

# CITY OF SANTA BARBARA CITY COUNCIL

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**Das Williams**

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*Finance Committee Chair*

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**James L. Armstrong**

*City Administrator*

**Stephen P. Wiley**

*City Attorney*

**City Hall**

*735 Anacapa Street*

<http://www.SantaBarbaraCA.gov>

## SEPTEMBER 25, 2007 AGENDA

**ORDER OF BUSINESS:** Regular meetings of the Ordinance Committee begin at 12:30 p.m. Regular meetings of the Finance Committee begin at 1:00 p.m. The regular City Council meeting begins at 2:00 p.m. in the Council Chamber at City Hall.

**REPORTS:** Copies of the reports relating to agenda items are available for review in the City Clerk's Office, at the Central Library, and <http://www.SantaBarbaraCA.gov>. In accordance with state law requirements, this agenda generally contains only a brief general description of each item of business to be transacted or discussed at the meeting. Should you wish more detailed information regarding any particular agenda item, you are encouraged to obtain a copy of the Council Agenda Report (a "CAR") for that item from either the Clerk's Office, the Reference Desk at the City's Main Library, or online at the City's website (<http://www.SantaBarbaraCA.gov>).

**REQUEST TO SPEAK:** A member of the public may address the City Council regarding any scheduled agenda item. Any person wishing to address the City Council should first complete and deliver to the City Administrator/City Clerk a "Request to Speak" form prior to the time that the item on the agenda is read by the Deputy City Clerk. The City Council, upon majority vote, may decline to hear a speaker on the grounds that the subject matter is beyond their jurisdiction.

**PUBLIC COMMENT:** At the beginning of an Ordinance or Finance Committee meeting, any member of the public who so requests will be provided with a brief opportunity to address the Committee concerning any item on the Committee's agenda for that meeting. At the beginning of the 2:00 p.m. session of each regular City Council meeting, and at the beginning of each special City Council meeting, any member of the public may address the City Council. Should City Council business continue into the evening session of a regular City Council meeting at 6:00 p.m., the City Council will allow any member of the public who did not address them during the 2:00 p.m. session to do so. The total amount of time for public comments will be 15 minutes, and no individual speaker may speak for more than 1 minute.

**CONSENT CALENDAR:** The Consent Calendar is comprised of items that will not usually require discussion by the City Council. A Consent Calendar item is open for discussion by the City Council upon request of a Councilmember, City staff, or member of the public. Items on the Consent Calendar may be approved by a single motion. Should you wish to comment on an item listed on the Consent Agenda, after turning in your speaker slip, you should come forward to speak at the time the Council considers the Consent Calendar.

**AMERICANS WITH DISABILITIES ACT:** In compliance with the Americans with Disabilities Act, if you need special assistance to gain access to, comment at, or participate in this meeting, please contact the City Administrator's Office at 564-5305 or inquire at the City Clerk's Office on the day of the meeting. If possible, notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements in most cases.

**TELEVISION COVERAGE:** Each regular City Council meeting is broadcast live in English and Spanish on Channel 18, and rebroadcast in its entirety in English on Wednesdays and Thursdays at 7:00 p.m. and on Saturdays at 9:00 a.m. and in Spanish on Sundays at 4:00 p.m. Each televised City Council meeting is closed captioned for the hearing impaired.

# REGULAR CITY COUNCIL MEETING

## ORDER OF BUSINESS

1:00 p.m. - Finance Committee Meeting, Room 15  
2:00 p.m. - City Council Meeting

### **FINANCE COMMITTEE MEETING - 1:00 P.M. IN ROOM 15 (120.03)**

1. Subject: August 2007 Investment Report (See Council Agenda Item No. 2)
2. Subject: Interim Financial Statements For The Fiscal Year Ended June 30, 2007 (See Council Agenda Item No. 21)

## CALL TO ORDER

## PLEDGE OF ALLEGIANCE

## ROLL CALL

## CHANGES TO THE AGENDA

## PUBLIC COMMENT

## CONSENT CALENDAR

### 1. **Subject: Minutes**

Recommendation: That Council waive the reading and approve the minutes of the special meeting of September 10, and the regular meeting of September 11, 2007.

### 2. **Subject: August 2007 Investment Report (260.02)**

Recommendation: That Council accept the August 2007 Investment Report.

### 3. **Subject: Introduction Of Ordinance For Amendment To Airport Agreement With The Goleta Sanitary District (540.13)**

Recommendation: That Council:

- A. Approve and authorize the Airport Director to execute, subject to approval of the City Attorney, the Third Amendment to an Agreement for Expansion of the Goleta Sanitary District Sewage Disposal Treatment Plant Facilities between the Goleta Sanitary District, the City of Santa Barbara, the Goleta West Sanitary District, the University of California Santa Barbara and the County of Santa Barbara; and
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the Third Amendment to Agreement for Expansion of the Goleta Sanitary District Sewage Disposal Treatment Plant Facilities Between the Goleta Sanitary District, the City of Santa Barbara, the Goleta West Sanitary District, the University of California Santa Barbara, and the County of Santa Barbara to Upgrade the Plant Pursuant to the Settlement Agreement and the Allocation of Costs for the Project.

## CONSENT CALENDAR (CONT'D)

### 4. **Subject: Introduction Of Ordinance For Quitclaim Of A Narrow Strip Of Land To The City Of Carpinteria (330.03)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara, Approving a Quitclaim to the City of Carpinteria of a Variable Width Narrow Strip of Land to Correct Survey and Description Errors and Omissions Caused by Old Surveys of Land Within and Adjacent to the Area Now Containing the Cramer Tract Located Between Highway 101 and Carpinteria Avenue, Now Being Portions of Santa Barbara County Assessor's Parcel Numbers 004-036-005, -006, -007, -008, -009, -010 and -011, Releasing Any Claim by the City of Santa Barbara to Said Strip of Land, and Authorizing the Execution of a Quitclaim Deed to the City of Carpinteria by the City Administrator.

### 5. **Subject: Introduction Of Ordinance For Airport Parking Management Agreement Amendment (550.08)**

Recommendation: That Council:

- A. Approve and authorize the Airport Director to execute, subject to approval of the City Attorney, an Amendment to the Parking Management Agreement between the City of Santa Barbara and Ampco System Parking (Ampco), a California corporation, dated November 1, 2007, amending the "SCOPE OF SERVICES," "TERM," and "MANAGEMENT FEE" provisions and adding Exhibit D;
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving an Amendment to the Parking Management Agreement Between the City of Santa Barbara and Ampco System Parking Dated November 1, 2007, Amending the Scope of Services, Term, and Management Fee Provisions for the Operation of the Santa Barbara Airport Public Parking Facilities; and
- C. Authorize a reallocation of appropriated Airport capital project funds totaling \$371,970 for the acquisition of new parking revenue control equipment from the Security Access Control project, which will be funded with FAA grant funds.

### 6. **Subject: Adoption Of Ordinance For Corporation Yard Solar Electric Project (380.01)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Power Purchase Agreement Between the City of Santa Barbara and Tioga Energy, Inc., or Solar Power Partners Fund I, LLC, for the Design, Construction, Ownership, Maintenance, and Operation of a Solar Electrical System at 630 Garden Street and 635 Laguna Street, Santa Barbara, California, and Related Incentive Program Agreements with Southern California Edison Company.

## CONSENT CALENDAR (CONT'D)

**7. Subject: Creation Of A Lead Meter Reader Position (410.06)**

Recommendation: That Council adopt, by reading title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 07-053, the Position and Salary Control Resolution for Fiscal Year 2008, Affecting the Finance Department Effective September 25, 2007.

**8. Subject: Acceptance Of Proposition 12 Grant Funds For The Tennis Lighting Control Project (570.07)**

Recommendation: That Council increase appropriations and estimated revenues by \$57,000 in the Fiscal Year 2008 Parks and Recreation Capital Budget for the Tennis Lighting Controls project based on an accepted Proposition 12 Per Capita Grant Program Application by the California Department of Parks and Recreation.

**9. Subject: Acceptance Of Grant For Rain Sensor Rebate Program (540.13)**

Recommendation: That Council:

- A. Accept a grant from the U.S. Bureau of Reclamation in the amount of \$19,125 for developing and implementing the Rain Sensor Rebate Program; and
- B. Increase the estimated Fiscal Year 2008 Water Fund Revenues by \$19,125 and appropriate the same to the Water Fund Operating Budget.

**10. Subject: Approval Of Benefit Plans Effective January 1, 2008 (430.06)**

Recommendation: That Council:

- A. Approve renewal of the Aetna and Kaiser medical plans;
- B. Approve the Aetna Medicare Open Plan for eligible over-age-65 retirees as a new medical plan offering supplemental plan coverage to Medicare benefits with the elimination of the Aetna HMO plan option for over-age-65 retirees;
- C. Approve the Delta Dental prepaid dental plan as a replacement plan to the Golden West prepaid dental plan;
- D. Approve renewal of current contracts for the Delta Dental DPO plan, Vision Service Plan, Employee Assistance Program (EAP), Flexible Spending Accounts, Hartford life and disability insurance plans, and Allstate voluntary disability plans; and
- E. Authorize the Administrative Services Director to execute any necessary contracts or amendments to agreements or contracts.

## CONSENT CALENDAR (CONT'D)

**11. Subject: Community Promotion Contract With Santa Barbara International Film Festival (230.02)**

Recommendation: That Council authorize the Finance Director to execute a Community Promotion contract with Santa Barbara International Film Festival in an amount of \$60,000 covering the period from July 1, 2007, to June 30, 2008.

**12. Subject: 630 Garden Street Facility Renovation (340.02)**

Recommendation: That Council:

- A. Find it in the City's best interest to waive the formal bid process, as authorized by Municipal Code 4.52.080 (k), and authorize the General Services Manager to issue a purchase order without bids, to Mobile Modular in the amount not to exceed \$32,528, as the supplier for the rental of modular trailers to temporarily house Community Development Staff;
- B. Authorize the General Services Manager to issue change orders to Mobile Modular, as required, in a total amount not to exceed \$3,253 to cover contingencies;
- C. Find it in the City's best interest to waive the formal bid process, as authorized by Municipal Code 4.52.080 (k), and authorize the General Services Manager to issue a purchase order without bids, with Smart Business Interiors (SBI) in the amount not to exceed \$125,000, as the supplier for Rosemount modular office cubicles for the second floor at 630 Garden Street; and
- D. Authorize the General Services Manager to issue change orders to SBI, as required, in a total amount not to exceed \$12,500 to cover contingencies that may result from minor design changes.

**13. Subject: Notice Of Completion For The Water Main Replacement Project (540.06)**

Recommendation: That Council accept the work completed by Lash Construction, Inc. (Lash), Contract No. 21,625, for the Water Main Replacement Project, Bid No. 3389, located at various locations, as shown on the attached list, in the final contract amount of \$4,130,859.77, including approved changes, and approve filing of a Notice of Completion.

**14. Subject: Notice Of Completion For The State Street Sidewalk Improvement Project Phase 4 - 400 And 500 Blocks, And Phase I Modifications (530.04)**

Recommendation: That Council accept the work completed by Lash Construction, Inc. (Lash), Contract No. 22,252, for the State Street Sidewalk Improvement Project Phase 4 - 400 and 500 Blocks, and Phase I Modifications, Bid No. 3461A, in the final contract amount of \$2,845,134.71, including approved changes, and approve filing of a Notice of Completion.

## CONSENT CALENDAR (CONT'D)

### 15. **Subject: Set A Date For Public Hearing Regarding Appeal Of Planning Commission Approval For 3427 Sea Ledge Lane**

Recommendation: That Council:

- A. Set the date of December 18, 2007, at 2:00 p.m. for hearing the appeal filed by Ed Vernon of the Planning Commission approval of an application for property owned by Leon and Joyce Lunt and located at 3427 Sea Ledge Lane, Assessor's Parcel No. 047-082-009, A-1/SD-3 One-Family Residence and Coastal Overlay Zones, General Plan Designation: Residential, One Unit per Acre. The project consists of a remodel and addition to an existing 3,414 square-foot single family residence on a 32,189 square-foot lot located in the Hillside Design District and the Appealable Jurisdiction of the Coastal Zone. The addition will result in a 5,455 square-foot two-story residence which includes a 612 square-foot basement and a 540 square-foot attached two-car garage. The discretionary applications required are a Modification and a Coastal Development Permit; and
- B. Set the date of December 17, 2007, at 1:30 p.m. for a site visit to the property located at 3427 Sea Ledge Lane.

## NOTICES

16. The City Clerk has on Thursday, September 20, 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.
17. A City Council site visit originally scheduled for Monday, October 1, 2007, at 1:30 p.m. to the property located at 1400 Rogers Court, has been rescheduled for Monday, December 3, 2007, at 1:30 p.m.
18. City Advisory Group Recruitment:
  - A. The City Clerk's Office will accept applications through Thursday, November 1, 2007, at 5:00 p.m. to fill scheduled vacancies on various City Advisory Groups and the unscheduled vacancies resulting from resignations accepted by the Council through Monday, October 15, 2007;
  - B. The City Council will conduct interviews of applicants for vacancies on various City Advisory Groups on Tuesday, November 20, 2007, at 3:30 p.m. (Estimated Time), and Tuesday, December 4, 2007, at 6:00 p.m.;
  - C. The City Council Subcommittee will conduct interviews of applicants for vacancies on the Franklin Center, Lower Westside Center, and Westside Center Advisory Committees on Thursday, November 15, 2007, at 7:00 p.m. at the Lower Westside Community Center, 629 Coronel Place; and
  - D. The City Council will make appointments to fill the vacancies on various City Advisory Groups on Tuesday, December 18, 2007.

**This concludes the Consent Calendar.**

## REPORT FROM THE FINANCE COMMITTEE

### CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

#### CITY ATTORNEY

**19. Subject: Interim Zoning Control Ordinance Relating To Medical Marijuana Dispensaries (640.09)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Title 28 of the Santa Barbara Municipal Code by Adding Chapter 28.80 Imposing a Conditional Use Permit Requirement on Medical Marijuana Dispensaries to the City's Zoning Ordinance.

#### COMMUNITY DEVELOPMENT DEPARTMENT

**20. Subject: Grant To Housing Authority For Acquisition Of 633 De La Vina Street (660.03)**

Recommendation: That Council approve a \$741,080 grant of federal Home Investment Partnerships Program (HOME) funds to the Housing Authority of the City of Santa Barbara for the acquisition of 633 De la Vina Street.

#### FINANCE DEPARTMENT

**21. Subject: Interim Financial Statements For The Fiscal Year Ended June 30, 2007 (250.02)**

Recommendation: That Council:

- A. Receive a report from staff on the Interim Financial Statements for the Fiscal Year Ended June 30, 2007; and
- B. Accept the Interim Financial Statements for the Fiscal Year Ended June 30, 2007.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)**

### **PUBLIC WORKS DEPARTMENT**

#### **22. Subject: Presentation On The Advanced Treatment Technologies Pilot Testing For William B. Cater Water Treatment Plant (540.10)**

Recommendation: That Council receive a presentation from staff highlighting the findings of a pilot study that evaluated various advanced treatment technologies at the William B. Cater Water Treatment Plant (Cater) for effectiveness in complying with upcoming water quality regulations.

## **COUNCIL AND STAFF COMMUNICATIONS**

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

## **ADJOURNMENT**