



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING January 11, 2011 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Helene Schneider called the joint meeting of the Council and the Redevelopment Agency to order at 2:00 p.m. (The Finance Committee and the Ordinance Committee met at 12:30 p.m.)

### PLEDGE OF ALLEGIANCE

Mayor Schneider.

### ROLL CALL

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

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Susan Tschech.

### PLEDGE OF ALLEGIANCE

Mayor Schneider.

### CEREMONIAL ITEMS

1. Subject: Presentation Of Certificate of Appointment To Randy Rowse

Action: City Clerk Services Manager Cynthia Rodriguez presented the Certificate of Appointment to Councilmember Rowse, who then commented briefly.

2. 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 January 31, 2011.

(Cont'd)

2. (Cont'd)

Documents:

January 11, 2011, report from the Administrative Services Director.

Speakers:

Staff: City Administrator James Armstrong, Award Recipient Jaycee Hunter.

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

5-Year Pin

Grant House, Mayor and City Council  
Tom Shapiro, City Attorney's Office  
Lenori Cassidy, Community Development  
Elizabeth Sorgman, Community Development  
Beth Lazarus, Police  
Allan Goldman, Public Works  
Eduardo Castillo, Public Works  
Matt Sanchez, Public Works  
Jasper Allan, Public Works  
Mark Smith, Public Works  
Thomas Welche, Public Works  
Jace Turner, Library

10-Year Pin

Ed Cateriano, Community Development  
Michael Claytor, Police  
Mark Corbett, Police  
Alma Chaidez, Library

15-Year Pin

Carl Kamin, Police

20-Year Pin

Greg Quimby, Public Works

25-Year Pin

Jaycee Hunter, Police  
Janet Sackett, Parks and Recreation

30-Year Pin

Jose Ruiz, Public Works  
Judith Savage, Library

## **COUNCIL AND STAFF COMMUNICATIONS**

Mayor Schneider led a moment of silence for those killed and wounded in the Tucson, Arizona, shooting incident.

## **PUBLIC COMMENT**

Speakers: David Daniel Diaz, Wayne Scoles, Kenneth Loch, Billy Goodnick, Jack Wilson, Carol Terry, Andrea Roselinsky, Geoffery Bard, Patrick Fourmy.

## **CONSENT CALENDAR (Item Nos. 3 – 11 and 13 – 15)**

The titles of ordinances related to Consent Calendar items were read.

### Motion:

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

### Vote:

Unanimous roll call vote.

3. Subject: Adoption Of Ordinance For 2010-2012 Police Management Memorandum Of Understanding (440.02)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting the 2010-2012 Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara Police Management Association.

Action: Approved the recommendation; Ordinance No. 5541; Agreement No. 23,606.

4. Subject: Fiscal Year 2011 Interim Financial Statements For The Five Months Ended November 30, 2010 (250.02)

Recommendation: That Council accept the Fiscal Year 2011 Interim Financial Statements for the Five Months Ended November 30, 2010.

Action: Approved the recommendation (January 11, 2011, report from the Finance Director).

5. Subject: Contract For Construction Of The Elings Park Landfill Gas Collection And Control System Project (570.05)

Recommendation: That Council:

- A. Increase appropriations by \$919,308 into the Solid Waste Fund from reserves to cover the cost of the construction and post-construction phases of the Elings Park Landfill Gas Collection and Control System Project (Project);
- B. Award a construction contract with Environmental Construction, Inc. (Environmental), in their low bid amount of \$496,460 for construction of the Project, Bid No. 3587;

(Cont'd)

5. (Cont'd)

- C. Authorize the Public Works Director to execute the construction contract and approve expenditures up to \$74,000 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;
- D. Authorize the Public Works Director to execute a Professional Services contract with Geosyntec Consultants (Geosyntec) in the amount of \$64,350 for design support services during construction, special inspection, and material testing services, and approve expenditures of up to \$6,435 for extra services of Geosyntec that may result from necessary changes in the scope of work; and
- E. Authorize the issuance of a Professional Services contract with Geosyntec, subject to the review and approval of the City Attorney and the Public Works Director, in the not-to-exceed amount of \$103,063 for post-construction monitoring, maintenance, and permitting.

Action: Approved the recommendations; Agreement Nos. 23,607 - 23,609 (January 11, 2011, joint report from the Public Works and Finance Directors).

