



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING November 22, 2011 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:02 p.m. (The Finance and Ordinance Committees, which ordinarily 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, Randy Rowse, Michael Self, Bendy White, Mayor Schneider.

Councilmembers absent: Grant House.

Staff present: City Administrator James L. Armstrong, Acting City Attorney N. Scott Vincent, Deputy City Clerk Susan Tschech.

PUBLIC COMMENT

Speakers: Kenneth Loch, Rose Aldana.

Councilmember House entered the meeting at 2:08 p.m.

CONSENT CALENDAR (Item Nos. 1 - 10 and 12 - 15)

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

Motion:

Councilmembers House/Hotchkiss 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 adjourned regular meeting of September 26, the regular meeting of October 4, and the special meeting of October 6, 2011.

Action: Approved the recommendation.

2. Subject: October 2011 Investment Report (260.02)

Recommendation: That Council accept the October 2011 Investment Report.

Action: Approved the recommendation (November 22, 2011, report from the Finance Director).

3. Subject: Adoption Of Ordinance For A Grant Of Easement At 633 Bath Street (330.03)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the Grant of an Easement for a Private Sewer Service Lateral Across the City-Owned Property at 633 Bath Street to Richard L. and Teresa Vaughan, Owners of the Adjacent Property at 631 Bath Street, to Replace an Existing Sewer Service Lateral Displaced by the Ortega Street Bridge Replacement Project.

Action: Approved the recommendation; Ordinance No. 5573; Deed No. 61-367.

4. Subject: Adoption Of Ordinance For A Lease Agreement With Stearns Wharf Bait & Tackle (330.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Five-Year Lease Agreement with One Five-Year Option with Reggie Drew, Doing Business as Stearns Wharf Bait & Tackle, for the Lease Space at 232 Stearns Wharf, Effective December 15, 2011.

Action: Approved the recommendation; Ordinance No. 5574; Agreement No. 23,949.

5. Subject: Adoption Of Ordinance For Amendment To Lease With Mercury Air Center - Santa Barbara, Inc. (330.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving an Amendment to Lease Agreement No. 200846 Between the City and Mercury Air Center - Santa Barbara, Inc.

(Cont'd)

5. (Cont'd)

Action: Approved the recommendation; Ordinance No. 5575; Agreement No. 21,267.2.

6. Subject: Introduction Of Ordinance Amending Municipal Code Title 14, Chapter 20 - Metering Requirements (540.01)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the Municipal Code by Repealing Section 14.20.160 Pertaining to Separate Water Meters.

Action: Approved the recommendation (November 22, 2011, report from the Public Works Director; proposed ordinance).

7. Subject: TEFRA Hearing For American Baptist Homes Of The West (Valle Verde) Debt Issuance (280.01)

Recommendation: That Council hold a public hearing and adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving a Tax-Exempt Bond Financing to be Issued by the California Statewide Communities Development Authority to Benefit American Baptist Homes of the West and Certain Affiliates.

Speakers:

- Staff: Acting City Attorney N. Scott Vincent.
- Members of the Public: Jermaine Chastain, Hidden Oaks Homeowners Association.

Action: Approved the recommendation; Resolution No. 11-069 (November 22, 2011, report from the Finance Director; proposed resolution).

8. Subject: Certification Of The Election Results Of The Official Canvass For The General Municipal Election Of November 8, 2011 (110.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Reciting the Fact of the Vote-By-Mail General Municipal Election Held on November 8, 2011, Declaring the Results, and Such Other Matters as Provided by State Law.

Action: Approved the recommendation; Resolution No. 11-070 (November 22, 2011, report from the Assistant City Administrator/Administrative Services Director; proposed resolution).

9. Subject: Emergency Purchase Order Contract For Conejo Road Storm Drain Installation Project (530.04)

Recommendation: That Council retroactively approve an Emergency Purchase Order Contract with MGE Underground for the Conejo Road Storm Drain Installation Project in the amount of \$86,404.09, pursuant to Municipal Code Section 4.52.080, pertaining to emergency purchases.

Action: Approved the recommendation (November 22, 2011, report from the Public Works Director).

10. Subject: Consent To Sublease Between Ampersand Aviation, LLC, And Signature Flight Support Corporation (330.04)

Recommendation: That Council approve and authorize the Airport Director to execute a Consent to Sublease Agreement between Ampersand Aviation, LLC, a California Limited Liability Company, and Signature Flight Support Corporation, a Delaware Corporation, for hangar building space at 495 South Fairview Avenue, at the Santa Barbara Airport.

Action: Approved the recommendation; Agreement No. 23,950 (November 22, 2011, report from the Airport Director).

12. Subject: Set A Date For Public Hearing Regarding Proposed Designation Of City Landmarks (640.06)

Recommendation: That Council set the date of December 6, 2011, at 2:00 p.m. for a public hearing to consider the proposed designation of the following as City landmarks:

- Frederick H. Booth House and Garage, 105 Ontare Hills Lane
- State Street Facade of the Granada Building, 1214 State Street
- Moreton Bay Fig Tree, 320 W. Pueblo Street

Action: Approved the recommendation (November 4, 2011, memorandum from the Community Development Department).

NOTICES

13. The City Clerk has on Thursday, November 17, 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 meeting of November 29, 2011.

15. Received a letter of resignation from Living Wage Advisory Committee Member Allen Williams; the vacancy will be part of the next City Advisory Group recruitment.

This concluded the Consent Calendar.

ITEM REMOVED FROM CONSENT CALENDAR

11. Subject: Contract For Construction For The El Estero Wastewater Treatment Plant Pilot Fats, Oil And Grease Program (540.13)

Recommendation: That Council:

- A. Award a contract with Lash Construction, Inc., in their low bid amount of \$572,500, for construction of the El Estero Wastewater Treatment Plant Pilot Fats, Oil and Grease Program, Bid No. 3637;
- B. Authorize the Public Works Director to execute the contract and approve expenditures up to \$90,000 to cover any cost increases that may result from contract change orders for extra work, differences between estimated bid quantities and actual quantities measured for payment, and additional scope to connect the project controls to the current Supervisory Control and Data Acquisition system;
- C. Authorize the Public Works Director to execute a contract with AECOM Technical Services, Inc., in the amount of \$12,752 for construction support services, and authorize the General Services Manager to approve expenditures of up to \$1,275 for extra services of AECOM that may result from necessary changes in the scope of work;
- D. Authorize the Public Works Director to execute a contract with Mimiaga Engineering Group in the amount of \$43,280 for construction management services, and authorize the General Services Manager to approve expenditures of up to \$4,328 for extra services of Mimiaga Engineering Group that may result from necessary changes in the scope of work; and
- E. Increase Wastewater Capital Fund appropriations and estimated revenues by \$847,778, representing the total costs for this project that will be funded from a State- and City Council-approved loan from the Clean Water State Revolving Fund.

Documents:

November 22, 2011, report from the Public Works Director.

Speakers:

Staff: City Administrator James Armstrong.

Motion:

Councilmembers House/Rowse to approve recommendations A, B, D, and E; Contract Nos. 23,951 and 23,952.

Vote:

Unanimous voice vote.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

16. Subject: Local Coastal Program Amendment And Zoning Ordinance Amendments For Veronica Meadows Specific Plan (680.04)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Acknowledging Receipt of the California Coastal Commission's Resolution of Certification, Accepting and Agreeing to Suggested Modifications for the Final Certification, and Agreeing to Issue Coastal Development Permits for the Total Area Included in the Certified Local Coastal Program; and
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Municipal Code Title 28 by Amending Chapter 28.50, the "Veronica Meadows Specific Plan."

Documents:

- November 22, 2011, report from the Assistant City Administrator/Community Development Director.
- Proposed Resolution and Ordinance.
- Affidavit of Publication.
- PowerPoint presentation prepared and made by Staff.
- November 21, 2011, letter from Steven Amerikaner, Attorney, representing Peak-Las Positas Partners (Applicant).

Public Comment Opened:
2:24 p.m.

Speakers:

- Staff: Project Planner Allison De Busk.
- Members of the Public: Steven Amerikaner; Marc Chytilo, Citizens Planning Association and Santa Barbara Urban Creeks Council.

Public Comment Closed:
2:38 p.m.

Motion:

Councilmembers House/Francisco to approve the recommendations;
Resolution No. 11-071.

Vote:

Majority roll call vote (Noes: Mayor Schneider).

MAYOR AND COUNCIL REPORTS

17. Subject: Interviews For City Advisory Groups (140.05)

Recommendation: That Council hold interviews of applicants to various City Advisory Groups.

(Continued from November 15, 2011, Item No. 18)

Speakers:

- The following applicants were interviewed:
 - Access Advisory Committee:
 - Ken McLellan
 - Architectural Board of Review:
 - Kirk Gradin
 - Travis Colburn
 - Stephanie Poole
 - Arts Advisory Committee:
 - Thea Vandervoort
 - Carol Taylor
 - Linda Saccoccio
 - Community Events & Festivals Committee:
 - Jason McCarthy
 - Fire and Police Commission:
 - John Torell
 - Thomas Parker
 - Neighborhood Advisory Council:
 - Teresa Peña
 - Planning Commission:
 - William Anikouchine
 - Stephen Cushman
 - Dan Secord
 - Travis Colburn
- Members of the Public: Robert Burke.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Mayor Schneider commented on her recent visit to Santa Barbara's sister city, Toba City, Japan; the Mayor also reported on a meeting held by the Santa Barbara County Association of Governments regarding the relinquishment of State Route 225 to the City.
- Councilmember Hotchkiss mentioned that he had issued a proclamation to the Santa Barbara Maritime Museum recognizing the museum's installation of a new exhibit.

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Information (Cont'd)

- Councilmember Francisco reported that at a recent meeting of the Cachuma Conservation Release Board, responsibilities for fisheries projects was formally transferred to the Cachuma Operation and Maintenance Board.
- Councilmember White spoke about his attendance, along with Councilmember Francisco, at a summit meeting convened to discuss the wide range of issues surrounding homelessness.

RECESS

The Mayor recessed the meeting at 3:31 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 18 and 19, and she stated there would be no reportable action taken during the closed sessions.

CLOSED SESSIONS

18. 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. Pending litigation considered is: Juan Richard Gutierrez v. City of Santa Barbara.

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

Documents:

November 22, 2011, report from the Finance Director.

Time:

3:36 p.m. - 3:45 p.m.

No report made.

19. 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 City of Santa Barbara v. Chevron USA, Inc., et al. (Contra Costa County Superior Court Case No. CIVMSC10-00896).

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

November 22, 2011, report from the City Attorney.

(Cont'd)

19. (Cont'd)

Time:

3:45 p.m. - 4:00 p.m.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 4:00 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

ATTEST:

HELENE SCHNEIDER
MAYOR

SUSAN TSCHECH, CMC
DEPUTY CITY CLERK