

**CITY OF SANTA BARBARA
CITY COUNCIL**

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City Attorney

City Hall
735 Anacapa Street
<http://www.SantaBarbaraCA.gov>

**APRIL 28, 2009
AGENDA**

ORDER OF BUSINESS: Regular meetings of the Finance Committee and the Ordinance Committee begin at 12:30 p.m. The regular City Council meeting begins at 2:00 p.m. in the Council Chamber at City Hall.

REPORTS: Copies of the reports relating to agenda items are available for review in the City Clerk's Office, at the Central Library, and <http://www.SantaBarbaraCA.gov>. In accordance with state law requirements, this agenda generally contains only a brief general description of each item of business to be transacted or discussed at the meeting. Should you wish more detailed information regarding any particular agenda item, you are encouraged to obtain a copy of the Council Agenda Report (a "CAR") for that item from either the Clerk's Office, the Reference Desk at the City's Main Library, or online at the City's website (<http://www.SantaBarbaraCA.gov>). Materials related to an item on this agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office located at City Hall, 735 Anacapa Street, Santa Barbara, CA 93101, during normal business hours.

PUBLIC COMMENT: At the beginning of the 2:00 p.m. session of each regular City Council meeting, and at the beginning of each special City Council meeting, any member of the public may address the City Council concerning any item not on the Council's agenda. Any person wishing to make such address should first complete and deliver a "Request to Speak" form prior to the time that public comment is taken up by the City Council. Should City Council business continue into the evening session of a regular City Council meeting at 6:00 p.m., the City Council will allow any member of the public who did not address them during the 2:00 p.m. session to do so. The total amount of time for public comments will be 15 minutes, and no individual speaker may speak for more than 1 minute. The City Council, upon majority vote, may decline to hear a speaker on the grounds that the subject matter is beyond their jurisdiction.

REQUEST TO SPEAK: A member of the public may address the Finance or Ordinance Committee or City Council regarding any scheduled agenda item. Any person wishing to make such address should first complete and deliver a "Request to Speak" form prior to the time that the item is taken up by the Finance or Ordinance Committee or City Council.

CONSENT CALENDAR: The Consent Calendar is comprised of items that will not usually require discussion by the City Council. A Consent Calendar item is open for discussion by the City Council upon request of a Councilmember, City staff, or member of the public. Items on the Consent Calendar may be approved by a single motion. Should you wish to comment on an item listed on the Consent Agenda, after turning in your "Request to Speak" form, you should come forward to speak at the time the Council considers the Consent Calendar.

AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act, if you need special assistance to gain access to, comment at, or participate in this meeting, please contact the City Administrator's Office at 564-5305 or inquire at the City Clerk's Office on the day of the meeting. If possible, notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements in most cases.

TELEVISION COVERAGE: Each regular City Council meeting is broadcast live in English and Spanish on City TV Channel 18 and rebroadcast in English on Wednesdays and Thursdays at 7:00 p.m. and Saturdays at 9:00 a.m., and in Spanish on Sundays at 4:00 p.m. Each televised Council meeting is closed captioned for the hearing impaired. Check the City TV program guide at www.citytv18.com for rebroadcasts of Finance and Ordinance Committee meetings, and for any changes to the replay schedule.

ORDER OF BUSINESS

12:00 p.m. - Special Finance Committee Meeting, David Gebhard Public Meeting Room, 630 Garden Street

2:00 p.m. - City Council Meeting

SPECIAL FINANCE COMMITTEE MEETING - 12:00 P.M. IN THE DAVID GEBHARD PUBLIC MEETING ROOM, 630 GARDEN STREET (120.03)

1. Subject: March 31, 2009, Investment Report And March 31, 2009, Fiscal Agent Report

Recommendation: That the Finance Committee recommend that Council:

A. Accept the March 31, 2009, Investment Report; and

B. Accept the March 31, 2009, Fiscal Agent Report.

(See Council Agenda Item No. 2)

2. Subject: Fiscal Year 2010 Recommended Operating And Capital Budget

Recommendation: That the Finance Committee hear presentations covering the General Fund revenue estimates and growth rate assumptions, an update to the General Fund multi-year forecast, and the status of reserve balances for all City funds in connection with the review of the Fiscal Year 2010 Recommended Budget.

REGULAR CITY COUNCIL MEETING – 2:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

1. **Subject: Minutes**

Recommendation: That Council waive the reading and approve the minutes of the regular meetings of April 7, and April 14, 2009.

2. **Subject: March 31, 2009, Investment Report And March 31, 2009, Fiscal Agent Report (260.02)**

Recommendation: That Council:

- A. Accept the March 31, 2009, Investment Report; and
- B. Accept the March 31, 2009, Fiscal Agent Report.

3. **Subject: Adoption Of Ordinance For Attornment Agreement With H. Oliver Dixon, Inc., And Business First Bank (330.04)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving an Attornment Agreement Between the City of Santa Barbara, as Lessor, H. Oliver Dixon, Inc., as Lessee, and Business First Bank, a Division of Heritage Oaks Bank, as Lender, Pertaining to Lease Agreement No. 21,810 Dated November 1, 2005.

CONSENT CALENDAR (CONT'D)

- 4. Subject: Resolution Authorizing Financial Assistance Agreements With The State Water Resources Control Board In The Amount Of \$3,941,585 For Non-Point Source Pollution Treatment Projects (150.02)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing Entering into Financial Assistance Agreements with the State Water Resources Control Board and Designating a Representative to Sign the Financial Assistance Agreements, and any Amendments Thereto.

- 5. Subject: Professional Services Contract Amendment With The University Of California, Santa Barbara For Microbial Source Tracking (530.03)**

Recommendation: That Council authorize the Parks and Recreation Director to amend a professional services agreement with the University of California, Santa Barbara (UCSB) to increase the scope of work in order to conduct additional microbial source tracking in support of the Creeks Division's Laguna Channel Watershed and Water Quality Improvement Feasibility Study, and to increase amount of compensation by \$26,201 from Measure B funds, bringing the total contract amount to \$76,193.

- 6. Subject: Increase Professional Services Change Order Authority For The Santa Barbara Airport Consolidated Rental Car Project (560.04)**

Recommendation: That Council approve additional Change Order expenditure authority for Professional Services Contract No. 22,857 with Earth Systems Pacific, due to the discovery of an underground storage tank, for the Santa Barbara Airport Consolidated Rental Car Project, in the amount of \$37,500, for a total change order expenditure authority of \$43,501.28.

- 7. Subject: Challenge Cost Share Agreement Between The City Of Santa Barbara, County Of Santa Barbara, And United States Department Of Agriculture Forest Service, Los Padres National Forest (150.01)**

Recommendation: That Council authorize the Parks and Recreation Director to enter into a Challenge Cost Share Agreement for \$10,000 with the County of Santa Barbara (County) and the United States Department of Agriculture Forest Service, Los Padres National Forest (Forest Service) for implementation of the Front Country Trails Management Recommendations.

CONSENT CALENDAR (CONT'D)

8. Subject: Community Promotion Contract With Semana Nautica (230.02)

Recommendation: That Council authorize the Finance Director to execute a community promotion contract for Fiscal Year 2009 with Semana Nautica in the amount of \$3,182 for May 1, 2009, to August 31, 2009.

NOTICES

9. The City Clerk has on Thursday, April 23, 2009, 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. Received a letter of resignation from Franklin Center Advisory Committee Member Dan La Berge; the vacancy will be part of the current City Advisory Group recruitment.

This concludes the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

ADMINISTRATIVE SERVICES DEPARTMENT

11. Subject: Possible Charter Amendments Affecting The Architectural Board Of Review, Harbor Commission, Park Commission And Recreation Commission, And Residency Requirements (110.01)

Recommendation: That Council:

- A. Discuss interest in possible charter amendments pertaining to the size and composition of the Architectural Board of Review, Harbor Commission, Park Commission and Recreation Commission; and residency requirements for boards and commissions; and
- B. Provide direction to staff on how to proceed.

PUBLIC HEARINGS

12. Subject: Appeal Of Planning Commission Decision For 1900 Lasuen Road, El Encanto Hotel (640.07)

Recommendation: That Council:

- A. Deny the appeal filed by Marc Chytilo, attorney for Jan and Johanna von Yurt, Robert and Elizabeth Leslie, and Farrokh and Sally Nazerian;
- B. Uphold the Planning Commission adoption of the Mitigated Negative Declaration and approval of the Modifications, Development Plans and Transfer of Existing Development Rights for the Revised Master Plan proposed at 1900 Lasuen Road (MST2007-00140); and
- C. Direct staff to prepare a Council Resolution documenting the decision of the City Council, making findings consistent with the Council decision, and specifying the conditions of approval, as amended by Council.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

13. Subject: Conference With Legal Counsel - Potential Litigation (160.03)

Recommendation: That Council hold a closed session to consider potential litigation pursuant to subsection (c) of section 54956.9 of the Government Code and take appropriate action as needed.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

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 General Unit, Firefighters Association, Police Officers Association, and Police Management Association bargaining units.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

ADJOURNMENT