CITY OF SANTA BARBARA
CITY COUNCIL MINUTES

REGULAR MEETING
September 23, 2008
COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:02 p.m. (The Ordinance Committee met at 12:00 p.m. The Finance Committee, which ordinarily meets at 12:30 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Blum.

ROLL CALL

Councilmembers present: Dale Francisco, Roger L. Horton, Grant House, Helene Schneider, Das Williams, Mayor Blum.
Councilmembers absent: Iya G. Falcone.
Staff present: Acting City Administrator Joan M. Kent, City Attorney Stephen P. Wiley, Deputy City Clerk Susan Tschech.

CEREMONIAL ITEMS

1. Subject: Proclamation Declaring September 26, 2008, As Meso Awareness Day (120.04)

   Action: Proclamation presented to Chris Hahn.

2. Subject: Proclamation Declaring September 21-27, 2008, As National Rehabilitation Awareness Week (120.04)

   Action: Proclamation presented to Ann Veazey, Director of Rehabilitation, Cottage Rehabilitation Hospital.

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3. Subject: Proclamation Declaring September 22-29, 2008, As Suicide Prevention Week (120.04)

Action: Proclamation presented to Jina Carvalho, representing the Glendon Association.

4. Subject: Helen I. Pontius National Award Of Merit 2008 Presented To Nancy Rapp, Parks And Recreation Director (120.08)

Action: Mayor Blum and Acting City Administrator Joan Kent presented Ms. Rapp with the award, which had originally been given to her at an event held in Los Angeles.

PUBLIC COMMENT

Speakers: Floyd Meyer, Kenneth Loch, Gert Walter, Kate Smith, Phil Walker.

CONSENT CALENDAR (Item Nos. 5 - 13)

Motion:
Councilmembers Schneider/Horton to approve the Consent Calendar as recommended.

Vote:
Unanimous voice vote (Absent: Councilmember Falcone).

5. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the special meeting of September 4, 2008 (cancelled due to lack of a quorum), the special meetings of September 8, 2008, and the regular meeting of September 9, 2008.

Action: Approved the recommendation.

6. Subject: Santa Barbara Airport World War II Memorial (560.04)

Recommendation: That Council:

A. Authorize the General Services Manager to issue a Purchase Order to Alliance Contracting Inc., in their low bid amount of $177,335, for construction of the Santa Barbara Airport World War II Memorial, Bid No. 4855;

B. Authorize the Airport Director to approve expenditures up to $17,734 to cover 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)

6. (Cont'd)

C. Authorize the General Services Manager to issue a Purchase Order to David Black and Associates, in the amount of $2,800 for general construction support services related to site layout, landscaping and graphic design;
D. Authorize the General Services Manager to issue a Purchase Order to Smith Engineering Associates, in the amount of $2,550 for construction support services related to electrical design; and
E. Authorize the General Services Manager to issue a Purchase Order to Penfield and Smith for $38,265 for construction engineering services.

Action: Approved the recommendations (September 23, 2008, report from the Airport Director).

7. Subject: Agreements For Afterschool Recreation Programs (570.06)

Recommendation: That Council:
A. Authorize the Parks and Recreation Director to enter into three agreements with the Santa Barbara School Districts (SBSD) for the Recreation Afterschool Program (RAP), Junior High Afterschool Sports and Recreation Program, and Afterschool Opportunities for Kids (A-OK!); and
B. Appropriate $230,591 in expenditures and $122,791 in revenues to the Parks and Recreation Department Fiscal Year 2009 General Fund budget for the Recreation Afterschool Program (RAP) and Junior High Afterschool program.

Action: Approved the recommendations; Agreement Nos. 22,918 - 22,920 (September 23, 2008, report from the Parks and Recreation Director).

8. Subject: Santa Barbara Amateur Radio Club Equipment Shelter Replacement At Vic Trace Reservoir (530.01)

Recommendation: That Council:
A. Grant conceptual approval for the Santa Barbara Amateur Radio Club to replace their two existing radio equipment shelters with one new shelter at Vic Trace Reservoir;
B. Authorize the Public Works Director to draft a Joint Use Agreement and Site Lease that provides for a new roof for the existing City communications shelter to be integrated with the new Santa Barbara Amateur Radio Club shelter; and
C. Direct the Public Works Director to return to Council and submit the Joint Use Agreement and Site Lease for review and consideration of approval.

(Cont'd)

8. (Cont'd)

Action: Approved the recommendations (September 23, 2008, report from the Public Works Director).

9. Subject: Contract For Maintenance Program And Inventory Management Project At El Estero Wastewater Treatment Plant (Phase 3) (540.13)

Recommendation: That Council authorize the Public Works Director to execute a contract with Linjer, Inc. (Linjer), in an amount not to exceed $210,700 for the Maintenance Program and Inventory Management Project at the El Estero Wastewater Treatment Plant (El Estero), and authorize the Public Works Director to approve $21,000 for extra services that may result from unanticipated changes in the scope of work.

Speakers:
Member of the Public: Phil Walker.

Action: Approved the recommendation; Agreement No. 22,921 (September 23, 2008, report from the Public Works Director).

10. Subject: Cancellation Of November 4, 2008, City Council And Redevelopment Agency Meetings (120.09)

Recommendation: That Council cancel the November 4, 2008, City Council and Redevelopment Agency meetings.

