



**CITY OF SANTA BARBARA
CITY COUNCIL MINUTES**

**REGULAR MEETING
March 16, 2010
COUNCIL CHAMBER, 735 ANACAPA STREET**

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:07 p.m. (The Ordinance Committee met at 12:00 noon, and the Finance Committee met at 1:00 p.m.)

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Frank Hotchkiss, Grant House, Michael Self, Bendy White, Das Williams, Mayor Schneider.

Councilmembers absent: Dale Francisco.

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

PUBLIC COMMENT

Speakers: Bill, Health Care for All; Kenneth Loch; Mike McGrew, Santa Barbara Police Officers Association; Ruth Wilson; Alexa Singleton; k8longstory (Kate Smith); Jim Cadenhead.

CONSENT CALENDAR (Item Nos. 1 - 9)

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

Motion:

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

Vote:

Unanimous roll call vote (Absent: Councilmember Francisco).

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the special meeting of February 25, 2010, and the regular meeting of March 2, 2010.

Action: Approved the recommendation.

2. Subject: Contract For Construction Of Parking Lots 4 And 5 Circulation And Accessibility Improvements Project (550.05)

Recommendation: That Council:

- A. Award a contract to Lash Construction (Lash) in their low bid amount of \$192,645 for construction of the Parking Lots 4 and 5 Circulation and Accessibility Improvements Project (Project), Bid No. 3592;
- B. Authorize the Public Works Director to execute a contract and approve expenditures up to \$19,265 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 negotiate and execute a City Professional Services Agreement with Watry Design (Watry) in the amount of \$7,950 for construction support services and expenditures of up to \$1,000 for extra services of Watry that may result from necessary changes in the scope of work; and
- D. Authorize the Public Works Director to negotiate and execute a City Professional Services Agreement with Fugro West (Fugro) in the amount of \$7,500 for material testing services during construction.

Speakers:

Staff: Parking/TMP Superintendent Victor Garza.

Action: Approved the recommendations; Contract No. 23,318; Agreement Nos. 23,319 and 23,320 (March 16, 2010, report from the Public Works Director).

3. Subject: Contract For Construction Of American Recovery And Reinvestment Act Road Overlay Project (530.04)

Recommendation: That Council:

- A. Award a contract with Nye & Nelson in the amount of \$1,045,276 for construction of the American Recovery and Reinvestment Act (Recovery Act) Road Overlay Project (Project), Bid No. 3583;

(Cont'd)

3. (Cont'd)

- B. Authorize the Public Works Director to execute a contract and approve expenditures up to \$120,878 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 City Professional Services contract with Flowers and Associates (Flowers) in the amount of \$68,000 for construction support services, and approve expenditures of up to \$6,800 for extra services of Flowers that may result from necessary changes in the scope of work; and
- D. Authorize the Public Works Director to execute a City Professional Services contract with Fugro West, Inc. (Fugro), in the amount of \$18,853 for construction testing services, and approve expenditures of up to \$1,885 for extra services of Fugro that may result from necessary changes in the scope of work.

Speakers:

Staff: Principal Civil Engineer Joshua Haggmark.

Action: Approved the recommendations; Contract Nos. 23,321 - 23,323 (March 16, 2010, report from the Public Works Director).

4. Subject: Introduction Of Ordinance For Lease With Chuck's Waterfront Grill (330.04)

Recommendation: That Council approve a lease with Richones, Inc., doing business as Chuck's Waterfront Grill, and introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Lease with Richones, Inc., Doing Business as Chuck's Waterfront Grill, Located at 113 Harbor Way, Effective April 22, 2010.

Action: Approved the recommendation (March 16, 2010, report from the Waterfront Director; proposed ordinance).

5. Subject: Resolution To Record A Notice Terminating An Agreement Dated February 7, 1952, And Rescinding Title Covenants At 721-791 Chapala Street (640.08)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara to Record a Notice Terminating an Agreement Dated February 7, 1952, and Rescinding Title Covenants at 721-791 Chapala Street.

Action: Approved the recommendation; Resolution No. 10-013 (March 16, 2010, report from the Public Works Director; proposed resolution).

6. Subject: Five-Year Lease Agreement With Santa Barbara Chamber Of Commerce (330.04)

Recommendation: That Council approve a five-year lease agreement with the Santa Barbara Chamber of Commerce for the 400 square-foot Visitor Center site at One Garden Street.

Action: Approved the recommendation; Agreement No. 23,324 (March 16, 2010, report from the Waterfront Director).

