



**CITY OF SANTA BARBARA
CITY COUNCIL MINUTES**

**REGULAR MEETING
April 7, 2009
COUNCIL CHAMBER, 735 ANACAPA STREET**

CALL TO ORDER

Mayor Marty Blum called the joint meeting of the Council and the Redevelopment Agency to order at 2:03 p.m. (The Finance Committee and Ordinance Committee, which ordinarily meet at 12:30 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Blum.

ROLL CALL

Councilmembers present: Roger L. Horton, Helene Schneider, Das Williams, Mayor Blum.

Councilmembers absent: Iya G. Falcone, Dale Francisco, Grant House.

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

CEREMONIAL ITEMS

1. 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 April 30, 2009.

Speakers:

Staff: City Administrator James Armstrong.

Councilmember Francisco entered the meeting at 2:04 p.m. Councilmember Falcone entered the meeting at 2:07 p.m.

(Cont'd)

1. (Cont'd)

Action: By consensus, the Council recognized the following employees:

5-Year Pin

Paul Lopez, Street Maintenance Worker, Public Works

10-Year Pin

Kathleen Goo, Commission Secretary, Community Development

Melinda Jackson, Administrative Specialist, Public Works

Kimberly Thaler-Strange, Administrative Specialist, Public Works

Jill Zachary, Assistant Parks and Recreation Director, Parks and Recreation

25-Year Pin

Alex Altavilla, Police Captain, Police

Kevin Harris, Grounds Maintenance Worker, Parks and Recreation

2. Subject: Proclamation Declaring The Month Of April As DMV/Donate A Life California Month (120.04)

Action: Proclamation presented to Joe Darga and Priscilla Marcus.

3. Subject: Letter Of Recognition Naming David Starkey Poet Laureate For The City Of Santa Barbara (120.08)

Speakers:

Poet Laureates: Perie Longo and David Starkey.

Councilmember House entered the meeting at 2:13 p.m.

Action: Letter of Recognition presented to David Starkey.

CHANGES TO THE AGENDA

Item Removed from Agenda

City Administrator James L. Armstrong stated that the following item was removed from the Agenda and will be brought back to the Council at a future date:

16. Subject: Upper State Street Setbacks (640.09)

Recommendation: That Council direct staff to initiate possible amendments to the Upper State Street Area Special District Zone setback standards, Santa Barbara Municipal Code Chapter 28.45, in order to accommodate the future transportation needs of the street.

PUBLIC COMMENT

Speakers: Mr. McCollum, SOS Advocacy Group; Kate Smith; Nancy Tunnell; Richard Robinson, COP; Gert Walter; Beebe Longstreet; Ken Loch.

Councilmember Falcone left the meeting at 2:15 p.m. and returned at 2:40 p.m.

ITEM REMOVED FROM CONSENT CALENDAR

13. Subject: Set A Date for Public Hearing Regarding Appeals Of Architectural Board Of Review Preliminary Approval For 1298 Coast Village Road (640.07)

Recommendation: That Council set the date of May 5, 2009, at 6:00 p.m. for hearing the appeals filed by 1) Save Coast Village Road and 2) Anthony Fischer, Attorney, representing Protect Our Village, of the Architectural Board of Review Preliminary Approval of an application for property owned by Olive Oil & Gas, LP, and located at 1298 Coast Village Road, Assessor's Parcel No. 009-230-043, C-1/R-2/SD3 Limited Commercial/Two-Family Residence/Coastal Overlay Zones, General Plan Designation: General Commercial. The project proposes the demolition of an existing gas station and service bays and construction of a new three-story, mixed-use building on an 18,196 square-foot lot. The new building would consist of 4,800 square feet of commercial space on the ground floor and 8 residential units totaling 12,192 square feet on the second and third floors.

Speakers:

- Members of the Public: Tony Fischer, Attorney representing Protect Our Village.
- Staff: City Clerk Services Manager Cynthia Rodriguez, City Administrator James Armstrong.

Motion:

Councilmembers House/Falcone to continue this item for one week and to direct staff to work with the applicant and appellants in order to try to find a mutually agreeable hearing date.

Amendment Motion:

Councilmembers House/Falcone to continue this item for one week and to direct staff to work with the applicant and appellants in order to try to find a mutually agreeable hearing date to be no later than June 2.

Vote on Amendment Motion:

Unanimous voice vote.

CONSENT CALENDAR (Item Nos. 3 - 12 and 14)

The titles of the resolutions were read.

Motion:

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

Vote:

Unanimous roll call vote.

4. **Subject: Minutes**

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of March 17 and the special meeting of March 24, 2009.

Action: Approved the recommendation.

5. **Subject: Records Destruction For Fire Department (160.06)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the Fire Department in the Administration Division.

Action: Approved the recommendation; Resolution No. 09-015 (April 7, 2009, report from the Fire Chief; proposed resolution).

6. **Subject: Proposed Increase To Animal Control Fees (520.05)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 08-060, Establishing Certain Dog Licensing Fees, Adjusting Animal Control Fees, and Rescinding Resolution Nos. 07-052, 07-085, and 08-013.

Action: Approved the recommendation; Resolution No. 09-016 (April 7, 2009, report from the Police Chief; proposed resolution).

7. **Subject: Mission Creek Fish Passage - Accept Grant Funding For Design Of CalTrans Channel Steelhead Migration Barrier Removal (530.03)**

Recommendation: That Council

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Parks and Recreation Director to Accept Grant Funds and Execute a Grant Agreement for \$500,000 from the California Department of Fish and Game (CDFG) Fisheries Restoration Grant Program for the Mission Creek Fish Passage Project at the CalTrans Channel; and

(Cont'd)

7. (Cont'd)

- B. Increase the appropriation and estimated revenue by \$500,000 in the Creeks Division Capital Fund for the Mission Creek Fish Passage Project at the CalTrans Channel.

Action: Approved the recommendations; Resolution No. 09-017; Agreement No. 23,084 (April 7, 2009, report from the Parks and Recreation Director; proposed resolution).

8. Subject: Resolution Authorizing Submission Of Grant Applications Totaling \$3,941,585 For Stimulus Funds For Non-Point Source Pollution Treatment Projects (530.04)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Parks and Recreation Director to Submit Applications to the State Water Resources Control Board for a Financing Agreement for the Catch Basin Inlet Storm Drain Screens Project, the Parking Lot Storm Water Retrofit Project, and the Upper Las Positas Creek Restoration and Storm Water Management Project.

Action: Approved the recommendation; Resolution No. 09-018 (April 7, 2009, report from the Parks and Recreation Director; proposed resolution).

9. Subject: Two-Year Extension Of A Professional Services Contract For Independent Audit Services For The City's Annual Financial Statements For The Fiscal Years Ending June 30, 2009, And 2010 (250.02)

Recommendation: That Council approve and authorize the Finance Director to execute the First Amendment to Santa Barbara City Agreement No. 21,950, a two-year extension of the professional services contract with Caporicci & Larson, Certified Public Accountants (Caporicci & Larson) for the audit of the City's annual financial statements for the Fiscal Years ending June 30, 2009, and 2010, for an amount not to exceed \$58,250 per year (\$116,500 total).

Action: Approved the recommendation; Agreement No. 21,950.1 (April 7, 2009, report from the Finance Director).

10. Subject: Human Services Contract Assignments For Homeless Shelter Meal And Domestic Violence Intervention Programs (230.02)

Recommendation: That Council:

- A. Authorize the assignment of Community Kitchen Human Services Contract No. 22,729 in the remaining amount of \$26,000 for the period of January 1 - June 30, 2009, to Casa Esperanza for operation of the Homeless Shelter Meal Program; and

(Cont'd)

10. (Cont'd)

- B. Authorize the assignment of Domestic Violence Solutions Human Services Contract No. 22,733 in the remaining amount of \$4,750 for the period of January 1 - June 30, 2009, to Zona Seca for operation of the Domestic Violence Intervention Program.

Action: Approved the recommendations; Contract Nos. 23,085 and 23,086 (April 7, 2009, report from the Community Development Director).

11. Subject: Integrated Regional Water Management Plan Update And Proposition 84 Grant Application - Memorandum Of Understanding (540.08)

Recommendation: That Council authorize the Public Works Director to execute a Memorandum of Understanding among various public agency cooperating partners in Santa Barbara County for Administration of the Santa Barbara Countywide Integrated Regional Water Management Plan (IRWMP) revision and Proposition 84 Grant Application, with the City's share for the consultant services provided to Dudek Consultants and Kevin Walsh, County contract employee, with expenses not to exceed \$23,000.

Action: Approved the recommendation; Agreement No. 23,087 (April 7, 2009, report from the Public Works Director).

12. Subject: Rejection Of Santa Barbara Golf Club Safety Plan Implementation And Upper Las Positas Storm Water Improvement Project Bids (570.02)

Recommendation: That Council reject the bids for construction of the Santa Barbara Golf Club Safety Plan Implementation and Upper Las Positas Storm Water Improvement Project, Bid No. 3463A, and direct staff to re-bid the project.

Action: Approved the recommendation (April 7, 2009, joint report from the Public Works Director and the Parks and Recreation Director).

NOTICES

14. The City Clerk has on Thursday, April 2, 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.

This concluded the Consent Calendar.

REDEVELOPMENT AGENCY REPORTS

15. Subject: Children's Museum Of Santa Barbara - Request For Preliminary Community Priority Designation And Approval Of Memorandum Of Understanding (640.09)

Recommendation:

- A. That Council make a preliminary finding that the proposed children's museum at 125 State Street meets a present need directly related to general welfare, and grant the project a Preliminary Community Priority Designation for 2,500 square feet of floor area; and
- B. That the Agency Board approve the Memorandum of Understanding with the Children's Museum of Santa Barbara regarding negotiations concerning the possible development of a children's museum at 125 State Street and authorize the Executive Director to execute the Memorandum of Understanding in a form acceptable to Agency Counsel.

Documents:

- April 7, 2009, report from the Community Development Director/Deputy Director.
- April 7, 2009, PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Redevelopment Supervisor Brian Bosse, Redevelopment Specialist Marck Aguilar, Associate Planner Daniel Gullett.
- Children's Museum of Santa Barbara: Sheila Cushman, Executive Director; Yazmin Garcia and Alondra Taboada, 4th Grade Students, Cesar Chavez School; Board Member Gordon Auchincloss; Paul Selwyn; Lawrence Thompson.
- Members of the Public: Steve Cushman, Santa Barbara Chamber of Commerce; Taylor Barnes; Caroline Harrah.

Motion:

Council/Agency Members House/Horton to approve the recommendations; Redevelopment Agency Agreement No. 516.

Vote:

Unanimous voice vote.

RECESS

3:46 p.m. - 4:01 p.m. Councilmembers Falcone and Williams were absent when the Council reconvened.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

17. Subject: Underground Utility Assessment District Program Update And Proposed Program Enhancements (530.07)

Recommendation: That Council:

- A. Receive an update on the Underground Utility Assessment District (UUAD) Program (Program);
- B. Approve adding a Program Neighborhood Level of Support Threshold (Support Threshold); and
- C. Approve initiating a Financial Assistance Loan Program for UUAD Property Owners, and refer to the Finance Committee to establish the Loan Program parameters.

Documents:

- April 7, 2009, report from the Public Works Director.
- April 7, 2009, PowerPoint presentation prepared and made by staff.
- July 2006 study titled "Out of Sight, Out of Mind?" submitted by Tony Black.
- April 7, 2009, written comments from Asha and George DeMarco.

Councilmembers Falcone and Williams returned to the meeting at 4:03 p.m.

Speakers:

- Staff: Principal Civil Engineer John Ewasiuk, Finance Director Robert Peirson, City Attorney Stephen Wiley.
- Members of the Public: Tony Black, Stacy Shepherd, April Walstad, Earl Morley, Steve Chang, Ken Mueller, Deborah Anderson, Fred Keller, David Pritchett and George Conk.

Motion:

Councilmembers Williams/Falcone to establish the level of support thresholds of 85% of the property owners for the initial petition requirement and 80% at the final weighted vote stage, and direct staff to estimate the yearly budget for this program to determine if all funds should be used for undergrounding.

Vote:

Majority voice vote (Noes: Councilmember Horton).

Motion:

Councilmembers Williams/Horton to direct staff to work with the Finance Committee at a later date to consider a financial assistance loan program.

Vote:

Majority voice vote (Noes: Councilmember Francisco).

CHANGES TO AGENDA (CONT'D)Items Removed from Agenda

By consensus, the Council agreed to defer the following items until a future date:

19. Subject: Public Employee Performance Evaluation - Government Code Section 54957 (170.01)

Recommendation: That Council hold a closed session for a Public Employee Performance Evaluation per Government Code Section 54957.

Title: City Administrator

Scheduling: Duration, 40 minutes; anytime

Report: None anticipated

(Continued from March 17, 2009, Item No. 11)

20. Subject: Public Employee Performance Evaluation - Government Code Section 54957 (160.01)

Recommendation: That Council hold a closed session for a Public Employee Performance Evaluation per Government Code Section 54957.

Title: City Attorney

Scheduling: Duration, 40 minutes; anytime

Report: None anticipated

RECESS

6:05 p.m. - 6:09 p.m. Councilmembers Falcone and Williams were absent when the Council reconvened.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)PUBLIC WORKS DEPARTMENT (CONT'D)

18. Subject: Measure D One-Year Local Program Of Projects For Fiscal Year 2010 (150.04)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the Measure D One-Year Local Program of Projects for Fiscal Year 2010.

Documents:

- April 7, 2009, report from the Public Works Director.
- April 7, 2009, PowerPoint presentation prepared and made by staff.
- Proposed Resolution.

(Cont'd)

18. (Cont'd)

The title of the resolution was read.

Councilmember Williams returned to the meeting at 6:10 p.m.

Speakers:

- Staff: Principal Civil Engineer John Ewasiuk, Transportation Manager Browning Allen.
- Transportation and Circulation Committee: Chair David Pritchett.

Motion:

Councilmembers House/Horton to approve the recommendation and to prioritize the city's support for the Metropolitan Transit District through the gap between the effective date of Measure A and the first payment, should it become necessary; Resolution No. 09-019.

Vote:

Majority roll call vote (Noes: Councilmember Francisco; Absent: Councilmember Falcone).

ADJOURNMENT

Mayor Blum adjourned the meeting at 6:35 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

Marty Blum

 MARTY BLUM
 MAYOR

ATTEST: *Brenda Alcazar*

 BRENDA ALCAZAR, CMC
 DEPUTY CITY CLERK