Action: Approved the recommendation (September 23, 2008, report from the Acting City Administrator).

NOTICES

11. The City Clerk has on Thursday, September 18, 2008, 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.

12. The public hearing scheduled for September 23, 2008, at 2:00 p.m. to hear the appeal of the Planning Commission approval for 101 East Victoria Street, has been postponed indefinitely.

13. A City Council site visit is scheduled on Monday, September 29, 2008, at 1:30 p.m. to the property located at 800 Santa Barbara Street, which is the subject of an appeal hearing set for September 30, 2008, at 6:00 p.m.

This concluded the Consent Calendar.

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Das Williams reported that the Committee met to begin discussions and provide initial direction to Staff on a possible interim ordinance applicable to new buildings in those commercial zones of the City with a height limitation and wherein residential uses are allowed. The Committee will continue its consideration of this issue at its next meeting on September 30.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

AIRPORT DEPARTMENT

14. Subject: GAP Fire Flood Protection And Mitigation Project (150.04)

Recommendation: That Council:

A. Approve and authorize the Airport Director, subject to approval by the City Attorney, to execute an Agreement for Cost Sharing of the Gap Fire Flood Protection and Mitigation Project: Aerial Hydromulching between the City of Santa Barbara, Santa Barbara County Flood Control and Water Conservation District, and the City of Goleta; and

B. Appropriate $70,000 to be funded from Airport reserves above policy.

Documents:

September 23, 2008, report from the Airport Director.

Speakers:

- Staff: Airport Director Karen Ramsdell.
- Member of the Public: Phil Walker.

Motion:

Councilmembers Williams/Schneider to approve the recommendations; Agreement No. 22,922.

Vote:

Unanimous voice vote (Absent: Councilmember Falcone).

Councilmember Williams left the meeting at 3:04 p.m.

COMMUNITY DEVELOPMENT DEPARTMENT

15. Subject: Introduction Of Compatibility Review Criteria Ordinance (640.02)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapters 22.22, 22.68, 27.07, 28.05 and 28.06 of Title 28 of the Santa Barbara Municipal Code Formalizing the Project Compatibility Analysis Process for the City Non-Residential Design Review Boards.

(Cont'd)

15. (Cont'd)

Documents:
- September 23, 2008, report from the Community Development Director.
- Proposed Ordinance.
- PowerPoint presentation prepared and made by Staff.

The title of the ordinance was read.

Councilmember Williams returned to the meeting at 3:12 p.m.

Speakers:
Staff: Senior Planner Jaime Limón.

Motion:
Councilmembers House/Williams to approve the recommendation.
Vote:
Unanimous voice vote (Absent: Councilmember Falcone).

Councilmember Williams left the meeting at 3:20 p.m.

FINANCE DEPARTMENT

16. Subject: Measure G Fiscal Impact Report (110.03)

Recommendation: That Council accept the Fiscal Impact Report on Measure G, the Telecommunication and Video Users Tax Reduction and Modernization Ordinance.

Documents:
- September 23, 2008, report from the Finance Director.
- PowerPoint presentation prepared and made by Staff.

Councilmember Williams returned to the meeting at 3:27 p.m.

Speakers:
Staff: Finance Director Robert Peirson.

By consensus, the Council received the report.

RECESS

3:51 p.m. - 4:06 p.m.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

PUBLIC WORKS DEPARTMENT

17. Subject: Underground Utility Assessment District Program Level Of Support Update (530.07)

Recommendation: That Council receive an update and provide direction on the Underground Utility Assessment District (UUAD) Program, including the program's level of neighborhood support thresholds.

Documents:
- September 23, 2008, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.
- E-mail communication from Joyce Searls.

Speakers:
- Staff: Principal Civil Engineer John Ewasiuk, City Attorney Stephen Wiley.
- Members of the Public: Paul de Bruyn Kops; Giulio Baratto; Kate Carter; Art Fitzgerald; June Pujo; Michael Mitchener; Paul Cashman and Christine Oliver, Riviera Association.

Discussion:
Councilmembers provided Staff with direction regarding the issues of neighborhood support thresholds for proposed Underground Utility Assessment Districts and development of a policy to address hardship situations. The Council also directed that the new rules to be established for this program will not apply to proposed districts for which the process has already been initiated.

RECESS

The Mayor recessed the meeting at 5:37 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 18, and she stated there would be no reportable action taken during the closed session.

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. The pending litigation is Javier Bravo, et al., v. City of Santa Maria, et al., USDC Case Number CV 06-6851 FMC (SHx).
Scheduling: Duration, 10 minutes; anytime
Report: None anticipated

(Cont'd)

18. (Cont'd)

Documents:
September 23, 2008, report from the City Attorney.

Time:
5:40 p.m. - 6:15 p.m. Councilmembers Falcone, Horton, and Williams were absent.

No report made.

ADJOURNMENT

Mayor Blum adjourned the meeting at 6:15 p.m. to Monday, September 29, 2008, at 1:30 p.m. at 800 Santa Barbara Street.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

_____ ATTEST: _____

MARTY BLUM
MAYOR

SUSAN TSCHECH, CMC
DEPUTY CITY CLERK