



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING
September 9, 2008
COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Mayor Blum.

ROLL CALL

Councilmembers present: Iya G. Falcone, Dale Francisco, Roger L. Horton, Grant House, Helene Schneider, Das Williams, Mayor Blum.

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, City Clerk Services Manager Cynthia M. Rodriguez.

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 September 30, 2008.

Documents:

September 9, 2008, report from the Administrative Services Director.

Speakers:

Staff: Award Recipient Jan Hubbell, City Administrator James Armstrong.

(Cont'd)

1. (Cont'd)

By consensus, the Council recognized the following employees:

5-Year Pin

Lynne Sparks, Administrative Analyst II, Finance
 Eric Just, GIS Coordinator, Administrative Services
 Heather Baker, Project Planner, Community Development
 Rodolfo Saldana, Grounds Maintenance Worker, Parks and Recreation
 Patricia Herrera, Office Specialist II, Parks and Recreation

15-Year Pin

Alan Cooper, Senior Building Inspector, Community Development

20-Year Pin

James Ella, Police Officer, Police

25-Year Pin

Louis Chiourn, Laboratory Supervisor, Public Works

30-Year Pin

Janice Hubbell, Senior Planner II, Community Development
 John Carrillo, Fire Engineer, Fire
 Catherine Perman, Water Treatment Plant Operator, Public Works

2. Subject: Proclamation Declaring September 2008 As National Preparedness Month (120.04)

Action: Proclamation presented to Fire Public Education Coordinator Gracie Huerta and Fire Chief Ron Prince.

3. Subject: Proclamation Declaring September 2008 As National Alcohol And Drug Addiction Recovery Month (120.04)

Action: Proclamation presented to Kate Schwass, Director of Media and Special Events, Council on Alcoholism and Drug Abuse.

PUBLIC COMMENT

Speakers: David Pentard, Coach, Santa Barbara Foresters; Curt Pickering, Coach, Breakers; Scott Wenz; Elizabeth Anderson; Kenneth Loch; Karim Dahmani; Jeff Martinez, Inclusion, Inc.; Chris Benedict, Inclusion, Inc.; Claire Fackler, NOAA National Marine Sanctuaries; Emilio Casaneuva, Santa Barbara Channel Swimming Organization; Richard Robinson; Floyd Meyer.

CONSENT CALENDAR (Item Nos. 4 - 21)

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

Motion:

Councilmembers Williams/Horton 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 adjourned regular meeting of August 11, 2008 (cancelled due to withdrawal of related appeal), and the regular meetings of August 12 and August 19, 2008.

Action: Approved the recommendation.

5. Subject: Records Destruction For Community Development 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 Community Development Department in the Housing and Redevelopment Division.

Action: Approved the recommendation; Resolution No. 08-088 (September 9, 2008, report from the Community Development Director; proposed resolution).

6. Subject: Records Destruction For Finance 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 Finance Department in the Administration, Accounting, General Services, Risk Management, and Treasury Divisions.

Action: Approved the recommendation; Resolution No. 08-089 (September 9, 2008, report from the Finance Director; proposed resolution).

7. Subject: Alcoholic Beverage Control Grant Assistance To Local Law Enforcement Agencies (520.04)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing Acceptance of Funding Granted by the Department of Alcoholic Beverage Control for the Alcoholic Beverage Control Grant Assistance Program to Local Law Enforcement Agencies Project;
- B. Authorize the Police Chief to execute the grant agreement award; and
- C. Appropriate the City's grant allocation of \$98,831 to the Miscellaneous Grant Fund.

Action: Approved the recommendations; Resolution No. 08-090; Agreement No. 22,901 (September 9, 2008, report from the Police Chief; proposed resolution).

8. Subject: Purchase Of Easements At 208, 210, And 212 West Haley Street For The Haley/De La Vina Street Bridge Replacement Project (330.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting Easements at 208, 210, and 212 West Haley Street, Accepting a Quitclaim Interest in an Adjacent Portion of Mission Creek, and Authorizing the Public Works Director, Subject to Review and Approval by the City Attorney, to Approve an Easement Purchase Agreement and Related Documents.

