



**CITY OF SANTA BARBARA
CITY COUNCIL MINUTES**

**REGULAR MEETING
January 27, 2009
COUNCIL CHAMBER, 735 ANACAPA STREET**

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:01 p.m. (The Finance Committee met at 1:00 p.m. The Ordinance Committee, which ordinarily meets at 12:30 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Blum.

ROLL CALL

Councilmembers present: Iya G. Falcone, Dale Francisco, 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 Brenda Alcazar.

PUBLIC COMMENT

Speakers: Tom Fayram, Santa Barbara County Flood Control; David Daniel Diaz; Hans Kistner; Michael Self; Bob Hansen; Lazarus; Ruth Wilson.

ITEM REMOVED FROM CONSENT CALENDAR

6. Subject: Special Weapons And Tactics (S.W.A.T.) Weapons Exchange And Purchase (520.04)

Recommendation: That Council find it in the City's best interest to waive the formal bid procedure as authorized by Municipal Code §4.52.080(k) and approve the exchange and purchase of new weapons and equipment from Cinema Weaponry in the form of a written agreement acceptable to the City Administrator, and approved as to form by the City Attorney.

(Cont'd)

6. (Cont'd)

Documents:

- January 27, 2009, report from the Chief of Police.
- October 22, 2008, letter from Cinema Weaponry.

Speakers:

Staff: Police Captain Alex Altavilla, City Administrator James Armstrong, City Attorney Stephen Wiley.

Motion:

Councilmembers Williams/Falcone to approve the recommendation as revised; Agreement No. 22,982.

Vote:

Unanimous voice vote.

CONSENT CALENDAR (Item Nos. 1 - 5, 7 and 8)

The title of the ordinance related to Item No. 3 was read.

Motion:

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

Vote:

Unanimous roll call vote.

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of December 16, the adjourned regular meeting of December 22, the regular meeting of December 23, and the regular meeting of December 30, 2008 (cancelled due to lack of a quorum).

Action: Approved the recommendation.

2. Subject: December 31, 2008, Investment Report And December 31, 2008, Fiscal Agent Report (260.02)

Recommendation: That Council:

- A. Accept the December 31, 2008, Investment Report; and
- B. Accept the December 31, 2008, Fiscal Agent Report.

Action: Approved the recommendations (January 27, 2009, report from the Finance Director).

3. Subject: Adoption Of Ordinance For A Lease Agreement With Ag Rx (330.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Lease Agreement Between the City of Santa Barbara and Ag Rx for Operation of an Agricultural Supply Business at the Santa Barbara Municipal Airport.

Action: Approved the recommendation; Ordinance No. 5476; Agreement No. 22,980.

4. Subject: Wetland Mitigation Monitoring Biological Services Year 3 Contract (560.04)

Recommendation: That Council approve and authorize the Airport Director, subject to approval by the City Attorney as to form, to execute a contract with URS Corporation for post-construction biological monitoring associated with the Airfield Safety Projects and other small projects at the Santa Barbara Airport in an amount not to exceed \$106,847, and authorize the Airport Director to approve expenditures up to \$10,685 for extra services that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Contract No. 22,981 (January 27, 2009, report from the Airport Director).

5. Subject: Change Order Request For Solid Waste Rate Study Consultant (630.01)

Recommendation: That Council approve a change order of \$15,000 to Professional Services Agreement No. 378865 with Skumatz Economics Research Associates, Inc., bringing the total contract to \$38,930.

Speakers:

Staff: Assistant Finance Director Robert Samario.

Action: Approved the recommendation (January 27, 2009, report from the Finance Director).

7. Subject: Increase In Funding For Two Water Conservation Grants And Graywater Permit Fee Offset (540.05)

Recommendation: That Council:

- A. Accept an increase in grant funding from the U.S. Bureau of Reclamation in the amount of \$20,000 for the Sustainable Landscaping Television Series;

(Cont'd)

7. (Cont'd)

- B. Accept an increase in grant funding from the U.S. Bureau of Reclamation in the amount of \$20,000 for the Rain Sensor Program;
- C. Increase the estimated Fiscal Year 2009 Water Fund Revenues by \$40,000 and appropriate the same to the 2008-2009 Water Fund Operating Budget; and
- D. Authorize use of the Water Fund to offset a portion of the fee for issuance of graywater system permits.

Action: Approved the recommendations (January 27, 2009, report from the Public Works Director).

NOTICES

- 8. The City Clerk has on Thursday, January 22, 2009, 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 Roger L. Horton reported that the Committee met to review and discuss the December 31, 2008, Investment Report and the December 31, 2008, Fiscal Agent Report, which were approved by the Council as part of this agenda's Consent Calendar (Item No. 2).

RECESS

Mayor Blum recessed the meeting at 2:36 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 9 and 10. No reportable action is anticipated.

CLOSED SESSIONS

- 9. 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 City of Santa Barbara v. United States of America; Richard Yee v. United States of America, USDC Number CV 07-7533 VBF (JCx) consolidated with CV 08-2115.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

(Cont'd)

9. (Cont'd)

Documents:

January 27, 2009, report from the City Attorney.

Time:

2:39 p.m. - 3:04 p.m.

No report made.

10. 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 Landslide Repair Foundation v. City of Santa Barbara, SBSC Number 1304297.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

January 27, 2009, report from the City Attorney.

Time:

3:04 p.m. - 3:32 p.m.

No report made.

ADJOURNMENT


Mayor Blum adjourned the meeting at 3:32 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE


MARTY BLUM
MAYOR

ATTEST:


BRENDA ALCAZAR, CMC
DEPUTY CITY CLERK