6. Subject: Assignment Of Lease Agreement With The Minnow Cafe (330.04)

Recommendation: That Council approve the assignment of Lease Agreement No. 20,108, Minnow Café, on hold-over status from Jeffrey Jones to Brophy and Sons, Inc., for the 1,002 square-foot cafe at 117-E Harbor Way.

Action: Approved the recommendation; Agreement No. 20,108.1 (January 11, 2011, report from the Waterfront Director).

7. Subject: Contract For Development Of Wastewater Collection System Strategic Management Program (540.13)

Recommendation: That Council authorize the Public Works Director to execute a contract, in a form of contract approved by the City Attorney, in the amount of \$282,892 with Brown and Caldwell to develop the framework and systems to effectively direct collection system maintenance, and authorize the Public Works Director to approve expenditures of up to \$28,289 for extra services of Brown and Caldwell that may result from necessary changes in the scope of work, for a total not-to-exceed amount of \$311,181.

Action: Approved the recommendation; Contract No. 23,610 (January 11, 2011, report from the Public Works Director).

8. Subject: Contract For Water Chemistry Analysis Services For The Cater Water Treatment Plant (540.10)

Recommendation: That Council authorize the Public Works Director to execute a contract in the amount of \$59,800 with Water Quality & Treatment Solutions, Inc. (WQTS), for water chemistry analysis at the Cater Water Treatment Plant (Cater), and authorize the Public Works Director to approve expenditures of up to \$5,980 for extra services of WQTS that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Contract No. 23,611 (January 11, 2011, report from the Public Works Director).

9. Subject: Declaration As Excess City Land And Authorization To Initiate Sale Of Property At 20 South Milpas Street (330.03)

Recommendation: That Council:

- A. Declare the property owned by the City of Santa Barbara located at 20 South Milpas Street as excess to the City;
- B. Authorize the expenditure not to exceed \$10,000 to make the property ready for sale; and
- C. Authorize the Public Works Director to offer the property for sale in a public auction, and negotiate final sale terms as provided for and as required by Chapter 4.28 of the Santa Barbara Municipal Code.

Speakers:

Staff: Assistant Public Works Director/City Engineer Pat Kelly, City Administrator James Armstrong.

Action: Approved the recommendations (January 11, 2011, report from the Public Works Director).

10. Subject: Introduction Of Ordinance For Agreements For Joint Uses And Encroachments At The Carrillo Recreation Center And The Lobero Building (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 and Authorizing the City Administrator to Execute Certain Agreements Acknowledging Ongoing Uses Between the Property Known as the Lobero Building at 924 Anacapa Street, Owned by The 924 Group, LLC, and the Property Known as the Carrillo Recreation Center at 100 East Carrillo Street, Owned by the City of Santa Barbara.

Action: Approved the recommendation (January 11, 2011, report from the Public Works Director; proposed ordinance).

11. Subject: Contract For Launch Ramp Design - Santa Barbara Harbor (570.03)

Recommendation: That Council authorize the Waterfront Director to execute a Professional Services Contract with Moffatt & Nichol, Inc. (approved as to form by the City Attorney), in the amount of \$41,500 for design services involving the Santa Barbara Harbor Launch Ramp - Boating Trails Project, and authorize the Waterfront Director to approve expenditures of up to \$4,100 for extra design services that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Contract No. 23,612 (January 11, 2011, report from the Waterfront Director).

Item No. 12 appears in the Redevelopment Agency minutes.

### NOTICES

13. The City Clerk has on Thursday, January 6, 2011, 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.
14. Cancellation of the regular City Council and Redevelopment Agency meetings of January 18, 2011.
15. Received a letter of resignation from Downtown Parking Committee Member Randy Rowse; the vacancy will be part of the next City Advisory Group recruitment. (550.03)

This concluded the Consent Calendar.

### **REPORT FROM THE FINANCE COMMITTEE**

Finance Committee member Dale Francisco reported that the Committee met to consider Staff recommendations for Redevelopment Agency funding of housing projects located at 2904 State Street and 510-520 N. Salsipuedes Street/601 E. Haley Street. The Committee approved the recommendations, which will be submitted to the Agency Board for its consideration in the near future.

### **REPORT FROM THE ORDINANCE COMMITTEE**

Ordinance Committee Chair Bendy White reported that the Committee considered and approved a proposed amendment to the City's Medical Marijuana Storefront Dispensary Ordinance related to the continued operation of two dispensaries permitted prior to the ordinance's adoption. The amendment will be submitted to the full Council for possible introduction and subsequent adoption.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### **COMMUNITY DEVELOPMENT DEPARTMENT**

16. Subject: Request From Mayor Schneider And Councilmember House Regarding A Funding Request From Freedom Warming Centers (660.04)

Recommendation: That Council consider the request from Mayor Schneider and Councilmember House regarding the funding request from The Unitarian Society to support the Freedom Warming Centers in Santa Barbara this winter.

Documents:

- January 11, 2011, report from the Assistant City Administrator/Community Development Director.
- Undated letter from the South Coast Homeless Advisory Committee.
- Written comments submitted by Beatriz Flores.

Speakers:

- The Unitarian Society of Santa Barbara: Reverend Aaron McEmrys, Nancy Edmundson, Dr. Lynne Jahnke.
- Members of the Public: Geoffery Bard.
- Staff: Assistant City Administrator/Community Development Director Paul Casey, City Attorney Stephen Wiley.

Motion:

Councilmembers House/White to approve funding for the warming centers pursuant to Option 1 in the Council Agenda Report.

Vote:

Majority voice vote (Noes: Councilmembers Francisco, Hotchkiss, Self).

## **RECESS**

3:50 p.m. - 4:02 p.m.

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

### **PUBLIC WORKS DEPARTMENT**

17. Subject: Annual Water Supply Management Report (540.08)

Recommendation: That Council approve and adopt the City of Santa Barbara Water Supply Management Report for the 2010 water year, finding that groundwater resources are in long-term balance in accordance with the conjunctive management element of the City's Long-Term Water Supply Program (LTWSP).

(Cont'd)

17. (Cont'd)

Documents:

- January 11, 2011, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

Staff: Water Resources Manager Rebecca Bjork.

Motion:

Councilmembers Francisco/House to approve the recommendation.

Vote:

Unanimous voice vote.

## MAYOR AND COUNCIL REPORTS

18. Subject: Appointment Of Mayor Pro Tempore, Ordinance Committee, Finance Committee, Council Liaisons To Advisory Groups, And Members of Regional Agencies

Recommendation: That Council consider the appointment of a Mayor Pro Tempore, Chairs and Members of the Ordinance and Finance Committees, Council Liaisons to Advisory Groups, and Members of Regional Agencies.

Documents:

January 11, 2011, report from the City Administrator.

Motion:

Councilmembers House/Francisco to appoint Councilmember White as Mayor Pro Tempore.

Vote:

Unanimous voice vote.

Discussion:

By consensus, the Council appointed Councilmembers Francisco, Self, and White to the Finance Committee.

Motion:

Councilmembers White/House to appoint Councilmember Francisco as Chair of the Finance Committee.

Vote:

Unanimous voice vote.

Discussion:

By consensus, the Council appointed Councilmembers Hotchkiss, House, and Rowse to the Ordinance Committee.

(Cont'd)



18. (Cont'd)

Motion:

Councilmembers Hotchkiss/Rowse to appoint Councilmember House as Chair of the Ordinance Committee.

Vote:

Unanimous voice vote.

Motion:

Councilmembers Hotchkiss/Francisco to make the following appointments of Council liaisons to and members of Advisory Groups, Council Committees, City-Related Agencies, and Regional Agencies.

Vote:

Unanimous voice vote.

Advisory Groups

Airport Commission.....	Hotchkiss; Alternate: Rowse
(incl. Airport Noise Abatement Committee)	
Architectural Board of Review.....	Francisco; Alternate: House
Arts Advisory Committee .....	Hotchkiss
Building and Fire Code Board of Appeals.....	House
Civil Service Commissioners, Board of.....	House
Community Development and Human Services Committee.....	Hotchkiss
Community Events and Festivals Committee .....	House
Creeks Advisory Committee .....	Self; Alternate: House
Downtown Parking Committee.....	Rowse; Alternate: House
Fire and Police Commissioners, Board of.....	White; Alternate: Self
Fire and Police Pension Commissioners, Board of.....	Self
Harbor Commissioners, Board of.....	Hotchkiss
Historic Landmarks Commission .....	Self
Housing Authority Commission.....	Self
Library Board .....	Francisco
Neighborhood Advisory Council.....	Hotchkiss, White
Parks and Recreation Commission.....	House; Alternate: Self
Planning Commission .....	White
Rental Housing Mediation Task Force.....	Francisco
Santa Barbara Sister Cities Board .....	Schneider
Single Family Design Board.....	Francisco; Alternate: House
Transportation and Circulation Committee .....	Self; Alternate: House
Water Commissioners, Board of .....	White
Youth Council.....	Francisco

Council Committees

Committee for Neighborhood Advisory Committee Interviews .....	Hotchkiss, House, White
Committee on Homelessness and Community Relations.....	Francisco, House, Schneider
Committee on Legislation .....	Francisco, House, White
Commuter Rail Exploration .....	Francisco, House, Schneider
Finance Committee.....	Francisco (Chair), Self, White; Alternate: Schneider
Lower Mission Creek Design Committee.....	Schneider; Alternate: White

(Cont'd)

18. (Cont'd)

Council Committees (Cont'd)

Mayor Pro Tempore ..... White  
Ordinance Committee ..... Hotchkiss, House (Chair), Rowse; Alternate: Schneider  
Sustainability Council Committee ..... Schneider, Self, White

City-Related Agencies

Coast Village Road Merchants Association ..... House  
Conference and Visitors Bureau ..... House  
Downtown Organization ..... House; Alternate: White  
Greater Santa Barbara Lodging Association ..... House; Alternate: Rowse  
Looking Good Santa Barbara Committee ..... House  
Presidio Joint Powers Committee ..... Francisco  
Santa Barbara Beautiful ..... Hotchkiss  
Santa Barbara Film Commission ..... Hotchkiss

Regional Agencies

Beach Erosion Authority for Control Operations and Nourishment ..... House  
Cachuma Conservation Release Board ..... Francisco; Alternate: White  
Cachuma Operation & Maintenance Board ..... Francisco; Alternate: White  
Central Coast Water Authority ..... Francisco; Alternate: White  
City/County Affordable Housing Task Group ..... Francisco, Schneider  
City/County Solid Waste Task Group ..... Schneider, White; Alternate: Rowse  
Community Action Commission ..... House (rep. by Comm. Dev. Staff)  
Governing Board of Ten-Year Plan to End Chronic Homelessness ..... Schneider  
Los Angeles-San Diego Rail Corridor Agency (appointed by SBCAG) ..... Alternate: Schneider  
Santa Barbara County Air Pollution Control Dist. Bd. of Directors.... Schneider; Alternate: House  
Santa Barbara County Association of Governments (SBCAG) ..... Schneider; Alternate: House  
Santa Barbara Metropolitan Transit District Board ..... Self; Alternate: House  
South Coast Gang Task Force Leadership Council..... Schneider; Alternate: Francisco  
South Coast Homeless Advisory Committee of Santa Barbara County ..... House

NOTES:

- The Franklin Neighborhood Advisory Committee, Lower Westside Neighborhood Advisory Committee, and Westside Neighborhood Advisory Committee were removed from the list due to previous Council action to consolidate those committees into the new Neighborhood Advisory Council.
- The Sign Committee was removed from the list pursuant to previous Council action to revise the process for sign permit review and approval.

19. Subject: Request From Councilmembers Francisco And Hotchkiss Regarding The Design Review Process For The Cold Spring Arch Bridge Suicide Barrier Project (150.03)

Recommendation: That Council agendize an item regarding a recommendation to the Santa Barbara County Association of Governments and to Caltrans that Santa Barbara's City Council supports transparency in the design review of nets as a possible alternative for suicide prevention at the Cold Spring Canyon Bridge.

(Cont'd)

19. (Cont'd)

Documents:

January 6, 2011, memorandum from Councilmembers Francisco and Hotchkiss.

Speakers:

Members of the Public: Marc McGinnes, Kellam de Forest, Geoffery Bard, Anna Campbell.

Motion:

Councilmembers House/Francisco to approve the preparation and sending of a letter to the Santa Barbara County Association of Governments which comments as follows regarding the Cold Spring Arch Bridge Suicide Barrier Project:

- The Council supports some form of and is not opposed to a suicide barrier;
- Council requests that SBCAG ask Caltrans to allow Wayne Donaldson, as the State Historic Preservation Officer, to review the engineering data related to the alternate barrier design;
- The Council will trust the peer review by another state agency and will be satisfied with Mr. Donaldson's assessment as to whether the alternate design is feasible; and
- The Council acknowledges the security issue associated with the project details and is not asking that the security be compromised.

Vote:

Unanimous voice vote.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 5:09 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

\_\_\_\_\_  
HELENE SCHNEIDER  
MAYOR

ATTEST: \_\_\_\_\_  
SUSAN TSCHECH, CMC  
DEPUTY CITY CLERK