Action: Approved the recommendation; Resolution No. 08-091; Agreement No. 22,902 (September 9, 2008, report from the Public Works Director; proposed resolution).

9. Subject: Resolution For Master Agreements Administering Agency - State Agreement For Federal Aid Projects And State-Funded Projects (670.05)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the City Administrator to Approve and Execute Two Agreements with the State of California, Acting By and Through the California Department of Transportation, Namely the Master Agreement Administering Agency-State Agreement for Federal-Aid Projects, Agreement No. 05-5007R, and the Master Agreement Administering Agency-State Agreement for State-Funded Projects, Agreement No. 00167S.

Action: Approved the recommendation; Resolution No. 08-092; Agreement Nos. 22,903 and 22,904 (September 9, 2008, report from the Public Works Director; proposed resolution).

10. Subject: Introduction Of Ordinance For Five-Year Lease Agreement With Sunset Kidd Yacht Sales (330.04)

Recommendation: That Council approve a lease with Dennis Longaberger, doing business as Sunset Kidd Yacht Sales, and introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Five-Year Lease, with One Five-Year Option, With Dennis Longaberger, Doing Business As Sunset Kidd Yacht Sales, Effective October 2, 2008, for a 326 Square-Foot Office at 125 Harbor Way, Suites 13 and 24, at an Initial Base Rent of \$708 per Month, Subject to Annual Cost of Living Increases.

Action: Approved the recommendation (September 9, 2008, report from the Waterfront Director; proposed ordinance).

11. Subject: Lease Agreement With National Security Technologies, LLC (330.04)

Recommendation: That Council:

- A. Approve and authorize the Airport Director, subject to approval by the City Attorney, to execute a ten-year lease agreement with National Security Technologies, LLC, a Delaware Limited Liability Company, for 8,800 square feet of Building 226 and 47,692 square feet of adjacent land at 6190 Francis Botello Road at the Santa Barbara Airport, for a total monthly rental of \$21,921; and
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Ten-Year Lease Agreement Between the City of Santa Barbara and National Security Technologies, LLC, for 8,800 Square Feet of Building 226 and 47,692 Square Feet of Adjacent Land at 6190 Francis Botello Road, to Become Effective on October 15, 2008, to Conduct Research, Development, and Light Production in Electronics and Photogrammetry, at the Santa Barbara Airport.

Action: Approved the recommendations (September 9, 2008, report from the Airport Director; proposed ordinance).

12. Subject: Community Promotion Contract With Summer Solstice Celebration, Inc. (230.02)

Recommendation: That Council authorize the Finance Director to execute a Community Promotion contract with Summer Solstice Celebration, Inc., in an amount of \$45,914 to support year-round salary and production expenses.

Action: Approved the recommendation; Contract No. 22,905 (September 9, 2008, report from the Finance Director).

13. Subject: Agreement For Audit Services With Pyne, Waltrip, Decker And McCoy, LLP (220.03)

Recommendation: That Council authorize the Waterfront Director to execute a three-year agreement between the City and Pyne, Waltrip, Decker and McCoy, LLP, to perform revenue examinations for the Waterfront Department, in an amount not to exceed \$127,488 over the term of the contract.

Action: Approved the recommendation; Agreement No. 22,906 (September 9, 2008, report from the Waterfront Director).

14. Subject: License Agreement With The Santa Barbara Swim Club Through June 30, 2010 (330.08)

Recommendation: That Council authorize the Parks and Recreation Director to execute a license agreement with the Santa Barbara Swim Club (SBSC) for the use of Los Baños del Mar Swimming Pool through June 30, 2010.

Action: Approved the recommendation; Agreement No. 22,907 (September 9, 2008, report from the Parks and Recreation Director).

15. Subject: Approval Of Map And Execution Of Agreements For 2067 Eucalyptus Hill Road (640.08)

Recommendation: That Council approve and authorize the City Administrator to execute and record County Parcel Map No. 14,674 for a subdivision at 2067 Eucalyptus Hill Road (finding the Parcel Map in conformance with the State Subdivision Map Act, the City's Subdivision Ordinance, and the Tentative Subdivision Map), and other standard agreements relating to the approved subdivision.

Action: Approved the recommendation; Agreement Nos. 22,908 and 22,909 (September 9, 2008, report from the Public Works Director).

16. Subject: Final Community Priority Designation For 500 James Fowler Road - Airline Terminal Improvement Project (560.04)

Recommendation: That Council find that the Airline Terminal Improvement Project meets a present need directly related to general welfare and grant the project a Final Community Priority Designation for 44,648 square feet of floor area.

(Cont'd)

16. (Cont'd)

Speakers:

Staff: Project Planner Laurie Owens.

Action: Approved the recommendation (September 9, 2008, report from the Airport Director).

17. Subject: Rejection Of Santa Barbara Golf Club Storm Water Management Project Phase I Bid (570.02)

Recommendation: That Council reject the bid for construction of the Santa Barbara Golf Club Storm Water Management Project Phase I.

Speakers:

- Staff: Creeks Restoration/Clean Water Manager Cameron Benson.
- Members of the Public: Mike Jordan.

Action: Approved the recommendation (September 9, 2008, report from the Parks and Recreation Director and Public Works Director).

18. Subject: Notice Of Completion For Carrillo Hill Sidewalk Improvement Project (530.04)

Recommendation: That Council accept the work completed by Nye and Nelson, Inc. (Nye and Nelson), Contract No. 22,600, for the Carrillo Hill Sidewalk Improvement Project, Bid No. 3506, located on the north side of Carrillo Street between Miramonte Drive and La Coronilla Drive, in the final contract amount of \$611,495.86, including approved changes, and approve filing of a Notice of Completion.

Action: Approved the recommendation (September 9, 2008, report from the Public Works Director).

NOTICES

19. The City Clerk has on Thursday, September 4, 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.
20. Cancellation of the regular Redevelopment Agency meeting of September 9, 2008, due to lack of business.

21. A City Council site visit is scheduled on Monday, September 15, 2008, at 1:30 p.m. to the property located at 525 State Street (Madison's Grill and Tavern), which is the subject of an appeal hearing set for September 16, 2008, at 2:00 p.m.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Horton reported that the Committee met and discussed the following four items, the Staff recommendations for which will be forwarded to the Council at subsequent meetings: 1) Fiscal Year 2008 Supplemental Appropriations for Police and Fire Departments; 2) Statement on Auditing Standards - Auditor Communication With Those Charged with Governance; 3) Predevelopment Loan to Transition House for New Affordable Units at 421 East Cota Street; and 4) Funding Allocation for Organization Development Category of Community Promotion Grants.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ADMINISTRATOR

22. Subject: 2008 Sustainable Santa Barbara Annual Report (630.02)

Recommendation: That Council receive the Annual 2008 Sustainability Report that provides highlights on the City's best practices and achievements in environmental programs.

Documents:

- September 9, 2008, report from the City Administrator.
- September 9, 2008, PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Assistant to the City Administrator Nina Johnson, Facilities Manager James Dewey.

By consensus, the City Council received the report.

RECESS

3:48 p.m. - 4:03 p.m.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

COMMUNITY DEVELOPMENT DEPARTMENT

23. Subject: 535 E. Montecito Street, Los Portales Specific Plan (SP-10) (660.04)

Recommendation: That Council review and consider the proposed Los Portales Specific Plan ("SP-10 Zone") and direct Staff to return to the Council on September 16 and 23, 2008, to introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting a Specific Plan for the Los Portales Specific Plan Area ("SP-10 Zone") for Property Located at 535 E. Montecito Street, Assessor Parcel Number 031-351-010.

Documents:

- September 9, 2008, report from the Community Development Director.
- Final Environmental Impact Report for the Los Portales Project, dated August 2008.
- Affidavit of Publication.
- September 9, 2008, PowerPoint presentation prepared and made by staff.
- September 8, 2008, email communication from Asia Eichmiller.
- September 9, 2008, email communication from Patti Uratsu.
- September 9, 2008, email communication from Elizabeth Tudor.
- September 9, 2008, email communication from Laurie Bertagna-Royal.
- September 9, 2008, email communication from Joyce McCullough.

Speakers:

- Staff: Community Development Director Paul Casey, Associate Planner Kathleen Kennedy, Project Planner Melissa Hetrick, City Administrator James Armstrong, Transportation Manager Browning Allen, City Attorney Stephen Wiley, Senior Planner II Jan Hubbell.
- Bermant Homes: John Campanella, President.
- Members of the Public: Louis Weider; Debbie Cox-Bulton, Coastal Housing Coalition.

Motion:

Councilmembers Horton/Williams to direct staff to implement the Los Portales Specific Plan with the following direction:

- Include a provision for a 2.5% or less escalator clause between approval and initial sale of the first unit;
- Housing should be open to South Coast residents with preference given to people who work in the city;
- Include a term of a limited number of years for the specific plan;
- Add the word "compounding" to the 2.5% annual resale price section; and
- The specific plan should be specific to the Los Portales Project.

Vote:

Unanimous voice vote.

CHANGES TO THE AGENDA

Item Continued to Future Meeting

Motion:

Councilmembers Mayor Blum/Williams to continue the following item to a future agenda.

Vote:

Unanimous voice vote.

24. 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 Ampersand Publishing, LLC, v. City of Santa Barbara, Santa Barbara Transportation and Circulation Committee, et al., SBSC Number 1266463.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

RECESS

5:51p.m. to 6:18 p.m.

Mayor Blum presiding.

Councilmembers present: Falcone, Francisco, House, Schneider, Williams, Mayor Blum.

Councilmembers absent: Horton.

Staff present: City Administrator Armstrong, City Attorney Wiley, City Clerk Services Manager Rodriguez.

PUBLIC COMMENT

No one wished to speak.

MAYOR AND COUNCIL REPORTS

25. Subject: Federal Moratorium On Offshore Oil Leases (630.10)

Recommendation: That Council consider the request of Mayor Blum, Councilmembers Helene Schneider and Das Williams to adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Supporting the State and Federal Moratoria on New Offshore Oil and Gas Leasing off the Santa Barbara Coastline.

(Cont'd)

25. (Cont'd)

Documents:

- September 9, 2008, report from the Administrative Services Director.
- Proposed Resolution.
- September 3, 2008, binder containing letters of opposition to the proposed resolution and newspaper articles regarding the federal moratorium on offshore oil leases, submitted by Stop Oil Seeps California.

The title of the resolution was read.

Speakers:

Members of the Public: Sharon Siegel, Congresswoman Lois Capps's Office; Caroline Vance, Assemblymember Pedro Nava's Office; Bruce Allen, SOS California; Dave Davis, Executive Director, Community Environmental Council; Tobe Plough, Santa Barbara Taxpayers' Association; Lad Handleman, Santa Barbara Taxpayers' Association; Steve Cushman, Santa Barbara Chamber of Commerce; Jose Igguez, International District Manager, Baker Hughes; Bruce Luyendyk, University of California Santa Barbara; Lee Heller; Mr. Larson; Charlie Eckberg, Director, Get Oil Out!; Rudy Mangue; Jim Childress, Santa Barbara Group Sierra Club; Tessa Bernhardt, Get Oil Out!; Marc McGinnes; Matt Korronen; Dano Pagenkopf; Jim Nelson; Judy Rossiter; Linda Krop, Chief Counsel, Environmental Defense Center; Jean Holmes, League of Women Voters; Jim Westby; Nathan Alley; Olivia Uribe, Associate Director, Santa Barbara County Action Network; David Landecker, Environmental Defense Center; Roy Handelman.

Motion:

Councilmembers House/Schneider to adopt Resolution No. 08-093, amending Section 1 of the resolution to read as follows:

"The City of Santa Barbara continues its strong support of the state and federal moratoria on new offshore oil and gas leasing activity in state and federal water, including the Santa Barbara Channel."

Vote:

Majority voice vote (Noes: Councilmember Francisco; Absent: Councilmember Horton).

ADJOURNMENT

Mayor Blum adjourned the meeting at 8:57 p.m. to Monday, September 15, 2008, at 1:30 p.m. at 525 State Street.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

Marty Blum

MARTY BLUM
MAYOR

ATTEST:

Cynthia M. Rodriguez

CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER