



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING February 27, 2007 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Marty Blum called the joint meeting of the Council and the Redevelopment Agency to order at 2:03 p.m. (The Ordinance Committee met at 12:30 p.m., and the Finance Committee met at 1:00 p.m.)

### PLEDGE OF ALLEGIANCE

Mayor Blum.

### ROLL CALL

Councilmembers present: Brian B. Barnwell, Iya G. Falcone, 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, Deputy City Clerk Susan Tschech.

### PUBLIC COMMENT

Speakers: Robert Ludwick and Kenneth Loch.

### CONSENT CALENDAR (Item Nos. 1 – 3, 5 - 8 and 10 – 12)

Motion:

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

Vote:

Unanimous roll call vote.

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of February 6, the adjourned regular meeting of February 12, the regular meeting of February 13, and the special meeting of February 15, 2007.

Action: Approved the recommendation.

2. Subject: January 2007 Investment Report (260.02)

Recommendation: That Council accept the January 2007 Investment Report.

Action: Approved the recommendation (February 27, 2007, report from the Finance Director).

3. Subject: Adoption Of Municipal Code Amendment For Increased Flexibility In Solar Energy System Placement (630.06)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Sections 28.87.030 and 28.87.062 of the Santa Barbara Municipal Code to Provide Increased Flexibility in the Placement of Solar Energy Systems.

Action: Approved the recommendation; Ordinance No. 5412.

5. Subject: Lauro Dam Seismic Retrofit Agreement Ratification (540.09)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Ratifying Federal Contract No. 05-WC-20-2923, Providing for the Repayment of Funds Expended for the Federally Performed Safety of Dams Act Modification Program at Lauro Dam and Reservoir; and
- B. Authorize the Public Works Director to negotiate and execute an allocation agreement among the Cachuma Operation and Maintenance Board (COMB) and its Member Units, providing for the payment of costs associated with said Modification Program to be paid solely by the South Coast Member Units of COMB, with cost shares for such South Coast Member Units to be calculated in accordance with the provisions of the COMB Joint Powers Agreement.

Action: Approved the recommendations; Resolution No. 07-009; Agreement No. 22,322 (February 27, 2007, report from the Public Works Director; proposed resolution).

6. Subject: Approval Of Map And Execution Of Agreements For 709 Wentworth Avenue (640.08)

Recommendation: That Council:

- A. Approve and authorize the City Administrator to record Parcel Map No. 20,741 by the Josephine Bonazzola Family Trust, dated December 30, 2002, for a subdivision located at 709 Wentworth Avenue, Assessor's Parcel Number 037-063-009, finding the Map in conformance with the General Plan for the City of Santa Barbara (City); and
- B. Approve and authorize the City Administrator to execute and record an Agreement Relating to Subdivision Map Conditions Imposed on Real Property.

Action: Approved the recommendations; Agreement No. 22,323 (February 27, 2007, report from the Public Works Director).

7. Subject: City Of Santa Barbara 2007 Legislative Platform (160.02)

Recommendation: That Council:

- A. Adopt the proposed City of Santa Barbara 2007 Legislative Platform; and
- B. Authorize the Mayor, her designee in her absence, and staff, acting on behalf of the City of Santa Barbara, to contact state and federal representatives and send letters to advocate positions consistent with the goals of the City's Legislative Platform.

Action: Approved the recommendations (February 27, 2007, report from the City Administrator).

8. Subject: Increase Change Order Authority For Sanitary Sewer Wet Weather Capacity Improvements (540.13)

Recommendation: That Council authorize an increase in the Public Works Director's authority to approve expenditures for extra work by \$195,000 to \$442,300, to remove contaminated soil for the Sanitary Sewer Wet Weather Capacity Improvements Project, Contract No. 22,207, Bid No. 3488.

Action: Approved the recommendation (February 27, 2007, report from the Public Works Director).

Item No. 9 appears in the Redevelopment Agency minutes.

## NOTICES

10. The City Clerk has on Thursday, February 22, 2007, 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.

11. The City Council site visit scheduled for Monday, February 26, 2007, at 1:30 p.m. to the property located at 3408 and 3412 State Street, has been rescheduled for Monday, March 26, 2007, at 1:30 p.m.
12. The public hearing scheduled for February 27, 2007, at 2:00 p.m. to hear an appeal of the Planning Commission decision for property located at 3408 and 3412 State Street has been rescheduled for March 27, 2007, at 2:00 p.m.

This concluded the Consent Calendar.

#### **ITEM REMOVED FROM CONSENT CALENDAR**

Councilmember Schneider stated she would abstain from voting on the following item due to a conflict of interest related to her ownership of property proximate to a location included in the project.

4. Subject: Contract For Construction Of The Sidewalk Infill Project (530.04)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a contract with Cinary Construction Co., Inc. (Cinary), in their low bid amount of \$359,098 for construction of the Sidewalk Infill Project, Bid No. 3413; and
- B. Authorize the Public Works Director to approve expenditures up to \$50,000 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.

Documents:

February 27, 2007, report from the Public Works Director.

Motion:

Councilmembers Barnwell/Horton to approve the recommendations;  
Contract No. 22,321.

Vote:

Unanimous voice vote (Abstention: Councilmember Schneider).

#### **REPORT FROM THE ORDINANCE COMMITTEE**

Ordinance Committee Chair Iya Falcone reported that the Committee reviewed and approved for submittal to Council proposed Municipal Code amendments pertaining to personnel. The Committee also considered a draft Neighborhood Preservation Ordinance update; the Committee will continue this review at its meeting of March 13, 2007.

## REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Roger Horton reported that the Committee met to consider Staff recommendations related to the application for a State Workforce Housing Reward Grant; the Committee approved the recommendations, which will be submitted to Council at a later date. The Committee also reviewed the January 2007 Investment Report, which was approved by the Council as part of this Agenda's Consent Calendar (Item No. 2).

## RECESS

2:11 p.m. - 4:23 p.m., during which time Agenda Item No. 13, which appears in the Redevelopment Agency minutes, was considered.

## MAYOR AND COUNCIL REPORTS

### 14. Subject: City Advisory Group Interviews (140.05)

Recommendation: That Council:

- A. Hold interviews of applicants to the Architectural Board of Review, Harbor Commission and the Measure P Oversight Committee; and
- B. Make appointments to the Architectural Board of Review, Harbor Commission and the Measure P Oversight Committee on March 6, 2007.  
(Estimated Time: 3:30 p.m.)

Documents:

February 27, 2007, report from the Administrative Services Director.

Speakers:

The following applicants were interviewed:

Architectural Board of Review:

Gary Feldstein  
Paul Zink  
James Kahan  
David Jacoby  
Clay Aurell

Harbor Commission:

Stan Krome  
Deborah Schwartz  
John Dawson  
Elizabeth Cramer  
Gary Longaberger

(Cont'd)

14. (Cont'd)

Speakers (Cont'd):

Measure P Oversight Committee:

Daniel Seidenberg, Jr.

Danielle Disimone

Brendan Hamme

Ryan O'Leary

David Bearman, M.D.

Thomas Hyatt

Joe Allen

Patrick Fourmy

Luis Esparza

By consensus, the Council concurred with Recommendation B.

## **RECESS**

5:38 p.m. - 6:07 p.m.

Mayor Blum presiding.

Councilmembers present: Barnwell, Falcone, Horton, House, Schneider, Williams, Mayor Blum.

Councilmembers absent: None.

Staff present: City Administrator Armstrong, City Attorney Wiley, Deputy City Clerk Tschech.

## **PUBLIC COMMENT**

No one wished to speak.

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

### PUBLIC WORKS DEPARTMENT

15. Subject: Memorandum Of Understanding For Preliminary Design Work For The Lower Mission Creek Flood Control Project (530.03)

Recommendation: That Council authorize the Public Works Director to execute the Memorandum of Understanding (MOU) for the Lower Mission Creek Improvements with the County of Santa Barbara Flood Control District (District) for preliminary design work in an amount not to exceed \$38,583.00.

Documents:

February 27, 2007, report from the Public Works Director.

(Cont'd)

15. (Cont'd)

Speakers:

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

Motion:

Councilmembers Horton/Barnwell to approve the recommendation; Agreement No. 22,324.

Vote:

Unanimous voice vote.

16. Subject: Capital Improvement Projects Second Quarter Report For Fiscal Year 2007 (230.01)

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

(Continued from February 13, 2007)

Documents:

- February 13, 2007, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.
- February 27, 2007, letter from Cars Are Basic, Inc.

Speakers:

Staff: Assistant Public Works Director/City Engineer Pat Kelly, whose presentation included photographs of various capital projects in progress or completed during the second quarter; Water Resources Manager Steve Mack.

By consensus, the Council received the report.

17. Subject: Project Manager For Developing Solid Waste Conversion Technology For The South Coast (630.01)

Recommendation: That Council:

- A. Authorize the Public Works Director to work with Santa Barbara County (County) to solicit proposals for an Expert Project Manager to assist with the evaluation and selection of a Municipal Solid Waste Conversion Technology Project; and
- B. Authorize the Public Works Director to draft a Memorandum of Understanding (MOU) between the City and County to structure oversight and determine responsibilities for the City and County on the Conversion Technology Project.

(Cont'd)

17. (Cont'd)

Documents:

February 27, 2007, report from the Public Works Director.

Speakers:

Staff: Public Works Director Anthony Nisich, Water Resources Manager Steve Mack, City Administrator James Armstrong.

Motion:

Councilmembers House/Barnwell to approve the recommendations.

Vote:

Unanimous voice vote (Abstention: Councilmember Horton).

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

Information:

- Councilmember Horton mentioned his attendance at a school reading event in honor of Dr. Seuss.
- Councilmember Williams commented on the following issues/events: 1) funding of Highway 101 improvements; 2) a meeting of the working group reviewing a report regarding the transfer of development rights; 3) his speech regarding the importance of bicycling, made at the AMGEN bicycling race event; and 4) Assembly Bill 484, which proposes to require the use of recycled materials in the construction of transportation infrastructure.
- Councilmember Schneider reported that the Community Development and Human Services Committee is reviewing applications for the annual allocation of CDBG/Human Services funds; she also commended City Staff for its RailVolution presentation, made at the recent meeting of the Transportation and Circulation Committee.
- Councilmember Barnwell remarked on the AMGEN bicycling race event.
- Councilmember House spoke about the following projects/meetings: 1) Ortega Hill operational improvements project; 2) the Airport Commission meeting, during which status updates for the T-Hangars project and Saris-Regis Specific Plan were provided; 3) the Arts Symposium, at which arts funding and education were discussed; 4) the recent meeting of the Transportation and Circulation Committee; and 5) the Maritime Museum's display regarding the history of deep-sea diving.
- Councilmember Falcone reported on a presentation made at a meeting of the California Integrated Waste Management Board; she also mentioned her service on a new State task force regarding utility users' tax.
- Mayor Blum thanked Councilmembers for their participation in events involving reading to children.

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 7:36 p.m.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC  
CITY CLERK SERVICES MANAGER

ATTEST:

\_\_\_\_\_  
MARTY BLUM  
MAYOR

\_\_\_\_\_  
SUSAN TSCHECH, CMC  
DEPUTY CITY CLERK