



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING February 7, 2012 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:00 p.m. (The Finance and Ordinance Committees, which ordinarily meet at 12:30 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Dale Francisco, Frank Hotchkiss, Grant House, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

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 February 29, 2012.

Documents:

February 7, 2012, report from the Assistant City Administrator.

Speakers:

Speakers: City Administrator James Armstrong, Award Recipients Olga Herrera, Lee Waldron, Joe Poiré, Debra Southgate, Francisco Tejada.

(Cont'd)

1. (Cont'd)

By consensus, the Council approved the recommendation. The following employees were recognized:

5-Year Pin

Bill Hornung, General Services Manager, Finance
Jeff Smith, Recreation Supervisor I, Parks and Recreation
Jose Ibarra, Grounds Maintenance Worker II, Parks and Recreation
Wendy Cummings, Harbor Patrol Officer, Waterfront

10-Year Pin

Adam Nares, GIS Technician, Community Development

15-Year Pin

George Estrella, Chief Building Official, Community Development

20-Year Pin

Greg Metcalf, Waterfront Maintenance Worker I, Waterfront

25-Year Pin

David Ward, Fire Engineer, Fire
Olga Herrera, Fire Engineer, Fire
Lee Waldron, Fire Battalion Chief, Fire

30-Year Pin

Joe Poiré, Fire Prevention Division Chief, Fire
Debra Southgate, Office Specialist II, Fire
Francisco Tejada, Maintenance Worker II, Public Works

PUBLIC COMMENT

Speakers: Patricia Rosen; Judith Evered; Nico Constantinides, Occupy; Justin; Pat Love; Richard Robinson, Republican Party; Bryan Rosen; Matthew Margulies, M.D.; Kenneth Loch; Je Goolsby.

ITEM REMOVED FROM CONSENT CALENDAR

Councilmember Murillo stated that she would abstain from voting on the following item since she was not a member of the City Council at the time the meetings were held.

2. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of August 2, 2011, the regular meeting of August 16, 2011, the regular meeting of September 13, 2011, the regular meeting of September 27, 2011, the regular meeting of October 11, 2011, the special meeting of December 1, 2011, and the regular meeting of December 13, 2011.

Councilmember House requested that the minutes for August 16, 2011, be removed from consideration for approval pending his discussion with Staff and the Councilmember who made the motion related to an item on that meeting's agenda.

Motion:

Councilmembers House/Francisco to approve the recommendation, with the exception of the minutes for August 16, 2011.

Vote:

Unanimous voice vote (Abstention: Councilmember Murillo).

CONSENT CALENDAR (Item Nos. 3 – 13)

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

Motion:

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

Vote:

Unanimous roll call vote.

3. Subject: Resolution Approving Application For Water Smart Grant Program (540.05)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Public Works Director to Submit an Application, Execute a Grant Agreement in a Form Approved By the City Attorney, and Take Other Actions as May Be Necessary for City Participation in the United States Bureau of Reclamation Water Smart Grant Program, With a City Matching Contribution Not to Exceed \$55,000.

Action: Approved the recommendation; Resolution No. 12-005; Agreement No. 23,985 (February 7, 2012, report from the Public Works Director; proposed resolution).

4. Subject: Lease Agreement With Barbara Sonia Adams, Doing Business As Madame Rosinka (330.04)

Recommendation: That Council approve a five-year lease agreement with Barbara Sonia Adams, doing business as Madame Rosinka at 221-B Stearns Wharf, at a rent of \$750 per month.

Action: Approved the recommendation; Agreement No. 23,986 (February 7, 2012, report from the Waterfront Director).

5. Subject: Lease Agreement With Ty Warner Sea Center For Office Space On Stearns Wharf (330.04)

Recommendation: That Council approve a five-year lease agreement with the Santa Barbara Museum of Natural History's Ty Warner Sea Center, for second floor office space at 219-E Stearns Wharf, at an initial rent of \$610 per month.

Action: Approved the recommendation; Agreement No. 23,987 (February 7, 2012, report from the Waterfront Director).

6. Subject: Contract For Preliminary Design For The Las Positas Road/Cliff Drive Intersection Improvements Project (530.04)

Recommendation: That Council authorize the Public Works Director to execute a standard City Professional Services contract with Penfield & Smith in the amount of \$63,332 for preliminary design services for the Las Positas Road/Cliff Drive Intersection Improvements Project, and authorize the Public Works Director to approve expenditures of up to \$6,333 for extra services of Penfield & Smith that may result from necessary changes in the scope of work.

Speakers:

Staff: Principal Engineer John Ewasiuk, City Administrator James Armstrong.

Action: Approved the recommendation; Contract No. 23,988 (February 7, 2012, report from the Public Works Director).

7. Subject: Resolution Authorizing Submission Of An Urban Forestry Grant Application In The Amount Of \$73,600 For The Development Of A Santa Barbara Urban Forest Management Plan (570.05)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara for Funding From the Urban Forestry Grant Program Entitled, "An Urban Forest For Every City", as Provided Through Proposition 40 and/or Proposition 84.

(Cont'd)

7. (Cont'd)

Action: Approved the recommendation; Resolution No. 12-006 (February 7, 2012, report from the Parks and Recreation Director; proposed resolution).

8. Subject: Increase In Emergency Purchase Order For Conejo Road Storm Drain Installation Project (530.04)

Recommendation: That Council retroactively approve an increase in Emergency Purchase Order No. 77843 with MGE Underground, Inc. for the Conejo Road Storm Drain Installation Project in the amount of \$28,740.66 for extra work, for a total expenditure authority of \$115,144.75, pursuant to Municipal Code Section 4.52.080, pertaining to emergency purchases.

Action: Approved the recommendation (February 7, 2012, report from the Public Works Director).

9. Subject: Extension Of MOU With Hourly Bargaining Unit (440.02)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Extending the Term of the Existing Memorandum of Understanding Between the City of Santa Barbara and the Hourly Employees' Bargaining Unit to December 31, 2012.

Action: Approved the recommendation (February 7, 2012, report from the Assistant City Administrator; proposed ordinance).

SUCCESSOR AGENCY

10. Subject: Minutes

Recommendation: That Council, acting as the Successor Agency to the City of Santa Barbara Redevelopment Agency, waive the reading and approve the minutes of the regular meeting of September 13, 2011, the regular meeting of October 11, 2011, and the regular meeting of December 13, 2011.

Action: Approved the recommendation.

11. Subject: Authorization To Invest Redevelopment Successor Agency Funds In The State Of California's Local Agency Investment Fund (LAIF) (260.04)

Recommendation: That Council, acting as the Successor Agency to the City of Santa Barbara Redevelopment Agency, adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara, Acting as Successor Agency to the City of Santa Barbara Redevelopment Agency, Authorizing the Investment of Monies of the Successor Agency of the City of Santa Barbara Redevelopment Agency in the State of California's Local Agency Investment Fund.

(Cont'd)

11. (Cont'd)

Action: Approved the recommendation; Resolution No. 12-007 (February 7, 2012, report from the Finance Director; proposed resolution).

NOTICES

12. The City Clerk has on Thursday, February 2, 2012, 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.
13. Received a letter of resignation from Transportation and Circulation Committee Member David Pritchett; the vacancy will be part of the next City Advisory Group recruitment.

This concluded the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

Agenda Item Nos. 14 and 15 were considered by the Council simultaneously.

14. Subject: Authorize Sale Of Excess City Property At 20 South Milpas Street (330.03)

Recommendation: That Council authorize the Public Works Director to offer the property at 20 South Milpas Street for sale in a public auction, and negotiate final sale terms as provided for and as required by the City Charter and Chapter 4.28 of the Santa Barbara Municipal Code.

Documents:

- February 7, 2012, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

15. Subject: Declare Real Property At 309 West Ortega Street As Excess And Subject To Disposal By Public Auction (330.03)

Recommendation: That Council declare the real property located at 309 West Ortega Street in excess to the City's needs, and authorize disposition of said property according to state and local guidelines. All actions will be subject to review and approval by the City Attorney to dispose of said property by public auction in accordance with Santa Barbara Municipal Code (SBMC) Chapter 4.28 and Section 520 of the Santa Barbara City Charter.

(Cont'd)

15. (Cont'd)

Documents:

- February 7, 2012, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

Staff: Assistant Public Works Director/City Engineer Pat Kelly, City Administrator James Armstrong, Public Works Director Christine Andersen, Assistant City Administrator Paul Casey, City Attorney Stephen Wiley.

Motion:

Councilmembers House/Rowse to approve the recommendations for Item Nos. 14 and 15.

Vote:

Unanimous voice vote.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

Councilmember Murillo reported that she attended the Library Adult Literacy Annual Luncheon this past weekend. She also reported on the most recent Youth Council and Metropolitan Transit District Board meetings.

RECESS

Mayor Schneider recessed the meeting at 3:40 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 16 and 17, and she stated that no reportable action is anticipated.

CLOSED SESSIONS

16. 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 Drew Josfan vs. Indochine, et al., USDC Case No. CV 09-07904 AHM (PLAx).

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

Documents:

February 7, 2012, report from the City Attorney.

(Cont'd)

16. (Cont'd)

Time:

3:42 p.m. - 4:05 p.m.

No report made.

17. Subject: Closed Session Regarding Real Property (330.03)

Recommendation: That Council hold a closed session, pursuant to Section 54956.8 of the Government Code, to consider real property negotiations between the staff of the City Administrator's Office for the City of Santa Barbara and the staff of the Santa Barbara County Executive Officer, concerning a possible lease of parking spaces to the County. The subject real property is known as Granada Parking Garage, 1221 Anacapa Street, Santa Barbara, CA 93101, APNs 039-183-046 and -054.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

Documents:

February 7, 2012, report from the City Administrator.

Time:

4:06 p.m. - 4:50 p.m.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 4:51 p.m. in memory of Mike deGruy, who was killed in a helicopter crash in Australia on February 3, 2012.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

ATTEST:

HELENE SCHNEIDER
MAYOR

CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER