



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING May 22, 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 2:06 p.m. (The Finance Committee met at 11:00 a.m., and the Ordinance Committee met at 12:00 p.m.)

PLEDGE OF ALLEGIANCE

Mayor Blum.

ROLL CALL

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

Councilmembers absent: Iya G. Falcone.

Staff present: City Administrator James L. Armstrong, Acting City Attorney N. Scott Vincent, Deputy City Clerk Susan Tschech.

CEREMONIAL ITEMS

1. Subject: Proclamation Declaring May 19-25, 2007, As Safe Boating Week (120.04)

Action: Proclamation presented to City Harbor Patrol Supervisor Steve McCullough, Santa Barbara Sail and Power Squadron Commander William Barry, and United States Coast Guard Auxiliary Vice Captain William Ravenscroft.

Councilmember Falcone entered the meeting at 2:11 p.m.

2. Subject: Proclamation Declaring May 20-26, 2007, As Public Works Week (120.04)

Action: Proclamation presented to City Public Works Director Anthony Nisich.

PUBLIC COMMENT

Speakers: Christina Manos, Cheri Rae McKinney, and Kenneth Loch.

CONSENT CALENDAR (Item Nos. 3 – 21 and 23 – 25)

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

Motion:

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

Vote:

Unanimous roll call vote.

3. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the special meetings of May 3 and May 7, 2007, the regular meeting of May 8, 2007, and the special meeting of May 10, 2007.

Action: Approved the recommendation.

4. Subject: Contract For Street Tree And Park Tree Inventory To West Coast Arborists, Inc., As Sole Source Vendor (570.05)

Recommendation: That Council:

- A. Find it in the best interest of the City to waive competitive bidding pursuant to Municipal Code section 4.52.080(k);
- B. Authorize the General Services Manager to issue a purchase order to West Coast Arborists, Inc., to perform a street tree and park tree inventory in the City of Santa Barbara for \$62,100; and
- C. Authorize the General Services Manager to increase the purchase order by 10%, or \$6,210, if additional funds are needed to complete the tree inventory.

Speakers:

Staff: Assistant Parks and Recreation Director Jill Zachary.

Action: Approved the recommendations (May 22, 2007, report from the Parks and Recreation Director).

5. Subject: Renewal Of Levy For Fiscal Year 2007-2008 And Increase In Levy By Consumer Price Index For The Wildland Fire Suppression Assessment District (290.00)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring its Intention to Renew the Wildland Fire Suppression Assessment District Within the Foothill and Extreme Foothill Zones; Declaring the Work to be of More Than General or Ordinary Benefit and Describing the District to be Assessed to Pay the Costs and Expenses Thereof; Preliminarily Approving the Updated Engineer's Report; Stating Intention to Levy Assessments for Fiscal Year 2007-2008; and Establishing a Time of 2:00 p.m. on Tuesday, June 19, 2007, in the City Council Chambers for a Public Hearing on the Wildland Fire Suppression Assessment District.

Action: Approved the recommendation; Resolution No. 07-034 (May 22, 2007, report from the Fire Chief; proposed resolution; May 2007 Engineer's Report).

6. Subject: Reinstatement Of July 3 And Cancellation Of July 10 Council Meetings (120.09)

Recommendation: That Council reinstate the July 3, 2007, Council Meeting and cancel the July 10, 2007, Council Meeting.

Action: Approved the recommendation (May 22, 2007, report from the Assistant City Administrator).

7. Subject: Acceptance Of 1009 Del Sol Avenue Street Easement Deed (330.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting a Street Easement at 1009 Del Sol Avenue, Santa Barbara County Assessor's Parcel No. 045-074-001.

Action: Approved the recommendation; Resolution No. 07-035 (May 22, 2007, report from the Public Works Director; proposed resolution).

8. Subject: Agreement For Air Service Development With Transystems/Cambell-Hill (560.01)

Recommendation: That Council approve and authorize the Airport Director, subject to approval by the City Attorney, to execute a Professional Services Contract with TranSystems/Cambell-Hill for air service development, in an amount not to exceed \$115,500.

Action: Approved the recommendation; Contract No. 22,431 (May 22, 2007, report from the Airport Director).

9. Subject: Contract For Evaluation Of Influent Screening Alternatives For The El Estero Wastewater Treatment Plant (540.13)

Recommendation: That Council authorize the Public Works Director to execute a professional services contract with Carollo Engineers (Carollo) in the amount of \$36,858, and authorize the Public Works Director to approve expenditures up to \$3,700 to cover cost increases that may result from contract change orders for extra work.

Action: Approved the recommendation; Contract No. 22,432 (May 22, 2007, report from the Public Works Director).

10. Subject: Used Oil Recycling Block Grant Application - Thirteenth Cycle (630.01)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Water Resources Manager to Submit an Application to the State of California Integrated Waste Management Board for Fiscal Year 2008 Used Oil Recycling Block Grant - Thirteenth Cycle, in the Amount of \$23,549;
- B. If the grant is funded, accept the Used Oil Recycling Block Grant - Thirteenth Cycle, in the amount of \$23,549, for Fiscal Year 2008;
- C. Authorize the City General Services Manager to issue a Purchase Order in the amount of \$23,549 to the Community Environmental Council (CEC) for the development of educational and promotional activities; and
- D. Increase Fiscal Year 2008 Miscellaneous Grants Fund estimated revenue and appropriations by \$23,549, for the Used Oil Recycling Block Grant.

Action: Approved the recommendations; Resolution No. 07-036; Agreement No. 22,433 (May 22, 2007, report from the Public Works Director; proposed resolution).

11. Subject: Authorization Of Professional Services Agreement With Flowers And Associates To Provide Transportation Engineering Services (530.05)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute an agreement, in an amount not to exceed \$40,000, with Flowers and Associates, for professional services to provide Transportation Engineering services on an interim basis until the position of Supervising Traffic Engineer is filled; and
- B. Authorize the Public Works Director to approve extra services of Flowers and Associates in an amount not to exceed \$6,720.

Action: Approved the recommendations; Agreement No. 22,434 (May 22, 2007, report from the Public Works Director).

12. Subject: Contracts For Design Of The Consolidated Rental Car Facility (560.04)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a contract with Pierce Goodwin Alexander & Linville (PGAL) in the amount of \$400,389 for design services associated with the Santa Barbara Airport Consolidated Rental Car Project (SBACRCP), and approve expenditures up to \$28,027 for extra services that may result from necessary changes in the scope of work; and
- B. Authorize the Public Works Director to execute a contract with Padre Associates (Padre) in the amount of \$35,000 for environmental support services associated with the SBACRCP, and approve expenditures up to \$3,500 for extra services that may result from necessary changes in the scope of work.

Speakers:

Staff: Supervising Civil Engineer Owen Thomas.

Action: Approved the recommendations; Contract Nos. 22,435 and 22,436 (May 22, 2007, report from the Public Works Director).

13. Subject: State Of California Office Of Traffic Safety Grant (520.04)

Recommendation: That Council:

- A. Accept an additional \$24,791 from the State of California Office of Traffic Safety for the California Seat Belt Compliance Campaign and authorize the Chief of Police to execute the grant agreement; and
- B. Appropriate the additional grant allocation of \$24,791 to the Miscellaneous Grant Fund.

Action: Approved the recommendations; Agreement No. 22,437 (May 22, 2007, report from the Chief of Police).

14. Subject: Parking And Business Improvement Area Annual Assessment Report 2008 - Intention To Levy (550.10)

Recommendation: That Council:

- A. Approve the Parking and Business Improvement Area (PBIA) Annual Assessment Report 2008; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring Council's Intention to Levy Parking and Business Improvement Area Assessment Rates for the 2008 Fiscal Year, at a Public Hearing to be Held on June 5, 2007, at 2:00 p.m.

Action: Approved the recommendations; Resolution No. 07-037 (May 22, 2007, report from the Public Works Director; proposed resolution).

15. Subject: Contract For Construction Of Area B Pavement Preparation Project (530.04)

Recommendation: That Council:

- A. Award and authorize the Public Works Director to execute a contract with Lash Construction (Lash) in their low bid amount of \$478,902 for construction of the Area B Pavement Preparation Project, Bid No. 3499; and
- B. Authorize the Public Works Director to approve expenditures up to \$47,890 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.

Action: Approved the recommendations; Contract No. 22,438 (May 22, 2007, report from the Public Works Director).

16. Subject: April 2007 Investment Report (260.02)

Recommendation: That Council accept the April 2007 Investment Report.

Action: Approved the recommendation (May 22, 2007, report from the Finance Director).

17. Subject: Freeway Maintenance Agreement For The Mission Street Bikeway Project (530.04)

Recommendation: That Council approve and authorize the Public Works Director to sign a Freeway Maintenance Agreement (Agreement) between the City of Santa Barbara and Caltrans for the Mission Street Bikeway Project.

Action: Approved the recommendation; Agreement No. 22,439 (May 22, 2007, report from the Public Works Director).

18. Subject: Notice Of Completion For The Sanitary Sewer Wet Weather Capacity Improvements Project (540.13)

Recommendation: That Council accept the work completed by Whitaker Contractors, Inc. (Whitaker), Contract No. 22,207, for the Sanitary Sewer Wet Weather Capacity Improvements Project, Bid No. 3488, located on the 300-500 blocks of Quarantina Street and the 400-600 blocks of Montecito Street, in the final contract amount of \$2,915,173, including approved changes, and approve filing of a Notice of Completion.

