



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING November 7, 2006 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

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

### PLEDGE OF ALLEGIANCE

Mayor Blum.

### ROLL CALL

Councilmembers present: Brian B. Barnwell, Iya G. Falcone, Roger L. Horton, Das Williams (2:08), Mayor Blum.

Councilmembers absent: Grant House, Helene Schneider.

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

### CEREMONIAL ITEMS

1. Subject: Presentation of Looking Good Santa Barbara Certificates (530.01)

#### Speakers:

- Staff: Public Works Director Anthony Nisich.
- Looking Good Santa Barbara: Lorraine Cruz Carpenter.

Action: Certificates presented to community volunteers.

2. 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 November 30, 2006.

(Cont'd)

2. (Cont'd)

Documents:

November 7, 2006, report from the Administrative Services Director.

Speakers:

Staff: City Administrator James L. Armstrong.

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

25-Year Pin

Armand De La Rosa, Wastewater Treatment Plant Operator II, Public Works

20-Year Pin

Diana Palmer, Waterfront Parking Supervisor, Waterfront

15-Year Pin

Mark Howard, Risk Analyst, Finance

Anthony Prieto, Streets Maintenance Crew Leader, Public Works

Michael Johnson, Water Distribution Operator, Public Works

10-Year Pin

Marcelo Lopez, Administrative Services Director, City Administrator's Office

Brenda Monser, Finance Supervisor, Finance

James Willis, Police Officer, Police

Richard Alvarado, Wastewater Collection Systems Supervisor, Public Works

Mabel Shatavsky, Executive Assistant, Airport

5-Year Pin

Michelle Montez, Assistant City Attorney I, City Attorney

Todd Johnson, Police Officer, Police

Ruben Guitierrez, Custodian, Library

Marcia Laurent, Administrative Specialist, Parks and Recreation

**PUBLIC COMMENT**

Speakers: David Landecker, Marilyn Gilbert, Julie Sultoun, Bob Hansen, David, and Nancy McCradie.

## COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

### Information:

- Councilmember Barnwell commented on the following: 1) David Landecker's comments and recent conversations with Citizens Planning Association & Foundation; 2) the Anti-Defamation League fundraiser last Sunday; 3) the Rape Crisis Center celebration on Thursday; 4) an art show opening in City Hall which displays photographs of Veterans in commemoration of Veteran's Day; 5) that Veteran's Day is November 10; and 6) the Susan Quinlan Doll and Teddy Bear Museum and Library.
- Councilmember Williams reported on the following: 1) a meeting regarding homeless issues and a group of physicians called Doctors Without Walls, who help the homeless; 2) his participation, along with Councilmember Falcone, in debates over Proposition 87 and 90, respectively, at the Santa Barbara Industrial Association's Economic Summit; and 3) his attempts to encourage members of the public to vote.
- Councilmember Falcone remarked upon the following: 1) the Santa Barbara Industrial Association's lunch debate which she attended, along with Councilmember Williams; 2) a Boys and Girls Club dinner that she attended; and 3) the Anti-Defamation League.
- Mayor Blum spoke about the Dance Alliance scholarships that were given to 11 children so that they would be able to participate in dance classes, her participation in a Sustainability LEAP class, Native American Heritage Month, and the Veteran's Day Ceremony being held at the Santa Barbara Cemetery.

### CONSENT CALENDAR (Item Nos. 3 - 10)

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

### Motion:

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

### Vote:

Unanimous voice vote (Absent: Councilmembers Horton, Schneider).

### 3. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of October 24, 2006.

Action: Approved the recommendation.

### 4. Subject: Airfield Safety Projects Cultural Resource Services (560.01)

Recommendation: That Council:

- A. Authorize the Airport Director to execute a contract with Applied Earthworks, in the amount of \$216,393, for cultural resource investigations associated with the Airfield Safety Projects; and

(Cont'd)

4. (Cont'd)

- B. Authorize the Airport Director to approve expenditures of up to \$21,639 for extra services of Applied Earthworks that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Contract No. 22,244 (November 7, 2006, report from the Airport Director).

5. Subject: Introduction Of Ordinance For Lease Agreement With Char West (330.04)

Recommendation: That Council:

- A. Approve a five-year lease agreement with one five-year option with John K. Williams, Inc., doing business as Char West, at a rent of \$3,466 per month or 11.4% of gross sales, whichever is greater, for a 1,069 square-foot restaurant and office space located at 221 Stearns Wharf; and
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Five-Year Lease Agreement with One Five-Year Option with John K. Williams, Inc., Doing Business as Char West, Commencing on December 14, 2006, at a Rent of \$3,466 Per Month or 11.4% of Gross Sales, Whichever is Greater, for a 1,069 Square-Foot Restaurant and Office Space Located at 221 Stearns Wharf.

Action: Approved the recommendations (November 7, 2006, report from the Waterfront Director; proposed ordinance).

6. Subject: Introduction Of Ordinance For Lease Agreement With Great Pacific Ice Cream Company (330.04)

Recommendation: That Council:

- A. Approve a five-year lease agreement with one five-year option with John K. Williams, Inc., doing business as Great Pacific Ice Cream Company, at a rent of \$3,458 per month or 15% of gross sales, whichever is greater, for a 395 square-foot ice cream shop located at 219-A Stearns Wharf; and
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Five-Year Lease Agreement with One Five-Year Option with John K. Williams, Inc., Doing Business as Great Pacific Ice Cream Company, Commencing on December 14, 2006, at a Rent of \$3,458 Per Month or 15% of Gross Sales, Whichever is Greater, for a 395 Square-Foot Ice Cream Shop Located at 219-A Stearns Wharf.

Action: Approved the recommendations (November 7, 2006, report from the Waterfront Director; proposed ordinance).

7. Subject: Lease Amendment With Santa Barbara Boat Rentals (330.04)

Recommendation: That Council consider and approve a lease amendment with Santa Barbara Boat Rentals updating the existing Reimbursement for Improvements clause in the Lease.

Action: Approved the recommendation; Agreement No. 20,389.1 (November 7, 2006, report from the Waterfront Director).

8. Subject: Notice Of Completion For The Public Restrooms At 914 State Street Project (530.01)

Recommendation: That Council accept the work completed by Thomson Construction Company, Contract No. 21,957, for the Public Restrooms at 914 State Street Project, Bid No. 3418, in the final contract amount of \$322,132.01, including approved changes \$16,526.01, and approve filing of a Notice of Completion.

Action: Approved the recommendation (November 7, 2006, report from the Public Works Director).

9. Subject: Contract For Construction Of The Santa Barbara Airport T-Hangar And Taxilane Project (560.04)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a contract with Lash Construction (Lash) in their low-bid amount of \$3,243,936 for construction of the Santa Barbara Airport T-Hangar and Taxilane Project, Bid No. 3448;
- B. Authorize the Public Works Director to approve expenditures up to \$259,515 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;
- C. Authorize the Public Works Director to execute a contract with Penfield & Smith in the amount of \$353,138 for construction support services, and approve expenditures up to \$24,720 for extra services that may result from necessary changes in the scope of work; and
- D. Authorize the General Services Manager to issue a Purchase Order to Taft Electrical Company (Taft) in the amount of \$14,844 for Security Access Control Relocation associated with the project.

Action: Approved the recommendations; Contract Nos. 22,245 and 22,246 (November 7, 2006, report from the Public Works Director).

## NOTICES

10. The City Clerk has on Thursday, November 2, 2006, 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.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### FIRE DEPARTMENT

11. Subject: Save A Life Foundation (520.04)

Recommendation: That Council authorize the Fire Chief to execute the Memorandum of Understanding between the City of Santa Barbara Fire Department and the Save A Life Foundation (SALF) as it pertains to providing specific training in basic life-saving skills to fourth and fifth grade students in the Santa Barbara School District.

Documents:

November 7, 2006, report from the Fire Chief.

Speakers:

Staff: Fire Chief Ron Prince.

Motion:

Councilmembers Horton/Barnwell to approve the recommendation; Agreement No. 22,247.

Vote:

Unanimous voice vote (Absent: Councilmembers Horton, Schneider).

### PUBLIC WORKS DEPARTMENT

12. Subject: Capital Improvement Projects First Quarter Report For Fiscal Year 2007 (230.01)

Recommendation: That Council receive, for information only, the Capital Improvement Projects First Quarter Report for Fiscal Year 2007.

Documents:

November 7, 2006, report from the Public Works Director.

Speakers:

- Staff: Assistant Public Works Director Pat Kelly, City Administrator James Armstrong.
- Member of the Public: Michael Self, Santa Barbara Safe Streets.

By consensus, the Council received the report.

## RECESS

Mayor Blum recessed the meeting at 3:44 p.m. in order for the Council to reconvene in closed session for Item Nos. 13 and 14, and stated there would be no reportable action taken during the closed sessions.

## CLOSED SESSIONS

### 13. 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 Chrystine M. Lawson, etc., et al., v. City of Santa Barbara, et al., USDC Case No. CV 01-2692 GHK (RCx).

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

November 7, 2006, report from the City Attorney.

Time:

3:44 p.m. - 4:07 p.m.

No report made.

### 14. Subject: Conference With Real Property Negotiator (330.03)

Recommendation: That Council hold a closed session to consider instructions to City staff and the City Attorney regarding real property negotiations with Milton Larsen regarding the potential leasehold disposition of property at 6050 Hollister Avenue, more particularly described as Assessor's Parcel No. 073-080-070 within the Airport property owned by the City. Negotiations will be conducted by Karen Ramsdell, Airport Department, on behalf of the City of Santa Barbara pursuant to the authority of Government Code Section 54956.8. Under negotiation: lease terms and conditions.

Scheduling: Duration, 25 minutes; anytime

Report: None anticipated

Documents:

November 7, 2006, report from the Airport Director.

Time:

4:07 p.m. - 4:30 p.m.

No report made.

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 4:30 p.m.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC  
CITY CLERK SERVICES MANAGER

ATTEST: \_\_\_\_\_

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MARTY BLUM  
MAYOR

\_\_\_\_\_  
LORI COLE  
DEPUTY CITY CLERK