

**CITY OF SANTA BARBARA
CITY COUNCIL
REDEVELOPMENT AGENCY**

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*City Administrator/
Executive Director*

Stephen P. Wiley
City Attorney/Agency Counsel

City Hall
735 Anacapa Street
<http://www.SantaBarbaraCA.gov>

**MARCH 24, 2009
AGENDA**

ORDER OF BUSINESS: Regular meetings of the Finance Committee and the Ordinance Committee begin at 12:30 p.m. The regular City Council and Redevelopment Agency meetings begin 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>). Materials related to an item on this agenda submitted to the Council/Redevelopment Agency after distribution of the agenda packet are available for public inspection in the City Clerk's Office located at City Hall, 735 Anacapa Street, Santa Barbara, CA 93101, during normal business hours.

PUBLIC COMMENT: At the beginning of the 2:00 p.m. session of each regular Council/Redevelopment Agency meeting, and at the beginning of each special Council/Redevelopment Agency meeting, any member of the public may address them concerning any item not on the Council/Redevelopment Agency agenda. Any person wishing to make such address should first complete and deliver a "Request to Speak" form prior to the time that public comment is taken up by the Council/Redevelopment Agency. Should Council/Redevelopment Agency business continue into the evening session of a regular Council/Redevelopment Agency meeting at 6:00 p.m., the Council/Redevelopment Agency 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. The Council/Redevelopment Agency, upon majority vote, may decline to hear a speaker on the grounds that the subject matter is beyond their jurisdiction.

REQUEST TO SPEAK: A member of the public may address the Finance or Ordinance Committee or Council/Redevelopment Agency regarding any scheduled agenda item. Any person wishing to make such address should first complete and deliver a "Request to Speak" form prior to the time that the item is taken up by the Finance or Ordinance Committee or Council/Redevelopment Agency.

CONSENT CALENDAR: The Consent Calendar is comprised of items that will not usually require discussion by the Council/ Redevelopment Agency. A Consent Calendar item is open for discussion by the Council/Redevelopment Agency upon request of a Council/Agency Member, 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 "Request to Speak" form, you should come forward to speak at the time the Council/Redevelopment Agency 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 Council meeting is broadcast live in English and Spanish on City TV Channel 18, and rebroadcast in English on Wednesdays and Thursdays at 7:00 p.m. and Saturdays at 9:00 a.m., and in Spanish on Sundays at 4:00 p.m. Each televised Council meeting is closed captioned for the hearing impaired. Check the City TV program guide at www.citytv18.com for rebroadcasts of Finance and Ordinance Committee meetings, and for any changes to the replay schedule.

ORDER OF BUSINESS

- 12:00 p.m. - Special Finance Committee Meeting, David Gebhard Public Meeting Room, 630 Garden Street
- 12:00 p.m. - Special Ordinance Committee Meeting, Council Chamber
- 2:00 p.m. - City Council Meeting Begins
- 2:00 p.m. - Redevelopment Agency Meeting
- 5:00 p.m. - Recess
- 6:00 p.m. - City Council Meeting Reconvenes

SPECIAL FINANCE COMMITTEE MEETING - 12:00 P.M. IN DAVID GEBHARD PUBLIC MEETING ROOM, 630 GARDEN STREET (120.03)

Subject: February 2009 Investment Report

Recommendation: That the Finance Committee recommend that Council accept the February 2009 Investment Report.

(See Council Agenda Item No. 3)

SPECIAL ORDINANCE COMMITTEE MEETING - 12:00 P.M. IN THE COUNCIL CHAMBER (120.03)

Subject: Proposed Amendments To The 2007 Fire Code - RE: Fire Sprinkler Requirements

Recommendation: That the Ordinance Committee consider proposed changes to Chapter 8.04 of the Municipal Code specifying new fire sprinkler requirements for both commercial and residential property, and forward the ordinance amendments to the City Council for introduction and adoption.

**REGULAR CITY COUNCIL MEETING – 2:00 P.M.
SPECIAL REDEVELOPMENT AGENCY MEETING – 2:00 P.M.**

AFTERNOON SESSION

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

CITY COUNCIL

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meetings of March 3 and March 10, 2009.

2. Subject: Records Destruction For Administrative Services 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 Administrative Services Department in the City Clerk's Office.

3. Subject: February 2009 Investment Report (260.02)

Recommendation: That Council accept the February 2009 Investment Report.

CONSENT CALENDAR (CONT'D)

CITY COUNCIL (CONT'D)

4. Subject: Adoption Of Ordinances For Memoranda Of Understanding And Salary Plans For TAP Unit, Hourly Unit, Supervisors Unit, And Unrepresented Managers (Fiscal Year 2009 - Fiscal Year 2011) (440.02)

Recommendation: That Council adopt, by reading of title only:

- A. An Ordinance of the Council of the City of Santa Barbara Adopting the Memorandum of Understanding Between the City of Santa Barbara and the Patrol Officers' and Treatment Plants' Bargaining Units (TAP Units);
- B. An Ordinance of the Council of the City of Santa Barbara Adopting a Memorandum of Understanding Between the City of Santa Barbara and the Hourly Employees' Bargaining Unit;
- C. An Ordinance of the Council of the City of Santa Barbara Adopting the Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara City Supervisory Employees' Bargaining Unit (Supervisors' Unit); and
- D. An Ordinance of the Council of the City of Santa Barbara Setting Forth and Approving a Salary Plan for Unrepresented Managers and Professional Attorneys for the Period of July 1, 2008, Through December 31, 2010, and a Salary Plan for Sworn Fire Managers and Unrepresented Sworn Police Managers for the Period of July 1, 2008, Through June 30, 2010.

5. Subject: Adoption Of Ordinance For Lease Agreement With MAG Aviation Fuel for a Self Service Fueling Operation (330.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving, Contingent on Approval of a Zoning Change, a Five-Year Lease Agreement, With One Five-Year Option, With MAG Aviation Fuel, a Partnership, for Operation of a Self-Service Fueling Operation at 1600 Cook Place, at the Santa Barbara Airport, Commencing Upon Construction of the Facility.

6. Subject: Grant Agreement Between The County Of Santa Barbara And The City of Santa Barbara To Support Law Enforcement Regional Data Sharing System (520.04)

Recommendation: That Council authorize the City Administrator to sign the Grant Agreement between the County of Santa Barbara and the City of Santa Barbara to support the Law Enforcement Regional Data Sharing System.

CONSENT CALENDAR (CONT'D)

CITY COUNCIL (CONT'D)

7. Subject: Contract For Design Of The Airfield Safety Projects - Tidal Basin Circulation (560.04)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a contract with URS Corporation in the amount of \$325,870 for design services for the Airfield Safety Projects - Tidal Basin Circulation, and authorize the Public Works Director to approve expenditures of up to \$32,587 for extra services of URS that may result from necessary changes in the scope of work; and
- B. Authorize the Public Works Director to execute a contract with Tartaglia Engineering (Tartaglia) in the amount of \$136,535 for design services for the Airfield Safety Project - Tidal Basin Circulation, and authorize the Public Works Director to approve expenditures of up to \$13,700 for extra services of Tartaglia that may result from necessary changes in the scope of work.

8. Subject: Approval Of Map And Execution Of Agreements For 833 East Anapamu Street And 820 Lowena Drive (640.08)

Recommendation: That Council approve and authorize the City Administrator to execute and record Parcel Map No. 20,754 for a subdivision at 833 East Anapamu Street and 820 Lowena Drive (finding the Parcel Map in conformance with the State Subdivision Map Act, the City's Subdivision Ordinance, and the Tentative Subdivision Map), and other standard agreements relating to the approved subdivision.

9. Subject: Contributions From The Parks And Recreation Community Foundation, California Community Foundation And Santa Barbara Beautiful (570.08)

Recommendation: That Council:

- A. Accept grant funds in the amount of \$100,000 from the Parks and Recreation Community (PARC) Foundation on behalf of the California Community Foundation for exterior improvements to the Ortega Welcome House;
- B. Accept a contribution from the PARC Foundation in the amount of \$26,187 on behalf of various organizations and individuals to support various Recreation Programs;

(Cont'd)

CONSENT CALENDAR (CONT'D)

CITY COUNCIL (CONT'D)

9. (Cont'd)

- C. Accept a contribution from Santa Barbara Beautiful in the amount of \$8,186.30 for the Summer Youth Employment Program and the Franklin Center Re-landscaping Project; and
- D. Increase appropriations and estimated revenues in the Fiscal Year 2009 Parks and Recreation Department Miscellaneous Grants Fund in the amount of \$126,187 and in the Fiscal Year 2009 Parks and Recreation Department General Fund in the amount of \$8,186.30.

REDEVELOPMENT AGENCY

10. Subject: Minutes

Recommendation: That the Redevelopment Agency waive the reading and approve the minutes of the regular meeting of February 10, 2009, and the special meeting of February 24, 2009.

11. Subject: Santa Barbara Railroad Station Historic Railcar

Recommendation: That the Redevelopment Agency Board authorize the Deputy Director to approve additional change order expenditures of up to \$24,000 for Redevelopment Agency Agreement No. 491 with Fillmore and Western Railway Company for additional changes in the scope of work associated with restoration and installation of the rail car Santa Barbara.

NOTICES

- 12. The City Clerk has on Thursday, March 19, 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.
- 13. Cancellation of the regular City Council meeting of March 31, 2009, due to lack of a quorum.

This concludes the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

REPORT FROM THE ORDINANCE COMMITTEE

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

14. Subject: Contract For Construction Of Santa Barbara Airport Temporary Facilities And Site Preparation Project (560.04)

Recommendation: That Council:

- A. Find that no bid protest has been made to the apparent low bidder and award and authorize the Public Works Director to execute a contract with Lash Construction (Lash) in their low bid amount of \$3,475,850 for construction of the Santa Barbara Airport Temporary Facilities and Site Preparation Project, Bid No. 3,555, and authorize the Public Works Director to approve expenditures up to \$350,000 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; and
- B. Authorize the Public Works Director to execute a contract with Howard, Needles, Tammen & Bergendoff, Inc. (HNTB), in the amount of \$648,361 for construction support services, and approve expenditures of up to \$32,500 for extra services of HNTB that may result from necessary changes in the scope of work.

(Continued from March 10, 2009)

15. Subject: Contract For Construction Of Santa Barbara Airport Airline Terminal Improvement Project (560.04)

Recommendation: That Council:

- A. Hold a hearing to consider any possible bid protest with respect to award of the Santa Barbara Airport Airline Terminal Improvement Project contract to the apparent lowest responsible bidder;
- B. Reject all bid protests submitted by bidders to the award of the Airline Terminal Improvement Project contract to the apparent lowest responsible bidder;
- C. Award and authorize the Public Works Director to execute a contract with EMMA Corporation (EMMA) in its low bid amount of \$32,858,000 for the base bid, plus bid alternates 1 and 2, for construction of the Santa Barbara Airport Airline Terminal Improvement Project (Project), Bid No. 3,556, and authorize the Public Works Director to approve expenditures up to \$3,440,000 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;

(Cont'd)

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

PUBLIC WORKS DEPARTMENT (CONT'D)

15. (Cont'd)

- D. Authorize the Public Works Director to execute a contract with Howard, Needles, Tammen & Bergendoff California Architects, P. C. (HNTB), in the amount of \$4,181,135 for construction support services, and approve expenditures of up to \$209,055 for extra services of HNTB that may result from necessary changes in the scope of work; and
- E. Authorize the Public Works Director to approve a contract with Padre Associates (Padre) in the amount of \$48,200, and approve expenditures of up to \$4,800 for extra services of Padre that may result from necessary changes in the scope of work.

(Continued from March 10, 2009)

COMMUNITY DEVELOPMENT DEPARTMENT

16. Subject: Alternative Building Heights Charter Amendment (110.01)

Recommendation: That Council:

- A. Review the draft language for the alternative building heights charter amendment and companion implementation ordinance; and
- B. Declare the proposed charter amendment and implementation ordinance a project for purposes of environmental review.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

17. 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 *James Ryden, et al., v. City of Santa Barbara, et al., USDC Case Number: CV 09-1578 SVW (SSx)*.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

RECESS

EVENING SESSION

RECONVENE

ROLL CALL

PUBLIC COMMENT

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

18. Subject: Community Development And Human Services Committee Funding Recommendations For Fiscal Year 2010 And Housing And Urban Development Consolidated Action Plan (610.05)

Recommendation: That Council:

- A. Approve the funding recommendations of the Community Development and Human Services Committee for Fiscal Year 2010 Community Development Block Grant (CDBG) and Human Services funds;
- B. Authorize the Community Development Director to negotiate and execute agreements implementing the funding recommendations, subject to the review and approval of the City Attorney; and
- C. Authorize the City Administrator to sign all necessary documents to submit the City's Action Plan to the Department of Housing and Urban Development (HUD).

ADJOURNMENT