



**CITY OF SANTA BARBARA
CITY COUNCIL MINUTES**

**REGULAR MEETING
January 13, 2009
COUNCIL CHAMBER, 735 ANACAPA STREET**

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Mayor Blum.

ROLL CALL

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

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, City Clerk Services Manager Cynthia M. Rodriguez.

CEREMONIAL ITEMS

1. 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 January 31, 2009.

Documents:

January 13, 2009, report from the Administrative Services Director.

Speakers:

Staff: City Administrator James L. Armstrong.

(Cont'd)

1. (Cont'd)

By consensus, the Council approved the recommendation and recognized the following employees:

5-Year Pin

Louis Alavaro, Senior Streets Maintenance Worker, Public Works

10-Year Pin

Keith Bazzell, Senior Engineering Technician, Public Works

Lucia Corral, Accounting Assistant, Finance

Paul Erland, Fire Engineer, Fire

Gustavo Jimenez, Grounds Maintenance Worker, Parks and Recreation

Brynda Messer, Building Inspector Aide, Community Development

Chris Moore, Meter Reader, Finance

Irma Unzueta, Project Planner, Community Development

15-Year Pin

Victor Garza, Parking Superintendent, Public Works

20-Year Pin

Rebecca Bjork, Water Resources Manager, Public Works

Robert Peirson, Finance Director, Finance

Margaret Smith, Public Safety Dispatcher, Police

Shane Starr, Wastewater Treatment Plant Operator, Public Works

Susan Trimble, Public Safety Dispatcher, Police

25-Year Pin

Robert Fragosa, Custodian, Airport

Brett Wieser, Water Treatment Plant Operator, Public Works

PUBLIC COMMENT

Speakers: Kenneth Loch, Michael Self, Lee Moldaver, Mickey Flacks, Bonnie Donovan, Kate Smith, Jerry Siegel, Liz Anderson.

CONSENT CALENDAR (Item Nos. 2-11, 14 and 15)

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

Motion:

Councilmembers Schneider/Williams 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 meeting of December 9, 2008, and the special meeting of December 11, 2008.

Action: Approved the recommendation.

3. Subject: Fiscal Year 2009 Interim Financial Statements For The Five Months Ended November 30, 2008 (250.02)

Recommendation: That Council accept the Fiscal Year 2009 Interim Financial Statements for the Five Months Ended November 30, 2008.

Action: Approved the recommendation (January 13, 2009, report from the Finance Director).

4. 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. 09-001 (January 13, 2009, report from the Waterfront Director; proposed resolution).

5. Subject: Drinking Water State Revolving Fund Loan For Improvements At The William B. Cater Water Treatment Plant (540.10)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating the City Administrator as the Individual Authorized to Apply for the Drinking Water State Revolving Fund (DWSRF) Loan on Behalf of the City, Authorizing the City Administrator to Execute the DWSRF Loan Application, and Identifying the Water Fund as the Dedicated Source of Funding for Repayment of the DWSRF Loan.

Action: Approved the recommendation; Resolution No. 09-002 (January 13, 2009, report from the Public Works Director; proposed resolution).

6. Subject: Purchase Of Easements At 513 And 517 De La Vina Street For The Haley/De La Vina Street Bridge Replacement Project (330.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting Easements at 513 and 517 De La Vina Street, Accepting a Quitclaim Interest in an Adjacent Portion of Mission Creek, and Authorizing the Public Works Director, Subject to Review and Approval by the City Attorney, and Subject to Review and Advance Written Approval of Necessary Easement Purchase Costs by the State of California Department of Transportation, to Approve an Easement Purchase Agreement and Related Documents, and which Authorizes the Payment of Just Compensation to the Property Owner in the Amount of \$160,000.

Action: Approved the recommendation; Resolution No. 09-003; Agreement No. 22,968 (January 13, 2009, report from the Public Works Director; proposed resolution).

7. Subject: Introduction Of Ordinance For Lease Agreement With Ag Rx (330.04)

Recommendation: That Council:

- A. Approve and authorize the Airport Director to execute a five-year lease agreement with one five-year option with Ag Rx, a California Corporation, for 3,120 square feet of Building 225, 20,757 square feet of improved land, and 944 square feet of storage containers at 6150 C&D Francis Botello Road, at the Santa Barbara Municipal Airport, effective February 1, 2009, for a monthly rental of \$7,515, exclusive of utilities; and
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Lease Agreement Between the City of Santa Barbara and Ag Rx Located at 6150 Francis Botello Road at the Santa Barbara Municipal Airport, to be Effective February 1, 2009.

