



## CITY OF SANTA BARBARA CITY COUNCIL MINUTES

### REGULAR MEETING February 8, 2011 COUNCIL CHAMBER, 735 ANACAPA STREET

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#### CALL TO ORDER

Mayor Helene Schneider called the joint meeting of the Council and the Redevelopment Agency to order at 2:00 p.m. (The Finance and Ordinance Committees, which ordinarily meet at 12:30 p.m., did not meet on this date.)

#### PLEDGE OF ALLEGIANCE

Mayor Schneider.

#### ROLL CALL

Councilmembers present: Dale Francisco, Frank Hotchkiss, Grant House, Randy Rowse, Michael Self, Bendy White, Mayor Schneider.

Councilmembers absent: None.

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

#### CEREMONIAL ITEMS

1. Subject: Proclamation Declaring February 11, 2011, As National 2-1-1 Awareness Day (120.04)

Action: Proclamation presented to Bill Batty, Executive Director of Family Service Agency of Santa Barbara.

#### PUBLIC COMMENT

Speakers: Kenneth Loch, David Daniel Diaz, Ruth Wilson, Geof Bard, Karolyn Renard, Kate Longstory.

**CONSENT CALENDAR (Item Nos. 2 – 10 and 12)**

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

**Motion:**

Councilmembers Hotchkiss/White 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 regular meetings of November 2, November 9, November 16, and November 23, 2010, and the regular meeting of November 30, 2010 (cancelled).

Action: Approved the recommendation.

**3. Subject: Introduction Of Ordinance For A Lease Amendment With Santa Barbara Shellfish Company, Incorporated (330.04)**

Recommendation: That Council approve a lease amendment with Santa Barbara Shellfish Company, Inc., allowing for a seasonal allocation of base rent, and introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Lease Amendment with Santa Barbara Shellfish Company, Inc., Allowing For a Seasonal Allocation of Base Rent, Effective March 17, 2011.

Action: Approved the recommendation (February 8, 2011, report from the Waterfront Director; proposed ordinance).

**4. Subject: Adoption Of Ordinance Regarding Santa Barbara City Firefighters Employee Cost Sharing Of PERS Contributions (430.08)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the City Council of the City of Santa Barbara Authorizing an Amendment to the Contract Between the City Council of the City of Santa Barbara and the Board of Administration of the California Public Employees' Retirement System for Fire Safety Employee Cost Sharing.

Action: Approved the recommendation; Ordinance No. 5543; Agreement No. 23,646.

5. Subject: Adoption Of Ordinance For Power Purchase Agreement For Cogeneration Project At El Estero Wastewater Treatment Plant (540.13)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the City Administrator to Negotiate and Execute a Power Purchase Agreement (PPA), in a Form of Agreement Acceptable to the City Attorney, for a Term of up to Ten (10) Years for Cogeneration at the El Estero Wastewater Treatment Plant (El Estero) Between the City of Santa Barbara and California Power Partners, Incorporated (Calpwr), for the Purchase of Electricity.

Action: Approved the recommendation; Ordinance No. 5544; Agreement No. 23,630.

6. Subject: Records Destruction For Waterfront Department (160.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the Waterfront Department in the Administration Division.

Action: Approved the recommendation; Resolution No. 11-005 (February 8, 2011, report from the Waterfront Director; proposed resolution).

7. Subject: Records Destruction For Public Works Department (160.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the Public Works Department in the Water Resources Division.

Action: Approved the recommendation; Resolution No. 11-006 (February 8, 2011, report from the Public Works Director; proposed resolution).

8. Subject: Approval Of Emergency Purchase Order For Work At The El Estero Wastewater Treatment Plant (540.13)

Recommendation: That Council approve an Emergency Purchase Order to Central Machine for work at the El Estero Wastewater Treatment Plant (El Estero) in an amount not to exceed \$87,800.

Action: Approved the recommendation (February 8, 2011, report from the Public Works Director).

9. Subject: Increase In Construction Change Order Authority For Community Development Block Grant 2010-2011 Access Ramp Project (610.05)

Recommendation: That Council authorize an increase in the Public Works Director's Change Order Authority to approve expenditures for additional work for the Community Development Block Grant (CDBG) 2010-2011 Access Ramp Project (Project), Contract No. 23,954, in the amount of \$30,515, for a total project expenditure authority of \$79,900.