Speakers:

Staff: Wastewater System Manager Rebecca Bjork.

(Cont'd)

18. (Cont'd)

Action: Approved the recommendation (May 22, 2007, report from the Public Works Director).

19. Subject: Adoption Of Ordinance For Lease Of City Attorney's Office Space At 740 State Street (160.01)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Authorizing the City Attorney to Execute Amendment No. 2 to Agreement No. 16,332 with BDC Management, as Agents for the Owners, to Extend the Term of Lease for the City Attorney's Office at 740 State Street, Suite 201, Commencing in August 2007, and Ending in August 2012.

Action: Approved the recommendation; Ordinance No. 5418; Agreement No. 16,332.2.

20. Subject: Amendment To Agreement With The County Of Santa Barbara For Westside Storm Water Control Project (530.04)

Recommendation: That Council authorize the City Administrator to execute Amendment No. 3 to Agreement No. 17,697 for the Westside Storm Water Control Project.

Action: Approved the recommendation; Agreement No. 17,697.3 (May 22, 2007, report from the Public Works Director).

21. Subject: Purchase Of Three Self Check-Out Systems For The Central Library (330.05)

Recommendation: That Council:

- A. 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 General Services Manager to issue a purchase order to Checkpoint System for three Electromagnetic Self Check-Out Systems, in an amount not to exceed \$55,500; and
- B. Appropriate \$40,000 from the Miscellaneous Library Trust Account to the Fiscal Year 2007 Library Department operating budget for the purchase of self check-out systems for the Central Library.

Action: Approved the recommendations (May 22, 2007, report from the Library Director).

Item No. 22 appears in the Redevelopment Agency minutes.

NOTICES

23. The City Clerk has on Thursday, May 17, 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.
24. Cancellation of the regular City Council meeting of May 29, 2007, due to lack of a quorum.
25. Received letters of resignation from Lower Westside Community Center Advisory Committee Member Andrea Padilla and Community Development & Human Services Committee Member Lorraine Cruz Carpenter; the vacancies will be part of the current City Advisory Group recruitment.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Roger Horton reported that the Committee met to review the April 2007 Investment Report; this report was accepted by the Council as part of this agenda's Consent Calendar (Item No. 16). The Committee also considered the following items as part of its review of the proposed Fiscal Year 2008 Budget:

1) Community Development fees and staffing levels; 2) parking citation rates and revenue; and 3) youth programs and youth violence.

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Iya Falcone reported that the Committee reviewed proposed amendments to Santa Barbara Municipal Code Chapter 5.20 pertaining to dance permits. The Committee directed Staff to make further changes to these regulations and return to the Committee in approximately one month.

Item No. 26 appears in the Redevelopment Agency minutes.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

27. Subject: Status Report On Underground Utility Assessment Districts (UUAD) And Adoption Of Resolution Confirming Initiation Of UUAD Ferrelo Road (530.07)

Recommendation: That Council:

- A. Receive an update and status report of Underground Utility Assessment Districts; and

(Cont'd)

27. (Cont'd)

- 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 (UUAD) for the 1200 block of Ferrelo Road.

Documents:

- May 22, 2007, report from the Public Works Director.
- Proposed Resolution.
- May 5, 2007, letter from six residents of the 1200 block of Ferrelo Road.

The title of the resolution was read.

Speakers:

- Staff: Principal Civil Engineer John Ewasiuk, Assistant Public Works Director/City Engineer Pat Kelly.
- Member of the Public: Jim Elwell.

Motion:

Councilmembers Barnwell/House to approve recommendation B;
Resolution No. 07-038.

Vote:

Unanimous roll call vote.

28. Subject: Purchase Orders For Professional Services To Initiate The Underground Utility Assessment District On Eucalyptus Hill Road (530.07)

Recommendation: That Council:

- A. Receive and file this report as a "Certificate of Sufficiency" that the residents on a portion of Eucalyptus Hill have submitted a petition signed by the property owners of not less than 60% of the land area proposed to be included within the benefit assessment district, requesting that a Underground Utility Assessment District (UUAD) be initiated; and
- 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 Eucalyptus Hill Road.

Documents:

- May 22, 2007, report from the Public Works Director.
- Proposed Resolution.

The title of the resolution was read.

(Cont'd)

28. (Cont'd)

Speakers:

- Staff: Principal Civil Engineer John Ewasiuk, Assistant Public Works Director/City Engineer Pat Kelly.
- Member of the Public: Susan Harris.

Councilmember Falcone left the meeting at 1:36 p.m.