Action: Approved the recommendations (January 13, 2009, report from the Airport Director; proposed ordinance).

8. Subject: Goleta Sanitary District Memorandum of Understanding (540.13)

Recommendation: That Council ratify the City Administrator's Execution of a Memorandum of Understanding entered into between the City, Goleta Sanitary District, and the City of Goleta for emergency relocation of the San Pedro Creek Sewer Line.

Action: Approved the recommendation; Agreement No. 22,969 (January 13, 2009, report from the Airport Director).

9. Subject: Approval Of Contract To Install Equipment In New Closed Circuit Pipeline Inspection Van (540.13)

Recommendation: That Council find it in the City's best interest to waive the formal bidding process, as authorized by Municipal Code Section 4.52.080(k), and authorize the City's General Services Manager to issue a purchase order with 3T Equipment, Inc., in an amount not to exceed \$37,258, to purchase and install upgraded equipment in the City's new Closed Circuit Pipeline Inspection (CCTV) van.

Action: Approved the recommendation (January 13, 2009, report from the Public Works Director).

10. Subject: Energy Partnership With Southern California Edison - Addendum To 2006-2008 Agreement (380.01)

Recommendation: That Council authorize the Public Works Director to approve an Addendum to the 2006-2008 Energy Partnership Agreement between Southern California Edison (SCE) and the City of Santa Barbara.

Speakers:

- Staff: Facilities Manager Jim Dewey.
- Members of the Public: Executive Director Dave Davis, Community Environmental Council.

Action: Approved the recommendation; Agreement No. 22,173.1 (January 13, 2009, report from the Public Works Director).

11. Subject: Contract For Conceptual Design Of Lower Sycamore Creek Drainage Improvements (530.03)

Recommendation: That Council authorize the Public Works Director to execute a contract with Penfield & Smith (P&S) in the amount of \$43,200 for conceptual design of Lower Sycamore Creek Drainage Improvements, and approve expenditures of up to \$4,320 for extra services of P&S that may result from necessary changes in the scope of work.

Speakers:

- Staff: Assistant Public Works Director/City Engineer Pat Kelly.
- Members of the Public: David Pritchett.

Action: Approved the recommendation; Contract No. 22,970 (January 13, 2009, report from the Public Works Director).

Agenda Item Nos. 12 and 13 appear in the Redevelopment Agency minutes.

NOTICES

14. The City Clerk has on Thursday, January 8, 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.
15. Cancellation of the regular City Council and Redevelopment Agency meeting of January 20, 2009, due to lack of a quorum.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Roger Horton reported that the Finance Committee met to discuss the Redevelopment Agency's Interim Financial Statements and the City's Interim Financial Statements for the five months ended November 30, 2008, which were approved as part of this Agenda's Consent Calendar (Item Nos. 3 and 13, respectively). The Committee also reviewed the Infrastructure Financing Taskforce Recommendations, which will be an ongoing matter to be discussed at many upcoming Finance Committee meetings.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

AIRPORT DEPARTMENT

16. Subject: Resolution For An Air Service Development Incentive Program (560.01)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Establishing an Air Service Development Incentive Program to Support the Development of New and Added Nonstop Destinations to Air Service at the Santa Barbara Airport.

The title of the resolution was read.

Speakers:

Staff: Airport Marketing Coordinator Terry Gibson; Airport Director Karen Ramsdell.

Documents:

- January 13, 2009, report from the Airport Director.
- Proposed Resolution.
- January 13, 2009, PowerPoint presentation prepared and made by staff.

(Cont'd)

16. (Cont'd)

Motion:

Councilmembers House/Francisco to approve the recommendation;
Resolution No. 09-004.

Vote:

Unanimous roll call vote.

COMMUNITY DEVELOPMENT DEPARTMENT

17. Subject: 600 - 800 Block Of Milpas General Plan Amendment (650.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending the General Plan Designation for Certain Parcels Located in the Milpas Neighborhood.

The title of the resolution was read.

Documents:

- January 13, 2009, report from the Community Development Director.
- Affidavit of Publication.
- Proposed Resolution.
- January 13, 2009, PowerPoint presentation prepared and made by staff.

Public Comment Opened:

2:57 p.m.

