



**CITY OF SANTA BARBARA  
CITY COUNCIL MINUTES**

**REGULAR MEETING  
May 10, 2011  
COUNCIL CHAMBER, 735 ANACAPA STREET**

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**CALL TO ORDER**

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

**PLEDGE OF ALLEGIANCE**

Mayor Schneider.

**ROLL CALL**

Councilmembers present: Dale Francisco (2:02 p.m.), Frank Hotchkiss, Grant House, Randy Rowse, Michael Self, Bendy White, Mayor Schneider.

Councilmembers absent: None.

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

**CEREMONIAL ITEMS**

1. Subject: Proclamation Declaring May 9-13, 2011 As Girls Incorporated - Girls Inc. Week (120.04)

Action: Proclamation presented to Girls Incorporated Executive Director Monica Spear.

**PUBLIC COMMENT**

Speakers: Ruth Wilson; Lee Moldaver, Citizens Planning Association; Robert Burke; Geof Bard.

## ITEMS REMOVED FROM CONSENT CALENDAR

5. Subject: Set A Date For Public Hearing Regarding Renewal Of Levy For Fiscal Year 2012 For The Wildland Fire Suppression Assessment (290.00)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring its Intention to Renew the Wildland Fire Suppression Assessment Within the Foothill and Extreme Foothill Zones; Declaring the Work to be of More Than General or Ordinary Benefit and Describing the District to be Assessed to Pay the Costs and Expenses Thereof; Preliminarily Approving the Updated Engineer's Report; Stating Intention to Levy Assessments for Fiscal Year 2011-2012; and Establishing a Time of 2:00 P.M. on Tuesday, May 24, 2011, in the City Council Chambers for a Public Hearing on the Wildland Fire Suppression Assessment.

Documents:

- May 10, 2011, report from the Fire Chief.
- May 10, 2011, Proposed Resolution.
- Preliminary Engineer's Report, dated May 2011.

The title of the resolution was read.

Councilmembers Hotchkiss, House and White stated they would not vote on this item due to conflicts of interest related to their ownership of, or residence at, properties located within the subject assessment district.

Motion:

Councilmembers Francisco/Rowse to approve the recommendation; Resolution No. 11-025.

Vote:

Unanimous roll call vote (Abstentions: Councilmembers Hotchkiss, House, White).

6. Subject: 2915 De La Vina Street - Appeal of Planning Commission Decision (640.07)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Making a Decision and Expressing Certain Findings Concerning an Appeal From a Decision of the City Planning Commission Regarding an Application for a Medical Marijuana Dispensary Permit for a Storefront Dispensary Located at 2915 De La Vina Street Pursuant to the Requirements of Santa Barbara Municipal Code Chapter 28.80.

Documents:

- May 10, 2011, report from the City Attorney.
- May 10, 2011, Proposed Resolution.

(Cont'd)

## 6. (Cont'd)

The title of the resolution was read.

## Motion:

Councilmembers Hotchkiss/Rowse to approve the recommendation;  
Resolution No. 11-026.

## Vote:

Majority roll call vote (Noes: Councilmember House, Mayor Schneider).

**CONSENT CALENDAR (Item Nos. 2 - 4, and 7 - 11)**

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

## Motion:

Councilmembers White/House to approve the Consent Calendar as recommended.

## Vote:

Unanimous roll call vote.

## 2. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of April 19, 2011.

Action: Approved the recommendation.

## 3. Subject: Introduction Of An Ordinance To Amend Adopted Plumbing Code (640.04)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Section 22.04.030 of Chapter 22.04 of Title 22 of the Santa Barbara Municipal Code Concerning Local Amendments to the California Plumbing Code.

Action: Approved the recommendation (May 10, 2011, report from the Assistant City Administrator/Community Development Director; proposed ordinance).

## 4. Subject: Parking And Business Improvement Area Annual Assessment Report, Fiscal Year 2012 - Intention To Levy (550.10)

Recommendation: That Council:

- A. Approve the Parking and Business Improvement Area (PBIA) Annual Assessment Report, Fiscal Year 2012; and

(Cont'd)

## 4. (Cont'd)

- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring Council's Intention to Levy Parking and Business Improvement Area Assessment Rates for the 2012 Fiscal Year at a Public Hearing to be Held on June 7, 2011, at 2:00 p.m.

Action: Approved the recommendations; Resolution No. 11-024 (May 10, 2011, report from the Public Works Director; proposed resolution).

## 7. Subject: Public Hearing For Amendment To 2008 Disaster Recovery Initiative Program Funding Application (610.05)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving an Amendment to Application for Funding and the Execution of a Grant Agreement and Any Amendments Thereto from the 2008 Disaster Recovery Initiative Fund Allocation of the State Community Development Block Grant Program.

Action: Approved the recommendation; Resolution No. 11-027 (May 10, 2011, joint report from the Airport Director, the Public Works Director, and the Assistant City Administrator/Community Development Director; proposed resolution).

## 8. Subject: Access And Use Permit With ProDIGIQ, Inc. (560.02)

Recommendation: That Council find it is in the City's best interest to waive the formal bid process as authorized in Municipal Code Section 4.52.070 (k) and authorize the Airport Director to execute an Access and Use Permit with ProDIGIQ, Inc., as the single source and most favorable source for providing the City with Flight Information Display and Baggage Information Display systems for the new Airline Terminal in an amount not to exceed \$59,900.

Action: Approved the recommendation (May 10, 2011, report from the Airport Director).

## 9. Subject: Homeless Prevention And Rapid Re-Housing Agreement Amendments (660.04)

Recommendation: That Council authorize the amendment of the following City of Santa Barbara Homeless Prevention and Rapid Re-Housing Collaborative agreements: Casa Esperanza, No. 23,209; Transition House, No. 23,210; Catholic Charities, No. 23,211; and Legal Aid Foundation, No. 23,213.

Action: Approved the recommendation (May 10, 2011, report from the Assistant City Administrator/Community Development Director).

10. **Subject: Contract For Water Quality Monitoring Services (540.10)**

**Recommendation:** That Council authorize the Waterfront Director to execute, subject to approval by the City Attorney, a five-year agreement between the City and Science Application International Corporation for Water Quality Monitoring Services for the Waterfront Department, in an amount not to exceed \$92,005 over the term of the contract; and authorize the Waterfront Director to approve expenditures of up to \$9,200 for extra services that may result from necessary changes in the scope of work.

**Action:** Approved the recommendation; Agreement No. 23,768 (May 10, 2011, report from the Waterfront Director).

**NOTICES**

11. The City Clerk has on Thursday, May 5, 2011, 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.

**REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Dale Francisco reported that the Committee heard a report on the status of the budget for Fiscal Year 2011, as of March 31, 2011, and voted to forward staff's recommendations for changes in appropriations to the full Council (Agenda Item No. 13). The Committee also discussed proposed fee increases for Fiscal Year 2012 and recommended that they be forwarded to the full Council, with the exception of solid waste fee increases, which will be discussed further at the Council meeting on May 12.

**CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

**COMMUNITY DEVELOPMENT DEPARTMENT**

12. **Subject: Grants To Housing Authority For Rehabilitation Of Three Affordable Housing Projects (660.04)**

**Recommendation:** That Council approve three grants to the Housing Authority of the City of Santa Barbara in a total amount not to exceed \$850,000 from Housing Rehabilitation Loan Program repayment funds for needed repairs to three Housing Authority projects located at 418 Santa Fe Place, 521 N. La Cumbre Road, and 2941 State Street, and authorize the Assistant City Administrator/Community Development Director to execute grant agreements in a form acceptable to the City Attorney.

(Cont'd)

## 12. (Cont'd)

## Documents:

May 10, 2011, report from the Assistant City Administrator/Community Development Director.

## Speakers:

Staff: Housing Programs Supervisor Steven Faulstich.

## Motion:

Councilmembers House/White to approve the recommendation; Agreement Nos. 23,769 - 23,771.

## Vote:

Unanimous voice vote.

FINANCE DEPARTMENT

## 13. Subject: Fiscal Year 2011 Third Quarter Financial Review (250.02)

## Recommendation: That Council:

- A. Hear a report from staff on the status of revenues and expenditures in relation to budget as of March 31, 2011;
- B. Accept the Fiscal Year 2011 Interim Financial Statements for the Nine Months Ended March 31, 2011;
- C. Approve an increase in appropriations to the Fire Department in the amount of \$850,000 to cover projected overtime costs in excess of budget;
- D. Approve an increase in appropriations in the City Attorney's Office budget in the amount of \$54,000 to cover several unbudgeted and unexpected costs; and
- E. Approve an increase in estimated transient occupancy tax revenues by \$904,000 to cover the increases to appropriations in the Fire Department and City Attorney's Office budgets.

## Documents:

May 10, 2011, report from the Finance Director.

## Speakers:

Staff: Finance Director Robert Samario, City Administrator James Armstrong.

## Motion:

Councilmembers House/Francisco to approve the recommendations.

## Vote:

Unanimous voice vote.

## COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

### Information:

- Councilmember House reported that the Committee on Legislation has been meeting to update the Legislative Platform, which should be finalized and forwarded to the full Council in a couple of weeks. He added that the main theme of the Platform is local control.
- Mayor Schneider mentioned that she went to a Common Ground meeting in Los Olivos yesterday to hear results of the Vulnerability Index. She has asked Staff to check into obtaining a customized version of the data for the City of Santa Barbara so that it can be forwarded to the Committee on Homelessness and Community Relations and Councilmembers.

## RECESS

Mayor Schneider recessed the meeting at 2:46 p.m. in order for the Council to reconvene in closed session; no report is anticipated.

## CLOSED SESSIONS

### 14. 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 Santa Barbara Patients' Collective Health Cooperative v. City of Santa Barbara, et al. USDC Case No. CV 10-6534 DDP (RCx), and The Green Light Dispensary, Inc., A California Non-Profit Mutual Benefit Corporation, v. City of Santa Barbara, USDC Case No. CV 10-7203 DDP (RCx).

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

### Documents:

May 10, 2011, report from the City Attorney.

### Time:

2:50 p.m. - 3:30 p.m. (Councilmember House was absent when the Council reconvened and returned to the meeting at 2:52 p.m.)

No report made.

15. 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

(Continued from May 3, 2011, Item No. 13)

Documents:

May 3, 2011, report from Mayor Schneider.

Time:

3:30 p.m. - 4:00 p.m.

No report made.

#### ADJOURNMENT

Mayor Schneider adjourned the meeting at 4:00 p.m. in memory of Arent H. "Barry" Schuyler.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE



HELENE SCHNEIDER  
MAYOR

ATTEST:



BRENDA ALCAZAR, CMC  
DEPUTY CITY CLERK