



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING
March 10, 2009
COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:02 p.m. (The Ordinance Committee met at 12:00 p.m. The Finance Committee, which ordinarily meets at 12:30 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Blum.

ROLL CALL

Councilmembers present: Dale Francisco, Roger L. Horton, Grant House, Helene Schneider, Das Williams, Mayor Blum.

Councilmembers absent: Iya G. Falcone.

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

CEREMONIAL ITEMS

1. Subject: Proclamation Declaring March 14-15, 2009, As Lions White Cane Days (120.04)

Proclamation presented to Bill Redding, Lions International President, and George Primbs, Chairman of the Board of SEE International.

PUBLIC COMMENT

Speakers: Hans Kistner; Dinah Wellsand; Lazarus; Steve Cushman, Santa Barbara Region Chamber of Commerce; Wayne Scoles; Richard Robinson; Chuck Rose; Ruth Wilson.

CONSENT CALENDAR (Item Nos. 2 – 6)

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

Motion:

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

Vote:

Unanimous roll call vote (Absent: Councilmember Falcone).

2. **Subject: Minutes**

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of February 10, 2009, the special meeting of February 12, 2009, and the regular meeting of February 17, 2009 (cancelled due to lack of a quorum).

Action: Approved the recommendation.

3. **Subject: Records Destruction For The Community Development 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 Community Development Department in the Records Section of the Building and Safety Division.

Action: Approved the recommendation; Resolution No. 09-012 (March 10, 2009, report from the Community Development Director; proposed resolution).

4. **Subject: Contract For Design For The Santa Barbara Airport Water Distribution System Upgrade To Improve System Redundancy In Southern Area (560.04)**

Recommendation: That Council authorize the Public Works Director to execute a contract with Penfield & Smith Engineers, Incorporated (Penfield & Smith), in the amount of \$30,440 for design services for the Santa Barbara Airport Water Distribution System Upgrade project, and authorize the Public Works Director to approve expenditures of up to \$3,040 for extra services of Penfield & Smith that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Contract No. 23,003 (March 10, 2009, report from the Public Works Director).

NOTICES

5. The City Clerk has on Thursday, March 5, 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.
6. Received letters of resignation from Community Development & Human Services Committee Member Michael Getto and Creeks Advisory Committee Member Michael O'Brien; the vacancies will be part of the next City Advisory Group recruitment.

This concluded the Consent Calendar.

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Das Williams reported that the Committee met to continue its discussion of draft language to amend the City Charter's 60-foot building height allowance for certain commercial zones. The Committee approved proposed language for a Charter amendment as well as an implementing ordinance, both of which will be submitted for the Council's consideration on March 24, 2009.

RECESS

2:29 p.m. - 2:36 p.m.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

Note: Agenda Item Nos. 8, 9 and 10 were considered concurrently.

FINANCE DEPARTMENT

8. Subject: Airport Terminal Project Financing Update (560.04)

Recommendation: That Council:

- A. Receive an update on the Airport Terminal Project financing; and
- B. Authorize staff to proceed with the sale of project bonds.

Documents:

- March 10, 2009, report from the Finance Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

Staff: Airport Director Karen Ramsdell, Finance Director Robert Peirson.

PUBLIC WORKS DEPARTMENT

9. Subject: Contract For Construction Of Santa Barbara Airport Temporary Facilities And Site Preparation Project (560.04)

Recommendation: That Council:

- A. Hold a hearing to consider any possible bid protest with respect to award of the Santa Barbara Airport Temporary Facilities and Site Preparation Project contract to the apparent lowest responsible bidder;
- B. Reject all bid protests submitted by bidders to the award of the Santa Barbara Airport Temporary Facilities and Site Preparation Project contract to the apparent lowest responsible bidder;
- C. Award and authorize the Public Works Director to execute a contract with Lash Construction (Lash) in their low bid amount of \$3,475,850 for construction of the Santa Barbara Airport Temporary Facilities and Site Preparation Project, Bid No. 3,555, and authorize the Public Works Director to approve expenditures up to \$350,000 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; and
- D. Authorize the Public Works Director to execute a contract with Howard, Needles, Tammen & Bergendoff, Inc. (HNTB), in the amount of \$648,361 for construction support services, and approve expenditures of up to \$32,500 for extra services of HNTB that may result from necessary changes in the scope of work.\

Councilmember Falcone entered the meeting at 2:55 p.m.

Documents:

March 10, 2009, report from the Public Works Director.

Public Comment Opened:

2:52 p.m.

Speakers:

Staff: Principal Engineer Owen Thomas.

10. Subject: Contract For Construction Of Santa Barbara Airport Airline Terminal Improvement Project (560.04)

Recommendation: That Council:

- A. Hold a hearing to consider any possible bid protest with respect to award of the Santa Barbara Airport Airline Terminal Improvement Project contract to the apparent lowest responsible bidder;

(Cont'd)

10. (Cont'd)

- B. Reject all bid protests submitted by bidders to the award of the Airline Terminal Improvement Project contract to the apparent lowest responsible bidder;
- C. Award and authorize the Public Works Director to execute a contract with EMMA Corporation (EMMA) in its low bid amount of \$32,858,000 for the base bid, plus bid alternates 1 and 2, for construction of the Santa Barbara Airport Airline Terminal Improvement Project (Project), Bid No. 3,556, and authorize the Public Works Director to approve expenditures up to \$3,440,000 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;
- D. Authorize the Public Works Director to execute a contract with Howard, Needles, Tammen & Bergendoff California Architects, P. C. (HNTB), in the amount of \$4,181,135 for construction support services, and approve expenditures of up to \$209,055 for extra services of HNTB that may result from necessary changes in the scope of work; and
- E. Authorize the Public Works Director to approve a contract with Padre Associates (Padre) in the amount of \$48,200, and approve expenditures of up to \$4,800 for extra services of Padre that may result from necessary changes in the scope of work.

Documents:

- March 10, 2009, report from the Public Works Director.
- December 24, 2008, letter from Swinerton Builders.
- January 7, 2009, letter from EMMA Corporation.
- February 19, 2009, letter from Swinerton Builders.
- February 25, 2009, letter from EMMA Corporation.
- February 27, 2009, letter from Barbara Gadbois, Attorney representing Swinerton Builders.
- March 6 and February 24, 2009, letters from Johnson Controls.

Speakers:

- Staff: Principal Engineer Owen Thomas, City Attorney Stephen Wiley, Public Works Director Christine Andersen.
- Members of the Public: Daryl Cruser, Swinerton Builders; Robert Jeppesen, Taft Electric Co.; Emanuel Yashari, EMMA Corporation; Michael Gilmartin, Gilmartin Electric Corporation; Scott Lane, EMMA Corporation; David Scripture, Tech Controls, Inc.; William King, Johnson Controls.

Recess: 3:49 p.m. - 4:14 p.m.

(Cont'd)

Item Nos. 8, 9 and 10 (Cont'd)

Discussion:

Pursuant to Staff discussion during the recess, City Attorney Stephen Wiley recommended that the bid award deadline for the projects referenced in Agenda Item Nos. 9 and 10 be extended for 30 days. Representatives of both EMMA Corporation (Emanuel Yashari) and Swinerton Builders (Daryl Crusier) stated their agreement to this extension.

Motion:

Councilmembers Falcone/House to continue Item Nos. 9 and 10 to March 24, 2009.

Vote:

Unanimous voice vote.

Motion:

Councilmembers House/Horton to approve recommendation B of Item No. 8.

Vote:

Unanimous voice vote.

ADMINISTRATIVE SERVICES DEPARTMENT

7. Subject: Recommendation To Conduct Vote By Mail General Municipal Elections (110.03)

Recommendation: That Council authorize the City Clerk to conduct the November 2009 General Municipal Election as a Vote By Mail Election.

Documents:

- March 10, 2009, report from the Administrative Services Director.
- PowerPoint presentation prepared and made by Staff.
- March 10, 2009, e-mail from PUEBLO.
- Undated letter from the Democratic Party of Santa Barbara County.

Speakers:

- Staff: Administrative Services Director Marcelo López, City Clerk Services Manager Cynthia Rodriguez.
- Members of the Public: Olivia Uribe, Santa Barbara County Action Network; David Pritchett.

(Cont'd)

7. (Cont'd)

Motion:

Councilmembers Horton/Mayor Blum to approve the recommendation with further direction to: 1) increase the number of designated polling centers from five to seven; and 2) increase the number of hours that the polling centers will be open on the Saturday preceding election day from four to eight.

Vote:

Majority voice vote (Noes: Councilmembers Francisco, Williams; Abstentions: Councilmember Falcone).

ADJOURNMENT

Mayor Blum adjourned the meeting at 4:58 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

Marty Blum
MARTY BLUM
MAYOR

ATTEST: *Susan Tsczech*
SUSAN TSCHECH, CMC
DEPUTY CITY CLERK