



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING September 13, 2005 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 2:13 p.m. (The Ordinance Committee met at 12:30 p.m. The Finance Committee, which ordinarily meets at 1:00 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Blum.

ROLL CALL

Councilmembers present: Brian B. Barnwell, Iya G. Falcone, Roger L. Horton, Helene Schneider, Das Williams, Mayor Blum.

Councilmembers absent: Dan B. Secord.

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

CEREMONIAL ITEMS

1. **Subject: Proclamation Declaring September 2005 As Santa Barbara Literacy Month (120.04)**

Action: Proclamation presented to the City's Library Director Carol Keator.

2. **Subject: Proclamation Declaring September 2005 As Pesticide Awareness and Alternatives Month (120.04)**

Action: Proclamation presented to Estelle Foster, Executive Director, Pesticide Awareness and Alternatives Coalition.

3. Subject: Proclamation Declaring September 2005 As Suicide Prevention Month (120.04)

Action: Proclamation presented to Glendon Association representatives Joni Kelly, Marketing Coordinator, and Jina Carvalho, Director of Communications.

4. 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 September 30, 2005.

Documents:

September 13, 2005, Assistant City Administrator's report.

Speakers:

Staff: City Administrator James Armstrong.

Action: Approved the recommendation; the following employees were recognized:

40-Year Pin

Edward Romero, Public Works

25-Year Pin

John Corre, Police

20-Year Pin

Patricia Knight, Police

Norma Hansen, Police

Robert Risser, Airport

15-Year Pin

Lorenzo Duarte, Police

Michael Lazarus, Police

Micaela Hase, Public Works

Alison Jordan, Public Works

John Scott, Airport

10-Year Pin

Craig Burleigh, Police

5-Year Pin

Jill Taura, Finance

Kathleen Sizemore, Fire

Jon Turner, Fire

Scott Watters, Fire

Arthur DeRueda, Public Works

Ralph Hernandez, Public Works

Charles Christman, Parks and Recreation

Zenon Moran, Airport Custodial Maintenance

PUBLIC COMMENT

Speakers: Judy Orias, Steve Patchen and Nancy Tunnell.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Horton mentioned the following recent community events: 1) the groundbreaking for the Cottage Hospital reconstruction project; 2) the opening of the renovated community gardens; 3) the groundbreaking for the El Carrillo project of single room occupancy units; 4) the restoration of the Santa Barbara County Hall of Records, including the unveiling of a hidden skylight; and 5) the charity regatta held for the Visiting Nurse and Hospice Association.
- Councilmember Schneider reported on 1) her visit to Sarasota Springs, Florida, and the similarity of that city's municipal issues to Santa Barbara's; and 2) her attendance at a conference regarding commuter rail transportation.
- Councilmember Falcone commented on 1) the progress of the 3-unit housing project sponsored by Habitat for Humanity; and 2) two events to raise funds for New Orleans hurricane relief.
- Councilmember Williams remarked upon recent meetings of the Enhanced Transit Subcommittee and Sign Committee, long-term relief for Hurricane Katrina victims, and a presentation by the Community Environmental Council regarding solar energy.
- Councilmember Barnwell mentioned the following issues: 1) the formation of an improvement district by Coast Village Road business owners; 2) development of streetlight design guidelines; 3) the ability to recycle all forms of plastic; and 4) the priority need for blood donations for Hurricane Katrina victims.

CONSENT CALENDAR (Item Nos. 5 - 20 and 23 - 25)

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

Motion:

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

Vote:

Unanimous roll call vote (Absent: Councilmember Secord).

5. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the adjourned regular meeting of August 15, 2005, the regular meetings of August 16 and August 23, 2005, and the regular meeting of August 30, 2005 (cancelled due to lack of a quorum).

Action: Approved the recommendation.

6. Subject: Community Promotion Contract With Summer Solstice Celebration, Inc. (230.02)

Recommendation: That Council authorize the Finance Director to execute a Community Promotion contract with Summer Solstice Celebration, Inc., in an amount of \$45,914 to support year-round salary and production expenses. The term of this agreement shall commence on October 1, 2005, and terminate on September 30, 2006.

Speakers:

Summer Solstice Celebration, Inc.: Claudia Bratton.

Action: Approved the recommendation; Contract No. 21,803 (September 13, 2005, Finance Director's report).

7. Subject: Community Promotion Contract With The Santa Barbara Symphony, Inc. (230.02)

Recommendation: That Council authorize the Finance Director to execute a Community Promotion contract with the Santa Barbara Symphony, Inc., in an amount of \$10,000 for June 15, 2005, through September 30, 2005, for this year's 4th of July concert.

Action: Approved the recommendation; Contract No. 21,804 (September 13, 2005, Finance Director's report).

8. Subject: Fiscal Year 2006 Interim Financial Statements For The Month Ended July 31, 2005 (250.02)

Recommendation: That Council accept the Fiscal Year 2006 Interim Financial Statements for the month ended July 31, 2005.

Action: Approved the recommendation (September 13, 2005, Finance Director's report).

9. Subject: Records Destruction For Police 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 Police Department in the Police Records Division.

Action: Approved the recommendation; Resolution No. 05-074 (September 13, 2005, report from the Chief of Police; proposed resolution).

10. Subject: Position And Salary Control Resolution Amendment For The Community Development And Public Works Departments (410.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 05-059, the Position and Salary Control Resolution for Fiscal Year 2006, Affecting the Housing and Redevelopment Division of the Community Development Department and the Transportation Division of the Public Works Department, Effective September 17, 2005.

Action: Approved the recommendation; Resolution No. 05-075 (September 13, 2005, Assistant City Administrator's report; proposed resolution).

11. Subject: Position And Salary Control Resolution Amendment For The Finance Department (410.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 05-059, the Position and Salary Control Resolution for Fiscal Year 2006, Affecting the Treasury Division of the Finance Department Effective September 17, 2005.

Action: Approved the recommendation; Resolution No. 05-076 (September 13, 2005, Finance Director's report; proposed resolution).

12. Subject: Notice Of Completion For Santa Barbara Airport Holdroom Expansion Project (560.04)

Recommendation: That Council accept the work completed by Cornejo Construction (Cornejo), Contract No. 21,704, Bid No. 3429, for the Santa Barbara Airport Gates 8 & 9 Holdroom Expansion Project, in the final contract amount of \$125,583, including approved changes, and approve the filing of a Notice of Completion.

Action: Approved the recommendation (September 13, 2005, Public Works Director's report).

13. Subject: Notice Of Completion For Pueblo Street Bridge Emergency Repair (530.04)

Recommendation: That Council accept the work completed by Hayward Baker, Incorporated (Hayward Baker), Purchase Order No. 371,971, for the Pueblo Street Bridge Emergency Repair located at Pueblo Street at Mission Creek, in the final contract amount of \$351,036.75, including approved changes, and approve filing of a Notice of Completion.

Action: Approved the recommendation (September 13, 2005, Public Works Director's report).

14. Subject: Set A Date For Public Hearing Regarding Appeal Of Planning Commission Approval For 13 W. Haley Street

Recommendation: That Council set the date of September 27, 2005, at 2:00 p.m. for hearing the appeal filed by Trevor Martinson of the Planning Commission approval of an application for property owned by Neil and Sue Ablitt and located at 13 W. Haley Street, Assessor's Parcel Number 037-211-004, C-M Light Manufacturing Zone, General Plan Designation: General Commerce. The project proposes the construction of a 699 square-foot four-story residence with attached 259 square-foot garage and a 134 square-foot roof deck on a 400 square-foot vacant lot, and the discretionary applications required are Modifications.

Action: Approved the recommendation (August 22, 2005, letter of appeal).

15. Subject: Set A Date For Public Hearing Regarding Appeal Of Historic Landmarks Commission Denial For 423 State Street

Recommendation: That Council set the date of October 18, 2005, at 2:00 p.m. for hearing the appeal filed by Trevor Martinson, Agent for Craig Jenkins, owner of Velvet Jones, of the Historic Landmarks Commission denial of an appeal of a Sign Committee decision denying an application for property owned by Donald Torgeson and located at 423 State Street, Assessor's Parcel Number 037-211-012, C-M Commercial Manufacturing Zone, General Plan Designation: General Commerce. The project proposes to install a marquee sign for the Velvet Jones business, and it requests an exception to the Sign Ordinance for changeable copy.

Action: Approved the recommendation (August 29, 2005, letter of appeal).

16. Subject: Set A Date For Public Hearing Regarding Appeal Of Historic Landmarks Commission Approval For 400 And 500 Blocks Of State Street

Recommendation: That Council set the date of October 25, 2005, at 2:00 p.m. for hearing the appeal filed by Carol Ritz, Agent for Business and Property Owners, of the Historic Landmarks Commission's preliminary approval of an application for right-of-way property owned by the City of Santa Barbara and located in the 400 and 500 Blocks of State Street, Assessor's Parcel Number 037-172-0RW. The project proposes to remove the existing tile sidewalks in the 400 and 500 blocks of State Street and replace them with brick sidewalks. The appeal relates to the inclusion of benches in the project.

Speakers:

Staff: Community Development Director Paul Casey.

Action: Approved the recommendation (August 24, 2005, letter of appeal).

17. Subject: Donation Of Undercover Vehicle (330.05)

Recommendation: That Council accept the donation of a vehicle from the Santa Barbara Regional Narcotic Enforcement Team for undercover purposes at the Police Department.

Action: Approved the recommendation (September 13, 2005, report from the Chief of Police).

18. Subject: Funding For Clean Air Express Promotional Campaign (670.01)

Recommendation: That Council authorize the Public Works Director to negotiate and execute an amendment to Contract 20,249 with the Santa Barbara County Association of Governments (SBCAG) to change the scope of services to include a Clean Air Express promotional program for an amount not to exceed \$50,000.

Speakers:

- Staff: Transportation Manager Browning Allen.
- SBCAG Traffic Solutions: Scott Spaulding.

Action: Approved the recommendation; Contract No. 20,249.1 (September 13, 2005, Public Works Director's report).

19. Subject: Contract For Carrillo Pedestrian Walkway Improvements (530.04)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a contract with Flowers & Associates (Flowers) in an amount not to exceed \$140,245, for conceptual and final design of Carrillo Street and Meigs Road Pedestrian Walkway Project; and
- B. Authorize the Public Works Director to approve expenditures up to \$14,025 for extra services performed by Flowers that may result from necessary changes in the scope of work.

Speakers:

Staff: Transportation Manager Browning Allen.

Action: Approved the recommendations; Contract No. 21,805 (September 13, 2005, Public Works Director's report).

20. Subject: Contract For Local Road Rehabilitation Project - Chapala And Hollister Streets (530.04)

Recommendation: That Council:

- A. Accept the Regional Surface Transportation Program (RSTP) funding grant in the amount of \$1,776,000;

(Cont'd)

20. (Cont'd)

- B. Increase the estimated Fiscal Year 2006 Streets Capital Program Fund revenues by \$1,776,000 and appropriate this amount into the Fiscal Year 2006 Streets Capital Program;
- C. Award and authorize the Public Works Director to execute a contract with Granite Construction Company for their low bid amount of \$1,613,609.00 for construction of the Local Road Rehabilitation Project, Bid No. 3432 (Project), and authorize the Public Works Director to approve expenditures up to \$80,680.00 for Granite Construction Company 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 Penfield and Smith, Inc. (P&S), for the construction management, testing, and inspection of the Project, in an amount not to exceed \$100,000, and authorize the Public Works Director to approve expenditures up to \$10,000 for extra services for P&S that may result from necessary changes in the scope of work.

Speakers:

Staff: Principal Engineer John Schoof, Transportation Manager Browning Allen.

Action: Approved the recommendations; Contract Nos. 21,806 and 21,807 (September 13, 2005, Public Works Director's report).

Agenda Item Nos. 21 and 22 appear in the Redevelopment Agency minutes.

NOTICES

- 23. The City Clerk has on Thursday, September 8, 2005, 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. The City Council site visit scheduled for Monday, September 19, 2005, at 1:30 p.m. to the property located at 17 West Canon Perdido Street, has been rescheduled to Monday, October 3, 2005, at 1:30 p.m.
- 25. Received a letter of resignation from Central Coast Commission for Senior Citizens member Dan Milstein; the vacancy will be part of the next City Advisory Group recruitment. (570.06)

This concluded the Consent Calendar.

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Iya Falcone reported that the Committee completed its review of the proposed Living Wage Ordinance and forwarded it to the Finance Committee for its consideration.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ADMINISTRATOR

26. Subject: Update On Performance Management Program And FY 2005 Department Performance Highlights (170.01)

Recommendation: That Council receive a status report on the City's performance management program and a summary of department performance highlights from Fiscal Year 2005.

Documents:

- September 13, 2005, City Administrator's report.
- PowerPoint presentation prepared and made by Staff.

Speakers:

Staff: City Administrator James Armstrong, Assistant to the City Administrator for Organizational Development Nina Johnson.

By consensus, the Council received the report.

RECESS

3:45 p.m. – 4:01 p.m.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

FINANCE DEPARTMENT

27. Subject: PERS Miscellaneous Plan Contract Amendment For 2.7% at 55 Benefit Formula (430.08)

Recommendation: That the Council introduce and subsequently 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 of Santa Barbara and the Board of Administration of the California Public Employees' Retirement System with Respect to Miscellaneous City Employees.

(Cont'd)

27. (Cont'd)

Documents:

- September 13, 2005, Finance Director's report.
- Proposed Ordinance.

The title of the ordinance was read.

Speakers:

Staff: Finance Director Robert Peirson, City Attorney Stephen Wiley.

Motion:

Councilmembers Falcone/Horton to approve the recommendation.

Vote:

Unanimous voice vote (Absent: Councilmember Secord).

PUBLIC WORKS DEPARTMENT

28. Subject: Contract For Professional Services For State Route 225 Relinquishment Study (530.04)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a contract with MNS Engineers, Incorporated (MNS), in the amount of \$82,850.00 for professional services for the State Route 225 (SR 225) Relinquishment Study; and
- B. Authorize the Public Works Director to approve expenditures of up to \$5,000.00 for extra services of MNS that may result from necessary changes in the scope of work.

Documents:

September 13, 2005, Public Works Director's report.

Speakers:

Staff: Assistant Public Works Director/City Engineer Pat Kelly.

Motion:

Councilmembers Barnwell/Falcone to approve the recommendations; Contract No. 21,808.

Vote:

Unanimous voice vote (Absent: Councilmember Secord).

29. Subject: Solid Waste Strategic Plan (630.01)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving a Solid Waste Strategic Plan for Maximizing Solid Waste Diversion.

Documents:

- September 13, 2005, Public Works Director's report.
- Proposed Resolution.
- PowerPoint presentation prepared and made by Staff.

The title of the resolution was read.

Speakers:

- Staff: Public Works Director Anthony Nisich, Water Resources Manager Steve Mack, Environmental Programs Supervisor Stephen MacIntosh.
- Member of the Public: Thor Schmidt, Allied Waste Industries.

Motion:

Councilmembers Barnwell/Falcone to approve the recommendation;
Resolution No. 05-077.

Vote:

Unanimous roll call vote (Absent: Councilmember Secord).

30. Subject: Multi-Jurisdictional Solid Waste Task Group Conversion Technology Policy Statement (630.01)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving a Solid Waste Conversion Technology Policy Statement.

Documents:

- September 13, 2005, Public Works Director's report.
- Proposed Resolution.
- PowerPoint presentation prepared and made by Staff.

The title of the resolution was read.

Speakers:

Staff: Public Works Director Anthony Nisich, Water Resources Manager Steve Mack.

(Cont'd)

30. (Cont'd)

Motion:

Councilmembers Williams/Schneider to approve the recommendation;
Resolution No. 05-078.

Vote:

Majority roll call vote (Noes: Councilmember Horton; Absent:
Councilmember Secord).

RECESS

5:38 p.m. – 5:40 p.m.

CLOSED SESSIONS

31. 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. Pending litigation considered is: John Cornejo v. City of Santa Barbara, WCAB, case numbers OXN 130817 and OXN 0128616.

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

Documents:

September 13, 2005, Finance Director's report.

Time:

5:40 p.m. – 5:45 p.m.; Councilmembers Barnwell and Secord were absent.

No report made.

ADJOURNMENT

Mayor Blum adjourned the meeting at 5:45 p.m. in recognition of Hurricane Katrina victims and the local community effort to assist in that disaster's relief.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER

MARTY BLUM
MAYOR

ATTEST: _____
SUSAN TSCHECH, CMC
DEPUTY CITY CLERK