



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING February 2, 2010 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 are ordinarily scheduled to 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, Michael Self, Bendy White, Das Williams, 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 28, 2010.

Documents:

February 2, 2010, report from the Administrative Services Director.

Speakers:

Staff: City Administrator James L. Armstrong and award recipient Sarah Dunn.

(Cont'd)

1. (Cont'd)

Action: By consensus, the Council recognized the following employees:

5-Year Pin

Joe Gonzales, Facilities Maintenance Supervisor, Public Works
Luciano Nungaray, Ground Maintenance Worker I, Parks and Recreation
Mary Lou Chavez Sanabria, Waterfront Maintenance Worker I, Waterfront

10-Year Pin

Adrian Gutierrez, Police Officer, Police
Linda West, Senior Public Works Inspector, Public Works
Shawn Martin, Water Treatment Plant Operator, Public Works

20 Year Pin

Randy Webb, Survey Technician II, Public Works

25-Year Pin

Douglas Kresky, Police Lieutenant, Police

30-Year Pin

Jose Marquez, Water Distribution Supervisor, Public Works
Sarah Dunn, Senior Library Technician, Library

PUBLIC COMMENT

Speakers: Darlena Moore, Ken Loch, David Daniel Diaz, Ruth Wilson.

ITEM REMOVED FROM CONSENT CALENDAR

8. Subject: Set A Date For Public Hearing Regarding Appeal Of Planning Commission Approval For 3714-3744 State Street (640.07)

Recommendation: That Council:

A. Set the date of March 9, 2010, at 2:00 p.m. for hearing the appeal filed by Citizens Planning Association of Santa Barbara County and the Allied Neighborhoods Association of the Planning Commission approval of an application for property owned by Kellogg Associates and located at 3714-3744 State Street, Assessor's Parcel Nos. 053-300-023 and -031, C-P Restricted Commercial/S-D-2 Special District and C-P/R-3 Limited Multiple-Family/R-4 Hotel-Motel-Multiple Residential/S-D-2 Zones,

(Cont'd)

8. (Cont'd)

General Plan Designation: General Commerce, Office, Residential - 12 Units per Acre, and Buffer. The appeal relates to the Commission's certification of the final Environmental Impact Report for the project and subsequent approval of the latest version of the project on December 17, 2009. The project consists of the demolition of the existing 113-room Sandman Inn Hotel, Downtown Brewing Co. restaurant building, and all site improvements, and the construction of a new office complex on Lot A, and two commercial condominiums and 73 residential condominium units on Lot B. The discretionary applications required for this project are a Lot Line Adjustment, a Development Plan, a Modification, and a Tentative Subdivision Map; and

- B. Set the date of March 8, 2010, at 1:30 p.m. for a site visit to the property located at 3714-3744 State Street.

Documents:

January 31, 2010, letter from Paula Westbury.

Speakers:

- Staff: City Attorney Stephen P. Wiley.
- Members of the Public: Naomi Kovacs, Citizens Planning Association.

Motion:

Councilmembers House/Francisco to approve the recommendations as amended.

Vote:

Unanimous voice vote.

CONSENT CALENDAR (Item Nos. 2 – 7, 9 and 10)

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

Motion:

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

Vote:

Unanimous roll call vote.

2. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of January 5, 2010 (cancelled), and the regular meeting of January 12, 2010.

Action: Approved the recommendation.

3. Subject: Adoption Of Medical Marijuana Suspension Ordinance (520.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Extending a Temporary Suspension of the Right to Apply for or to Obtain a Permit for the Opening or Operation of Medical Marijuana Dispensaries Otherwise Permitted by Santa Barbara Municipal Code Chapter 28.80 on an Interim Basis.

Speakers:

Members of the Public: Nikolai Lambert, B. Nelson.

Action: Approved the recommendation; Ordinance No. 5510 (proposed ordinance; January 31, 2010, letter from Paula Westbury).

4. Subject: Introduction Of Ordinance For Renewal Of Recycled Water User Agreements (540.13)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving Three Twenty-Year Agreements to Use Recycled Water Between the City of Santa Barbara and 1. Santa Barbara Community College District; 2. El Escorial Owners' Association; and 3. California Department of Transportation, Each Dated as of February 2, 2010.

Action: Approved the recommendation (February 2, 2010, report from the Public Works Director; proposed ordinance; January 31, 2010, letter from Paula Westbury).

5. Subject: Adoption Of South Coast Energy Efficiency Partnership Agreement (630.06)

Recommendation: That Council authorize the Public Works Director to execute the 2010-2012 Energy Partnership Agreement between Southern California Edison (SCE), Southern California Gas Company (Gas Company) and the City of Santa Barbara.

Action: Approved the recommendation; Agreement No. 23,275 (February 2, 2010, report from the Public Works Director; January 31, 2010, letter from Paula Westbury).

6. Subject: Contract For Final Design Of Elings Park Landfill Gas Collection And Control System (570.05)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a professional services contract with Geosyntec Consultants (Geosyntec) in the amount of \$63,267 for design services for the Elings Park Landfill Gas Collection and Control System, and authorize the General Services Manager to approve expenditures of up to \$6,327 for extra services of Geosyntec that may result from necessary changes in the scope of work; and
- B. Increase appropriations by \$87,000 in the Solid Waste Fund from reserves for final design of the Elings Park Landfill Gas Collection and Control System.

Speakers:

Staff: Environmental Services Supervisor Stephen MacIntosh.

Action: Approved the recommendations; Contract No. 23,276 (February 2, 2010, report from the Public Works Director; January 31, 2010, letter from Paula Westbury).

7. Subject: Support Of The Highway 101 High Occupancy Vehicle Widening Project (670.05)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Supporting the Highway 101 High Occupancy Vehicle Widening Project as Santa Barbara County's Highest Regional Transportation Priority for Federal Funding.

Action: Approved the recommendation; Resolution No. 10-005 (February 2, 2010, report from the Public Works Director; proposed resolution; January 31, 2010, letter from Paula Westbury).

NOTICES

9. The City Clerk has on Thursday, January 28, 2010, 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.
10. A City Council site visit is scheduled for Monday, February 8, 2010, at 1:30 p.m. to the property located at 922 State Street, which is the subject of an appeal hearing set for February 9, 2010, at 2:00 p.m.

This concluded the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PARKS AND RECREATION DEPARTMENT

11. Subject: Restoration Of Parma Park And Appropriation Of Parma Park Trust Funds (570.05)

Recommendation: That Council:

- A. Receive a report on the post-Tea Fire recovery and restoration of Parma Park; and
- B. Increase appropriations and estimated revenues by \$71,288 in the Fiscal Year 2010 Miscellaneous Grants Fund for restoration and maintenance work at Parma Park to be funded by the Parma Park Trust.

Documents:

- February 2, 2010, report from the Parks and Recreation Director.
- PowerPoint presentation prepared and made by staff.
- January 31, 2010, letter from Paula Westbury.

Speakers:

Staff: Assistant Parks and Recreation Director Jill Zachary.

Motion:

Councilmembers House/Hotchkiss to approve the recommendations.

Vote:

Unanimous voice vote.

PUBLIC WORKS DEPARTMENT

12. Subject: Pilot Program For Digestion Of Fats, Oil, And Grease At The El Estero Wastewater Treatment Plant (540.13)

Recommendation: That Council:

- A. Approve a professional services agreement with AECOM for engineering and design services relating to the Fats, Oils and Grease (FOG) injection system at El Estero Wastewater Treatment Plant (El Estero) for the amount \$59,400 and authorize the Public Works Director change order authority of up to \$5,940 for extra services of AECOM that may result from necessary changes in the scope of work; and
- B. Authorize the Public Works Director to negotiate and execute upon review and approval by the City Attorney's office, an agreement with Marborg Industries for hauling, pretreatment and delivery of FOG to El Estero during the FOG Pilot Project.

(Cont'd)

12. (Cont'd)

Documents:

- February 2, 2010, report from the Public Works Director.
- PowerPoint presentation prepared and made by staff.
- January 31, 2010, letter from Paula Westbury.

Speakers:

- Staff: Facilities and Energy Manager Jim Dewey, Wastewater Systems Manager Chris Toth, Energy Analyst Alelia Parenteau.
- Members of the Public: Robert Burke.

Motion:

Councilmembers Williams/Francisco to approve the recommendations; Agreement Nos. 23,277 and 23,278.

Vote:

Unanimous voice vote.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Mayor Schneider reported on her attendance at the Los Angeles-San Diego Rail Corridor Agency (LOSSAN) meeting last Wednesday where the Board adopted by-laws mandating that a representative from the North (San Luis Obispo, Ventura or Santa Barbara Counties) be in attendance in order to have a quorum of the Board.
- Councilmember Francisco reported on his attendance at the monthly Central Coast Water Authority meeting; an item of discussion was a request from the Authority's legal counsel for a pay increase.
- Councilmember Williams stated that he attended the Greater Santa Barbara Lodging Association meeting last week where City Administrator Jim Armstrong and his counterpart at the County discussed the economic and revenue challenges for both agencies. He also reported on his attendance at the annual Chamber of Commerce luncheon last week.

RECESS

Mayor Schneider recessed the meeting at 3:26 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 13 and 14, and stated that no reportable action is anticipated.

CLOSED SESSIONS

13. 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 Rudy Munoz v. City of Santa Barbara, et al., SBSC Case Number: 1302638

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

February 2, 2010, report from the City Attorney.

Time:

3:28 p.m. - 4:05 p.m.

No report made.

14. Subject: Conference With Labor Negotiator (440.05)

Recommendation: That Council hold a closed session, per Government Code Section 54957.6 to consider instructions to City negotiator, Kristy Schmidt, Employee Relations Manager, regarding negotiations with the Police Officers Association, the Police Managers Association, the General Bargaining Unit, the Treatment and Patrol Bargaining Units, the Firefighters Association, the Hourly Bargaining Unit, and the Supervisory Employees Association, and regarding discussions with unrepresented management and confidential employees about salaries and fringe benefits.

Scheduling: Duration, 60 minutes; anytime

Report: None anticipated

Documents:

February 2, 2010, report from the Assistant City Administrator.

Time:

4:06 p.m. - 6:05 p.m.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 6:06 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST: _____
CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER