



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING February 28, 2012 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:00 p.m. (The Ordinance Committee met at 12:30 p.m. The Finance Committee, which ordinarily meets 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, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: None.

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

CHANGES TO THE AGENDA

Item Removed from Agenda

City Administrator Armstrong advised that the following item was being removed from the agenda and will be resubmitted at a later date:

11. 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 Rolland Jacks, et al., v. City of Santa Barbara, SBSC Case No. 1383959.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

PUBLIC COMMENT

Speakers: Dana Schorr, Patricia Clarke, Kenneth Loch, Rice Roney, K8 Longstory, Tim King.

ITEMS REMOVED FROM CONSENT CALENDAR

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meetings of August 16, 2011, and January 10, 2012.

Councilmember Murillo stated she would abstain from voting on the approval of the August 16, 2011, minutes since she was not a member of Council at the time the meeting was held. Councilmember House stated he would abstain from voting on the approval of the January 10, 2012, minutes since he was absent from that meeting.

Motion:

Councilmembers Rowse/Hotchkiss to approve the minutes of the regular meeting of August 16, 2011.

Vote:

Unanimous voice vote (Abstention: Councilmember Murillo).

Motion:

Councilmembers Francisco/Murillo to approve the minutes of the regular meeting of January 10, 2012.

Vote:

Unanimous voice vote (Abstention: Councilmember House).

5. Subject: Exclusive Right To Negotiate Agreement With MarBorg Industries (510.04)

Recommendation: That Council approve a 180-day Exclusive Right to Negotiate Agreement between the City and MarBorg Industries for a possible Citywide Solid Waste Franchise.

Documents:

February 28, 2012, report from the Finance Director.

Motion:

Councilmembers Francisco/Hotchkiss to approve the recommendation; Agreement No. 24,003.

Vote:

Majority voice vote (Noes: Councilmember Murillo).

CONSENT CALENDAR (Item Nos. 2 - 4, 6 and 7)

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

Motion:

Councilmembers White/Hotchkiss to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

2. Subject: January 2012 Investment Report (260.02)

Recommendation: That Council accept the January 2012 Investment Report.

Action: Approved the recommendation (February 28, 2012, report from the Finance Director).

3. Subject: Adoption Of Ordinance For Easements On Tunnel Reservoir Property (330.08)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Public Works Director to Execute a Certain Private Road Easement Agreement with William Pasich, George V. Valois and Sherry R. Valois, Trustees, Carolyn V. Cooper, Trustee, Frederica McKay Thompson, Trustee, and Joel J. Berti and Georgia E. Berti, Trustees, Granting and Acknowledging Private Easements for the Continuing Use and Maintenance of Spyglass Ridge Road, Including Public Utilities, Located on a Portion of the Tunnel Trail Property, Sometimes Known as Tunnel Reservoir Property, Owned by the City of Santa Barbara, for Ingress and Egress to Properties Located in the County of Santa Barbara Known as 2825, 2845, 2875, 2885 and 2895 Spyglass Ridge Road.

Action: Approved the recommendation; Ordinance No. 5581; Agreement No. 23,995.

4. Subject: Resolution To Amend Rules And Regulations For The Santa Barbara Mooring Area (570.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Establishing Rules and Regulations for Issuing Mooring Permits in the City of Santa Barbara Mooring Area, Setting Minimum Specifications for Installing, Inspecting and Repairing Such Moorings, and Repealing Resolution No. 09-075.

Action: Approved the recommendation; Resolution No. 12-014 (February 28, 2012, report from the Waterfront Director; proposed resolution).

6. Subject: Increase In Change Order Authority For The Design Of The El Estero Wastewater Treatment Plant Fats, Oil, And Grease Project (540.13)

Recommendation: That Council authorize an increase in the Public Works Director's Change Order Authority to approve expenditures for extra design work for AECOM Technical Services, Inc., for the El Estero Wastewater Treatment Plant Fats, Oil, and Grease Project in the amount of \$14,027, for a total project expenditure authority of \$101,367.

Action: Approved the recommendation (February 28, 2012, report from the Public Works Director).

NOTICES

7. The City Clerk has on Thursday, February 23, 2012, 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.

This concluded the Consent Calendar.

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Grant House reported that the Committee met to consider amendments to the Municipal Code related to construction prohibited in the vicinity of the Conejo Landslide (Chapter 22.90). The Committee approved a revision to the proposed ordinance and forwarded the ordinance to the full Council for introduction and subsequent adoption.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

8. Subject: Capital Improvement Projects Second Quarter Report For Fiscal Year 2012 (230.01)

Recommendation: That Council receive a report on the City's Capital Improvement Projects for the Second Quarter of Fiscal Year 2012.

Documents:

- February 28, 2012, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

Staff: Assistant Public Works Director/City Engineer Pat Kelly.

By consensus, the Council received the report, and their questions were answered.

POLICE DEPARTMENT

9. Subject: Police Department Update (520.04)

Recommendation: That Council receive an oral presentation from the Police Chief regarding the Santa Barbara Police Department.

Documents:

February 28, 2012, report from the Chief of Police.

Speakers:

Staff: Chief of Police Camerino Sanchez.

Discussion:

Police Chief Sanchez briefed the Council on current trends for both violent and property crimes and also gave status updates for various Police Department programs and projects, including the Restorative Policing Team, the Police Activities League, in-car video cameras, and beat coordination. Councilmembers' questions were answered.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Hotchkiss reported on his attendance at the recent meeting of the Creeks Advisory Committee, during which the Mason Street bridge project was discussed.
- Councilmember Rowse reported that the Downtown Parking Committee met recently to discuss a cooperative effort between the City and the Metropolitan Transit District to promote the joint use of parking and the electric shuttle. The Committee also talked about parking needs for electric vehicle charging stations.
- Mayor Schneider extended her appreciation to the Community Development and Human Services Committee for its annual effort to allocate limited funding for social services and capital projects to a large number of organizations in a highly competitive process.

RECESS

Mayor Schneider recessed the meeting at 3:27 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 10 and 12, and she stated there would be no reportable action taken during the closed sessions.

CLOSED SESSIONS

10. 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 Santa Barbara Channelkeeper v. City of Santa Barbara, USDC Case No. CV-1103624 JHN (AGRx).

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

February 28, 2012, report from the City Attorney.

Time:

3:33 p.m. - 4:16 p.m.

No report made.

12. 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 General bargaining unit, the Supervisory bargaining unit, and the Police Management bargaining unit, and regarding discussions with confidential employees and unrepresented management about salaries and fringe benefits.

Scheduling: Duration, 45 minutes; anytime

Report: None anticipated

Documents:

February 28, 2012, report from the Assistant City Administrator.

Time:

4:16 p.m. - 4:19 p.m.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 4:19 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST:

SUSAN TSCHECH, CMC
DEPUTY CITY CLERK