

Jennifer Rose

Water Commission:

Kathleen Rees

Westside Center Advisory Committee:

Josephine Torres

Vidal Chipriz

ADJOURNMENT

Mayor Blum adjourned the meeting at 7:22 p.m. to Monday, December 10, 2007, at 1:30 p.m. for site visits to the property located at 1722 State Street and the property located in the 00-800 Blocks of East Cabrillo Boulevard.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER

ATTEST:

MARTY BLUM
MAYOR

LORI COLE
DEPUTY CITY CLERK