Action: Approved the recommendation (February 8, 2011, report from the Public Works Director).

10. Subject: Purchase Order Increase For City Pier Ice House Emergency Repairs (570.03)

Recommendation: That Council authorize the Waterfront Director to retroactively increase Purchase Order No. 383977 from \$25,000 to \$50,000 for emergency repairs and continued monthly maintenance to the City Pier Ice House in the Harbor.

Action: Approved the recommendation (February 8, 2011, report from the Waterfront Director).

Item No. 11 appears in the Redevelopment Agency minutes.

### NOTICES

12. The City Clerk has on Thursday, February 3, 2011, 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.

Item No. 13 appears in the Redevelopment Agency minutes.

Councilmember Hotchkiss stated he would not participate in the following item due to a conflict of interest related to his friendship with the Appellant/Applicant, and he left the meeting at 3:15 p.m.

### **PUBLIC HEARINGS**

15. Subject: Appeal Of The Parks And Recreation Commission Action To Deny The Removal Of A Front Setback Tree Located At 1704 Mission Ridge Road (570.08)

Recommendation: That Council deny the appeal filed by Dr. Michael Cooper and uphold the Parks and Recreation Commission decision to deny the removal of a Phoenix canariensis (Canary Island Date Palm) located in the minimum front setback at 1704 Mission Ridge Road.

(Cont'd)

## 15. (Cont'd)

## Documents:

- February 8, 2011, report from the Parks and Recreation Director.
- PowerPoint presentation prepared and made by Staff.
- February 5, 2011, letter from the Appellant/Applicant.

## Public Comment Opened:

3:16 p.m.

## Speakers:

- Staff: Assistant Parks and Recreation Director Jill Zachary, City Attorney Stephen Wiley, Urban Forest Superintendent Timothy Downey.
- Street Tree Advisory Committee: Chair Karen Christman.
- Parks and Recreation Commission: Chair Lesley Wiscomb.
- Appellant/Applicant: Dr. Michael Cooper.
- Members of the Public: Tyburn, Geof Bard.

## Public Comment Closed:

3:48 p.m.

## Motion:

Councilmembers White/House to grant the appeal and approve removal of the tree, but direct the Appellant/Applicant to work with Staff and the appropriate committee/commission to provide mitigation for the loss of the tree in the form of a replacement.

## Vote:

Unanimous voice vote.

Councilmember Hotchkiss returned to the meeting at 4:17 p.m.

**MAYOR AND COUNCIL REPORTS**

## 14. Subject: Interviews for City Advisory Groups (140.05)

Recommendation: That Council hold interviews of applicants to the Fire and Police Commission, the newly-established Neighborhood Advisory Council, and the Rental Housing Mediation Task Force.

(Estimated Time: 4:00 p.m.)

## Documents:

February 8, 2011, report from the Assistant City Administrator/  
Administrative Services Director.

(Cont'd)

14. (Cont'd)

Speakers:

The following applicants were interviewed:

Fire and Police Commission:

Diego Torres-Santos

Rental Housing Mediation Task Force:

Meredith Furman

Neighborhood Advisory Council:

Sebastian Aldana, Jr.

Sharon Byrne

Tony Vassallo

Bonnie Raisin

Beatriz Molina

Holly Walters

Naomi Greene

Rick Goodfriend

W. Michael Hackett

Javier Moreno

Cesar Trujillo

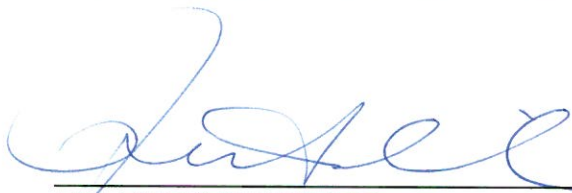
The Council will make appointments on March 1, 2011.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 4:47 p.m.

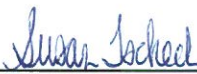
SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE



HELENE SCHNEIDER  
MAYOR

ATTEST:



SUSAN TSCHETCH, CMC  
DEPUTY CITY CLERK