NOTICES

7. The City Clerk has on Thursday, March 11, 2010, 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.
8. Cancellation of the regular Redevelopment Agency meeting of March 16, 2010.
9. A City Council site visit is scheduled for Monday, March 22, 2010, at 1:30 p.m. to the property located at 803 N. Milpas Street, which is the subject of an appeal hearing set for March 23, 2010, at 2:00 p.m.

This concluded the Consent Calendar.

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Bendy White reported that the Committee met to discuss issues related to the proposed revision of the Medical Marijuana Dispensary Ordinance. The discussion was continued to the Committee's March 30, 2010, meeting.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Das Williams reported that the Committee met to review Staff recommendations for increased funding to a Transition House affordable housing project located at 421 E. Cota Street. The Committee approved the recommendations, which will be submitted to the full Council on March 23, 2010.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ADMINISTRATOR

10. Subject: Annual Report - Access Advisory Committee (640.03)

Recommendation: That Council receive an annual report from the Americans with Disabilities Act Coordinator on the activities and achievements of the Access Advisory Committee.

(Cont'd)

10. (Cont'd)

Documents:

- March 16, 2010, report from the Assistant City Administrator.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: ADA Coordinator Kristy Schmidt, Supervising Engineer Brian D'Amour.
- Access Advisory Committee: Member Brian Barnwell.

The Council received the report, and their questions were answered.

PARKS AND RECREATION DEPARTMENT

11. Subject: Introduction Of Ordinance Establishing Procedures For Appointment And Service Of Youth Member To Parks And Recreation Commission (570.08)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Section 2.08.020 of the Santa Barbara Municipal Code and Establishing Procedures for the Appointment and Service of a Youth Member to the Parks and Recreation Commission.

Documents:

- March 16, 2010, report from the Parks and Recreation Director.
- Proposed Ordinance.

The title of the ordinance was read.

Speakers:

Staff: Recreation Programs Manager Sarah Hanna, Parks and Recreation Director Nancy Rapp.

Motion:

Councilmembers White/Williams to approve the recommendation.

Vote:

Majority voice vote (Noes: Councilmember Hotchkiss; Absent: Councilmember Francisco).

PUBLIC WORKS DEPARTMENT

12. Subject: Contract For Construction Of American Recovery And Reinvestment Act Road Maintenance Project (530.04)

Recommendation: That Council:

- A. Reject the bid protest filed by Valley Slurry Seal and award a contract to Bond Blacktop, Inc. (Bond), in the amount of \$1,150,148 for construction of the American Recovery and Reinvestment Act (Recovery Act) Road Maintenance Project (Project), Bid No. 3586;
- B. Authorize the Public Works Director to execute a contract and approve expenditures up to \$88,100 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 City Professional Services contract with Flowers and Associates (Flowers), in the amount of \$114,416 for construction support services, and approve expenditures of up to \$11,440 for extra services of Flowers that may result from necessary changes in the scope of work; and
- D. Authorize the Public Works Director to execute a City Professional Services contract with Fugro West, Inc. (Fugro), in the amount of \$44,550 for construction testing services, and approve expenditures of up to \$4,450 for extra services of Fugro that may result from necessary changes in the scope of work.

Documents:

- March 16, 2010, report from the Public Works Director.
- Additional materials regarding this project, submitted by the City Attorney's Office.
- PowerPoint presentation prepared and made by Staff.
- Photographs submitted by Eric Flavell, representing Flowers and Associates.

Speakers:

- Staff: Public Works Director Christine Andersen, Principal Civil Engineer John Ewasiuk, City Attorney Stephen Wiley.
- Members of the Public: Eric Flavell, Flowers and Associates; Tim Robertson, Bond Blacktop, Inc.

Motion:

Councilmembers House/Hotchkiss to approve the recommendations; Contract Nos. 23,325 - 23,327.

Vote:

Unanimous voice vote (Absent: Councilmember Francisco).

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Williams reported on his attendance at recent meetings of the Cachuma Operation and Maintenance Board and the Cachuma Conservation Release Board.
- Councilmember Hotchkiss discussed his recent meeting with the Westside Center Advisory Committee.
- Mayor Schneider thanked the Santa Barbara Chamber of Commerce and City Staff for support provided for her initial State of the City address given this morning; she also announced the open house to be held on March 18, 2010, for the release of Plan Santa Barbara documents.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 3:54 p.m. to Monday, March 22, 2010, at 1:30 p.m. at 803 N. Milpas Street. The meeting was also adjourned in memory of Richard Thomas, who served as the City's Administrator from 1977 - 1993.

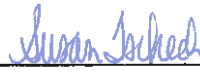
SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



HELENE SCHNEIDER
MAYOR

ATTEST:



SUSAN TSCHUCH, CMC
DEPUTY CITY CLERK