Motion:

Councilmembers Williams/Barnwell to approve the recommendations; Resolution No. 07-039.

Vote:

Unanimous roll call vote (Absent: Councilmember Falcone).

Councilmember Falcone returned to the meeting at 1:40 p.m.

MAYOR AND COUNCIL REPORTS

29. Subject: Request From Councilmembers Barnwell And Falcone To Hear A Report From The Maritime Museum (180.02)

Recommendation: That Council hear a presentation from the Maritime Museum.

Documents:

May 22, 2007, report from Councilmembers Barnwell and Falcone.

Speakers:

Maritime Museum: George Writer, Board of Trustees Vice President; Jean Schuyler, Fund Development Director; Julie McDonald, Executive Director.

Discussion:

Museum representatives made a presentation regarding the institution's programs and financial status as background for their request for amendment to the museum's lease with the City.

RECESS

The Mayor recessed the meeting at 4:04 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 30 and stated there would be no reportable action taken during the closed session.

CLOSED SESSIONS

30. 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. (Continued from May 15, 2007)

Scheduling: Duration, 90 minutes; anytime

Report: None anticipated

Documents:

May 15, 2007, report from the Assistant City Administrator.

Time:

4:10 p.m. - 5:15 p.m.

No report made.

RECESS

5:15 p.m. - 6:00 p.m.

Mayor Blum presiding.

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

Councilmembers absent: None.

Staff present: Assistant City Administrator Joan M. Kent, Acting City Attorney Vincent, Deputy City Clerk Tschech.

PUBLIC COMMENT

Speakers: Nancy Tunnell.

PUBLIC HEARINGS

31. Subject: Appeal Of Architectural Board Of Review Design Review Approval For Neighborhood Traffic Calming And Safe Routes To School Projects (640.07)

Recommendation: That Council deny the appeal of Dale Francisco filed on behalf of Santa Barbara Safe Streets, St. Francis Friends & Neighbors, and Upper East Association, and uphold the Architectural Board of Review decision to grant Final Approval of the Neighborhood Traffic Calming and Safe Routes to School projects.

(Cont'd)

31. (Cont'd)

Documents:

- May 22, 2007, report from the Community Development Director.
- Affidavit of Publication.
- April 14, 2007, letter from the Upper East Association.
- May 19, 2007, e-mail from Lanny Ebenstein.
- May 20, 2007, e-mail from L. Tighe.
- May 21, 2007, e-mails from Claire and Tully Ramsaur; Isabel Santos Oliveira; Shirley Wood Force; Barbara Green.
- May 22, 2007, letter from the Pearl Chase Society.
- May 22, 2007, e-mails from Linda Love; David Hutt; Brad Burk; Debra Brinkman.
- Undated letter from Ronald Hays.

Public Comment Opened:

6:04 p.m.

Speakers:

- Staff: Senior Planner Jaime Limón, Transportation Manager Browning Allen, Fire Chief Ron Prince, Assistant City Administrator Joan Kent, Supervising Transportation Engineer Drusilla Van Hengel.
- Architectural Board of Review: Member Gary Mosel.
- Appellant: Dale Francisco, Michael Self, Jim Westby.
- Members of the Public: Dr. Michael Cooper; Roger Manasse; Adrian Butash; Kellam de Forest, Pearl Chase Society; Katie Hatch; Grant Castleberg; John DeVore; Jill Kent; Mary Moore; George Bajor; Ralph Fertig, Santa Barbara Bicycle Coalition; John Olson; Andy Young; Richard Moss, Upper East Association; Russell Palmer; Joseph Rution, Bungalow Haven Neighborhood Association; Rich Untermann; John Jamieson; Joan Jamieson; Susan Bower; Mark Bradley; George Glerum; Judy McKee; Raymond Appleton; Scott Wenz, Cars Are Basic; Robert Maxim; Bonnie Donovan; Betsy Ingalls; Susan McLaughlin; Karen Cooper.

Public Comment Closed:

7:47 p.m.

Motion:

Councilmembers Barnwell/Williams to approve the recommendation.

Vote:

Majority voice vote (Noes: Councilmember Falcone).

(Cont'd)

31. (Cont'd)

Motion:

Councilmembers Barnwell/Williams to: 1) refer the traffic calming devices to the Council Transportation Subcommittee for review and for the Subcommittee to return to the City Council if any changes to the project design are recommended; 2) direct Staff to collect data on the success of the devices with public input to be received and documented in a uniform and consistent manner; and 3) return to Council in one year for a review of this program.

Vote:

Unanimous voice vote.

ADJOURNMENT

Mayor Blum adjourned the meeting at 8:25 p.m.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER

MARTY BLUM
MAYOR

ATTEST: _____
SUSAN TSCHECH, CMC
DEPUTY CITY CLERK