Speakers:

Staff: Associate Planner Peter Lawson; City Planner Bettie Weiss.

Public Comment Closed:

3:22 p.m.

Motion:

Councilmembers House/Horton to approve the recommendation;
Resolution No. 09-005.

Vote:

Majority roll call vote (Noes: Councilmember Williams).

PARKS AND RECREATION DEPARTMENT

18. Subject: Mission Creek Fish Passage Agreement With The Santa Barbara County Flood Control District For The Caltrans Channel (530.03)

Recommendation: That Council authorize the City Administrator to negotiate and execute an agreement with the Santa Barbara County Flood Control District to modify the Caltrans Channel in order to make it passable for steelhead trout.

Documents:

- January 13, 2009, report from the Parks and Recreation Director.
- January 13, 2009, PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Creeks Restoration/Clean Water Manager Cameron Benson, Assistant Public Works Director/City Engineer Pat Kelly.
- Members of the Public: Brian Trautwein, Environmental Defense Center; Deputy Public Works Director Tom Fayram, County of Santa Barbara.
- Creeks Advisory Committee: Committee Members Lee Moldaver, David Pritchett.

Motion:

Councilmembers Falcone/Schneider to approve the recommendation; Agreement No. 22,971.

Vote:

Unanimous voice vote.

PUBLIC WORKS DEPARTMENT

19. Subject: 2008 Annual Water Supply Management Report (540.08)

Recommendation: That Council approve and adopt the City of Santa Barbara Water Supply Management Report for the 2008 water year, finding groundwater resources are in long-term balance in accordance with the conjunctive management element of the City's Long-Term Water Supply Program (LTWSP).

Documents:

- January 13, 2009, report from the Public Works Director.
- January 13, 2009, PowerPoint presentation prepared and made by staff.

Speakers:

Staff: Water Resources Manager Rebecca Bjork; Water Resources Supervisor Bill Ferguson.

(Cont'd)

19. (Cont'd)

Motion:

Councilmembers Schneider/House to approve the recommendation.

Vote:

Unanimous voice vote.

COUNCIL AND STAFF COMMUNICATIONS

Information: Mayor Blum announced that the City received an honor from the National Trust for Historic Preservation, which recognizes Santa Barbara as one of America's Dozen Distinctive Destinations for 2009. She reported that the title of Distinctive Destination is presented to cities across the country that offer authentic visitor experience by combining dynamic downtowns, cultural diversity, attractive architecture, cultural landscapes and a strong commitment to historic preservation and revitalization.

RECESS

Mayor Blum recessed the meeting at 4:52 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 20 - 23. She stated there would be no reportable action taken during the closed sessions.

CLOSED SESSIONS

20. Subject: Conference With Labor Negotiator (440.05)

Recommendation: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator, Kristy Schmidt, Employee Relations Manager, regarding negotiations with the General, Treatment and Patrol, Hourly, and Supervisory bargaining units, and regarding salaries and fringe benefits for unrepresented management and confidential employees.

Scheduling: Duration, 45 minutes; anytime

Report: None anticipated

Documents:

January 13, 2009, report from the Assistant City Administrator.

Time:

4:53 p.m. - 5:30 p.m.

No report made.

21. 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 Weninger v. City of Santa Barbara, WCAB, Case Numbers GOL 0096978, GOL 0097413, and GOL 0100191.

Scheduling: Duration, 10 minutes; anytime
Report: None anticipated

Documents:

January 13, 2009, report from the Finance Director.

Time:

5:30 p.m. - 6:00 p.m.

No report made.

22. 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: David Shoemaker v. City of Santa Barbara, WCAB, Case Number GOL Unassigned.

Scheduling: Duration, 10 minutes; anytime
Report: None anticipated

Documents:

January 13, 2009, report from the Finance Director.

Time:

6:00 p.m. - 6:31 p.m.

No report made.

23. 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 Javier Bravo, et al., v. City of Santa Maria, et al., USDC Case Number CV 06-6851 FMC (SHx).

Scheduling: Duration, 10 minutes; anytime
Report: None anticipated

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23. (Cont'd)

Documents:

January 13, 2009, report from the City Attorney.

Time:

6:31 p.m. - 7:10 p.m.

No report made.

ADJOURNMENT

Mayor Blum adjourned the meeting at 7:10 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



MARTY BLUM
MAYOR

ATTEST:



CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER