



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING September 25, 2007 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:00 p.m. (The Ordinance Committee and Finance Committee, which ordinarily meet at 12:30 p.m. and 1:00 p.m., respectively, did not meet on this date.)

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: Acting City Administrator Joan M. Kent, City Attorney Stephen P. Wiley, Deputy City Clerk Brenda Alcazar.

CHANGES TO THE AGENDA

Item Removed From Agenda

Acting City Administrator Joan M. Kent stated that the following item was removed from the Agenda and will be presented to the Council on October 2, 2007:

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.

PUBLIC COMMENT

Speakers: Lee Moldaver, Mark Bradley, Nancy McCradie, Ralph Fertig and Kenneth Loch.

CONSENT CALENDAR (Item Nos. 1 - 18)

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

Motion:

Councilmembers Falcone/Horton 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 special meeting of September 10, and the regular meeting of September 11, 2007.

Action: Approved the recommendation.

2. Subject: August 2007 Investment Report (260.02)

Recommendation: That Council accept the August 2007 Investment Report.

Action: Approved the recommendation (September 25, 2007, report from the Finance Director).

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

(Cont'd)

3. (Cont'd)

- 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.

Action: Approved the recommendations (September 25, 2007, report from the Airport Director; proposed ordinance).

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.

Action: Approved the recommendation (September 25, 2007, report from the Public Works Department; proposed ordinance).

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

(Cont'd)

5. (Cont'd)

- 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.

Speakers:

Staff: Assistant Airport Director Hazel Johns, Airport Director Karen Ramsdell.

Action: Approved the recommendations (September 25, 2007, report from the Airport Director; proposed ordinance).

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.

Action: Approved the recommendation; Ordinance No. 5432; Agreement Nos. 22,567 - 22,569.

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.

Action: Approved the recommendation; Resolution No. 07-077 (September 25, 2007, report from the Finance Director; proposed resolution).

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.

(Cont'd)

8. (Cont'd)

Action: Approved the recommendation (September 25, 2007, report from the Parks and Recreation Director).

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.

Action: Approved the recommendations; Agreement No. 22,570 (September 25, 2007, report from the Public Works Director).

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.

Action: Approved the recommendations; Contract Nos. 22,571 - 22,574 (September 25, 2007, report from the Administrative Services Director).

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.

Action: Approved the recommendation; Contract No. 22,575 (September 25, 2007, report from the Finance Director).

12. Subject: 630 Garden Street Facility Renovation (340.08)

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.

Action: Approved the recommendations (September 25, 2007, joint report from the Public Works Director and the Community Development Director).

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.

Action: Approved the recommendation (September 25, 2007, report from the Public Works Director).

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.

Action: Approved the recommendation (September 25, 2007, report from the Public Works Director).

15. Subject: Set A Date For Public Hearing Regarding Appeal Of Planning Commission Approval For 3427 Sea Ledge Lane (640.07)

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.

Action: Approved the recommendations (September 11, 2007, letter of appeal).

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

(Cont'd)

18. (Cont'd)

- D. The City Council will make appointments to fill the vacancies on various City Advisory Groups on Tuesday, December 18, 2007.

This concluded the Consent Calendar.

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.

The title of the ordinance was read.

Documents:

- September 25, 2007, report from the City Attorney.
- Proposed Ordinance.

Speakers:

Staff: City Attorney Stephen P. Wiley, Community Development Director Paul Casey.

Motion:

Councilmembers House/Falcone to approve the recommendation.

Vote:

Unanimous voice vote.

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.

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20. (Cont'd)

Documents:

September 25, 2007, report from the Community Development Director.

Speakers:

- Staff: Project Planner Simon Kiefer, City Attorney Stephen P. Wiley, Assistant Community Development Director/Housing and Redevelopment Manager David Gustafson.
- Housing Authority of the City of Santa Barbara: Executive Director Robert Pearson.

Motion:

Councilmembers House/Schneider to approve the recommendation; Agreement No. 22,576.

Vote:

Unanimous voice vote.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Schneider spoke about her attendance at the joint meeting of the community centers and the Salsa Festival at Ortega Park.
- Councilmember Williams reported on his attendance at the joint meeting of the Cachuma Operation & Maintenance Board and Cachuma Conservation Release Board.
- Councilmember Falcone reported on her attendance at the City Firefighters' Annual Golf Tournament and the Santa Barbara County Association of Governments meeting.
- Councilmember House spoke about the following items: 1) the Downtown Organization's Government Review Committee meeting regarding De la Guerra Plaza improvements; 2) the Montecito Street Lighting Ribbon Cutting event; and 3) the Airport Commission meeting.
- Mayor Blum mentioned that she met with sustainability directors from Portland, Oregon, San Francisco, Santa Monica and San Luis Obispo.
- Councilmember Barnwell spoke about the following: 1) his attendance at the Coast Village Business Association meeting; 2) a meeting with City Administrator James Armstrong regarding the Sustainability Committee and the General Plan; and 3) "The Economist" publication noted that the largest bus fleet in the world is in Santa Barbara.
- Councilmember Williams spoke about his attendance at the celebration of the Kiwanis Teen Court, and a graduation ceremony for persons who completed a drug treatment program.
- Councilmember Falcone thanked Mayor Blum for sending a letter on behalf of the Sisters who are being relocated from our community.

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.

Documents:

September 25, 2007, report from the Public Works Director.

Speakers:

- Staff: Water System Manager Catherine Taylor, Water Resources Manager Steve Mack, City Attorney Stephen P. Wiley.
- Carpinteria Valley Water District: General Manager Charles Hamilton.

Councilmember Horton left the meeting at 3:28 p.m.

Discussion:

The Council received the presentation.

ADJOURNMENT

Mayor Blum adjourned the meeting at 3:57 p.m. in memory of Barry Siegel.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER

ATTEST:

MARTY BLUM
MAYOR

BRENDA ALCAZAR, CMC
DEPUTY CITY CLERK