



**CITY OF SANTA BARBARA  
CITY COUNCIL MINUTES**

**REGULAR MEETING  
April 21, 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 2:06 p.m. (The Ordinance Committee met at 12:00 p.m. The Finance Committee met at 12:30 p.m.)

**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: Proclamation Declaring The Week Of April 19-26, 2009, As Days Of Remembrance In Memory Of The Victims Of The Holocaust (120.04)

Action: Proclamation presented to Ruth Harter, Anti-Defamation League.

**PUBLIC COMMENT**

Speakers: Geoff Alexander, Santa Barbara County Film Commission; Gert Walter; George Green, Mick Sherer, Bob Evans, Brad Klein, Lisa Arroyo, and Dave Harris, SEIU Local 620; Kate Smith.

## ITEMS REMOVED FROM CONSENT CALENDAR

2. Subject: City Of Santa Barbara 2009 Legislative Platform (160.02)

Recommendation: That Council:

- A. Adopt the proposed City of Santa Barbara 2009 Legislative Platform; and
- B. Authorize the Mayor, her designee in her absence, and staff, acting on behalf of the City of Santa Barbara, to contact state and federal representatives and send letters to advocate positions consistent with the goals of the City's Legislative Platform.

Documents:

April 21, 2009, report from the Administrative Services Director.

Speakers:

Members of the Public: Pat Wheatly, First 5 Commission of Santa Barbara County; Geoff Green, Fund for Santa Barbara; Kate Smith.

Motion:

Councilmembers Williams/Schneider to approve the recommendations.

Vote:

Unanimous voice vote.

4. Subject: Contract For Design Services For The Carrillo/Anacapa Intersection Traffic Safety Improvements Project (530.05)

Recommendation: That Council authorize the Public Works Director to execute a contract with Penfield & Smith (P&S) in the amount of \$29,750 for design services for the Carrillo/Anacapa Intersection Traffic Safety Improvements Project (Project), and authorize the Public Works Director to approve expenditures of up to \$2,975 for extra services of P&S that may result from necessary changes in the scope of work.

Documents:

April 21, 2009, report from the Public Works Director.

Speakers:

- Staff: Transportation Manager Browning Allen.
- Members of the Public: Michael Self, Santa Barbara Safe Streets; Kellam de Forest; Frank Hotchkiss.

(Cont'd)

## 4. (Cont'd)

## Motion:

Councilmember Williams/Mayor Blum to approve the recommendation;  
Contract No. 23,095.

## Vote:

Majority voice vote (Noes: Councilmember Francisco; Abstentions:  
Councilmember Falcone).

5. Subject: Adoption Of Ordinance For Amendments To The 2007 Fire Code  
(520.03)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Subsection E of Section 8.04.020 and Subsections C and D of Section 22.04.020 of the Santa Barbara Municipal Code Concerning Local Requirements for the Installation of Automatic Fire Sprinklers.

The title of the ordinance was read.

## Speakers:

- Staff: Fire Marshal Joe Poire, Fire Chief Ron Prince.
- Members of the Public: Frank Hotchkiss.

## Motion:

Councilmembers Francisco/Horton to continue this item for 30 days to allow staff to respond to outstanding questions from the public.

## Vote:

Unanimous voice vote.

**CONSENT CALENDAR (Item Nos. 3, 6 - 10)**

The titles of the ordinance and resolution related to the Consent Calendar were read.

## Motion:

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

## Vote:

Unanimous roll call vote.

3. Subject: Lease Agreement For Primo Boxing Club/Say Yes To Kids (330.04)

Recommendation: That Council authorize the Parks and Recreation Director to execute a five-year lease agreement for the Haley Street Youth Sports Center with Primo Boxing Club/Say Yes to Kids.

Action: Approved the recommendation; Agreement No. 23,094 (April 21, 2009, report from the Parks and Recreation Director).

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

Recommendation: That Council:

- A. Approve and authorize the Airport Director to execute 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; and
- B. Introduce and subsequently 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.

Action: Approved the recommendations (April 21, 2009, report from the Airport Director; proposed ordinance).

7. Subject: Easements At The Airport (330.03)

Recommendation: That Council:

- A. Approve and authorize the City Administrator to execute the Second Amendment of Avigation, Noise, and Runway Protection and Navigational Aids Easement between the City, as Grantee, and Santa Barbara Realty Holding Company, LLC, a Delaware limited liability company, as Grantor, substituting a Revised Exhibit 6 to the 2001 Easement, at the Airport;
- B. Approve and authorize the City Administrator to execute the Grant of Access Easements between the City, as Grantee, and Santa Barbara Realty Holding Company, LLC, a Delaware limited liability company, as Grantor, to provide access to the westerly-most Federal Aviation Administration navigational aid; and
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting the Grant of Access Easements on Real Property Known as Coromar Drive and Discovery Drive (Assessor's Parcel No. 073-450-005).

(Cont'd)

## 7. (Cont'd)

Action: Approved the recommendations; Resolution No. 09-021; Agreement Nos. 23,096 and 23,098 (April 21, 2009, report from the Airport Director; proposed resolution).

NOTICES

8. The City Clerk has on Thursday, April 16, 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.
9. Recruitment for City Advisory Groups:
  - A. The City Clerk's Office will accept applications through Friday, May 22, 2009, at 5:00 p.m. to fill current vacancies on various City Advisory Groups, scheduled vacancies on the Central Coast Commission for Senior Citizens, Living Wage Advisory Committee, Single Family Design Board, and Housing Authority Commission, and the unscheduled vacancies resulting from resignations received in the City Clerk's Office through Wednesday, May 6, 2009;
  - B. The City Council will conduct interviews of applicants for vacancies on various City Advisory Groups on Tuesday, June 2, 2009, at 4:00 p.m. (Estimated Time), Tuesday, June 9, 2009, at 6:00 p.m., and Tuesday, June 16, 2009, at 4:00 p.m. (Estimated Time);
  - C. The City Council Subcommittee will conduct interviews of applicants for vacancies on the Lower Westside and Westside Center Advisory Committees on Wednesday, June 17, 2009, at 7:00 p.m. at the Franklin Neighborhood Center, 1136 E. Montecito Street; and
  - D. The City Council will make appointments to fill the vacancies on various City Advisory Groups on Tuesday, June 30, 2009.
10. A City Council site visit is scheduled for Monday, April 27, 2009, at 1:30 p.m. to the property located at 1900 Lasuen Road, El Encanto Hotel and Garden Villas, which is the subject of an appeal hearing set for April 28, 2009, at 2:00 p.m.

This concluded the Consent Calendar.

**REPORT FROM THE ORDINANCE COMMITTEE**

Ordinance Committee Chair Das Williams reported that the Committee met to consider proposed amendments to Municipal Code Chapters 15.20 and 15.24 to assist the City in protecting the health and preservation of its urban forest; the amendments will be forwarded to the Council for introduction and adoption in the near future.

## REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Roger Horton reported that the Committee met to consider the proposed schedule and topics for Finance Committee review of the Fiscal Year 2010 recommended budget. The Committee approved these items, which will be considered by the full Council as part of Agenda Item No. 12.

## CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

### ADMINISTRATIVE SERVICES DEPARTMENT

11. 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 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.

(Continued from April 14, 2009, Item No. 13)

Documents:

April 21, 2009, report from the Administrative Services Director.

Speakers:

Staff: City Clerk Services Manager Cynthia Rodriguez.

Motion:

Councilmembers Falcone/Williams to set Tuesday, June 2, 2009, at 6:00 p.m. as the date and time for hearing the appeals.

Vote:

Unanimous voice vote.

## RECESS

3:30 p.m. - 3:40 p.m.

FINANCE DEPARTMENT

12. Subject: Fiscal Year 2010 Recommended Operating And Capital Budget (230.05)

Recommendation: That Council:

- A. Receive the Fiscal Year 2010 recommended Operating and Capital Budget;
- B. Hear a report from staff in connection with the filing of the Fiscal Year 2010 recommended budget; and
- C. Approve the proposed public hearing schedule and review schedule for the presentation of the recommended budget.

Documents:

- April 21, 2009, report from the Finance Director.
- April 21, 2009, PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Finance Director Robert Peirson, City Administrator Jim Armstrong.
- Members of the Public: Peggy Langle, Santa Barbara Humane Society; Dr. Lee Heller, Dog PAC; Eliane Martin, Animal Shelter Assistance Program; Timothy B. Collins (comments read into record by Peggy Langle).

Motion:

Councilmembers Falcone/House to approve Recommendations A and C.

Vote:

Unanimous voice vote.

Agenda Item No. 13 appears in the Redevelopment Agency minutes.

## RECESS

Mayor Blum recessed the meeting at 5:47 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 14 - 17, and stated that no reportable action is anticipated.

**CLOSED SESSIONS**

## 14. Subject: Conference With Real Property Negotiator (330.03)

Recommendation: That Council hold a closed session pursuant to the authority of section 54956.8 of the Government Code to consider instructions to City staff and the City Attorney regarding potential lease negotiations with Cushman & Wakefield and Hayes Commercial Group for a four-acre parcel of real property located at 6100 Hollister Avenue at the Airport, bounded by Hollister Avenue, Frederic Lopez Road, Francis Botello Road and David Love Place, owned by the City of Santa Barbara (Parcel 22 of the Airport Specific Plan Map [City Parcel Map No. 20,608]). City Negotiators are: Karen Ramsdell, Airport Director; Paul Casey, Community Development Director; Sarah Knecht, Assistant City Attorney.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

## Documents:

April 21, 2009, report from the Airport Director.

## Time:

5:49 p.m. - 6:02 p.m.

No report made.

## 15. 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 Landslide Repair Foundation v. City of Santa Barbara, SBSC Number 1304297.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

## Documents:

April 21, 2009, report from the City Attorney.

## Time:

6:03 p.m. - 6:12 p.m.

No report made.

16. 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: Robert Markmann v. City of Santa Barbara, WCAB, Case Number ADJ 1863783.

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

Documents:

April 21, 2009, report from the Finance Director.

Time:

6:13 p.m. - 6:24 p.m. Councilmember Williams was absent.

No report made.

17. 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: Rudolph Moreno v. City of Santa Barbara, WCAB, Case Numbers ADJ 3706676 and ADJ 4345221.

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

Documents:

April 21, 2009, report from the Finance Director.

Time:

6:25 p.m. - 6:35 p.m. Councilmember Williams was absent.

No report made.

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 6:35 p.m. to Monday, April 27, 2009, at 1:30 p.m. at 1900 Lasuen Road.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

  
\_\_\_\_\_  
MARTY BLUM  
MAYOR

ATTEST.

  
\_\_\_\_\_  
CYNTHIA M. RODRIGUEZ, CMC  
CITY CLERK SERVICES MANAGER