



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING June 19, 2007 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 2:01 p.m. (The Finance Committee met at 1:00 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: Brian B. Barnwell, Iya G. Falcone, Grant House, Helene Schneider, Das Williams, Mayor Blum.

Councilmembers absent: Roger L. Horton.

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

PUBLIC COMMENT

Speakers: Wayne Scoles, Keith Coffman-Grey, Claudia Bratton, and Jim Westby.

CONSENT CALENDAR (Item Nos. 1 – 10, 13 and 14)

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

Motion:

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

Vote:

Unanimous roll call vote (Absent: Councilmember Horton).

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the special meetings of May 31 and June 4, 2007, the regular meeting of June 5, 2007, and the special meeting of June 7, 2007.

Action: Approved the recommendation.

2. Subject: Fiscal Year 2007 Interim Financial Statements For The Ten Months Ended April 30, 2007 (250.02)

Recommendation: That Council accept the Fiscal Year 2007 Interim Financial Statements for the Ten Months Ended April 30, 2007.

Action: Approved the recommendation (June 19, 2007, report from the Finance Director).

3. Subject: Acceptance Of Contributions From The Parks And Recreation Community (PARC) Foundation (570.05)

Recommendation: That Council:

- A. Accept a contribution of \$22,600 from the Parks and Recreation Community (PARC) Foundation for Parks and Recreation Department programs; and
- B. Increase appropriations and estimated revenues in the Fiscal Year 2007 Parks and Recreation Department Miscellaneous Grants Fund in the amount of \$22,600.

Action: Approved the recommendation (June 19, 2007, report from the Parks and Recreation Director).

4. Subject: Adoption Of Ordinance For Compliance with New State Community Redevelopment Law Disclosure Provisions: Eminent Domain Program (620.06)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting the City of Santa Barbara Redevelopment Agency's Program for the Use of Eminent Domain to Acquire Real Property.

Action: Approved the recommendation; Ordinance No. 5419.

5. Subject: Federal Aviation Administration Grant (560.04)

Recommendation: That Council:

- A. Accept the FAA Grant offer of \$665,000 in Airport Improvement Program (AIP) grant funds for Project No. AIP 03-06-0235-36, for the purchase and installation of noise and flight track monitoring equipment;
- B. Authorize the Airport Director to execute upon receipt, on behalf of the City and subject to approval of the City Attorney, the subject grant agreement of the United States of America through the Federal Aviation Administration, Department of Transportation, to be used in the development of the Santa Barbara Airport; and
- C. Increase appropriations and estimated revenue by \$700,000 in the Airport's Grants Fund for the noise and flight track monitoring equipment, to be funded from the FAA Airport Improvement Program (AIP) Grant No. 03-06-0235-36 (\$665,000 Noise funding), and the City's 5% matching portion of \$35,000 to be funded from Airport reserves above policy.

Action: Approved the recommendations; Agreement No. 22,456 (June 19, 2007, report from the Airport Director).

6. Subject: Service Agreement With Thresholds To Recovery, Inc., To Operate The Sobering Center (520.04)

Recommendation: That Council approve and authorize the Chief of Police to negotiate and execute a Service Agreement with Thresholds to Recovery, Inc., to operate the Sobering Center for one (1) fiscal year beginning July 1, 2007, and ending June 30, 2008, for annual fees not to exceed \$183,950.

Speakers:

Staff: City Administrator James Armstrong.

Action: Approved the recommendation; Agreement No. 22,457 (June 19, 2007, report from the Chief of Police).

7. Subject: Acceptance Of A Street Easement At 2530 Mesa School Lane (330.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting an Easement for Public Street Purposes on a Portion of the Real Property Commonly Known as 2530 Mesa School Lane.

Action: Approved the recommendation; Resolution No. 07-044 (June 19, 2007, report from the Public Works Director; proposed resolution).

8. Subject: Introduction Of Ordinance For A Slope Stabilization Easement To The County Of Santa Barbara For Gibraltar Road On A Portion Of Rattlesnake Park (330.03)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Slope Stabilization Easement to the County of Santa Barbara (County), a Political Subdivision of the State of California, for Access and Maintenance of a Slope Above Gibraltar Road, Located Outside of the City Limits on a Portion of City-Owned Property Known as Rattlesnake Park, and Authorizing the City Administrator to Execute the Slope Stabilization Easement Deed.

Action: Approved the recommendation (June 19, 2007, report from the Public Works Director; proposed ordinance).

9. Subject: Adoption Of Ordinance Amending Title 17 Of The Santa Barbara Municipal Code Pertaining To Waterfront Department Policies (570.03)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the Municipal Code by Amending Section 17.04.010, Amending Section 17.08.010, Adding Section 17.13.050, Amending Chapter 17.18, Amending Chapter 17.20 and Repealing Section 17.20.200, Pertaining to Live-Aboard Permits, Slip Permits and Other Procedures in the Waterfront.

Action: Approved the recommendation; Ordinance 5420.

10. Subject: Response To The Santa Barbara County Civil Grand Jury Report Entitled "Certificates Of Participation In Public Finances: Is More Scrutiny Needed?" (150.04)

Recommendation: That Council authorize the City Administrator to forward to the Santa Barbara County Civil Grand Jury the City's response to the Grand Jury's report on the use of Certificates of Participation in public finance.

Action: Approved the recommendation (June 19, 2007, report from the Finance Director).

Agenda Item Nos. 11 and 12 appear in the Redevelopment Agency minutes.

NOTICES

13. The City Clerk has on Thursday, June 14, 2007, 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.

14. Received a communication advising of a vacancy created on the Franklin Center Advisory Committee with the departure of Member Nubia Siordia; the vacancy will be part of the next City Advisory Group recruitment.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Member Das Williams reported that the Committee met to review the Interim Financial Statements for the Ten Months Ended April 30, 2007, for both the City and the Redevelopment Agency; both sets of statements were approved by the Council/Agency Board as part of this agenda's Consent Calendar (Item Nos. 2 and 12, respectively). The Committee also considered Staff recommendations related to a loan to Habitat for Humanity for the construction of affordable housing at 618 San Pascual; these recommendations will be submitted to the full Council in the near future.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

15. Subject: Proposed Designation Of The Huning Mansion At 1732 Santa Barbara Street As A City Landmark (640.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating the Huning Mansion at 1732 Santa Barbara Street (Assessor's Parcel Number 027-112-001) as a City Landmark.

Documents:

- June 19, 2007, report from the Community Development Director.
- Proposed Resolution.

The title of the resolution was read.

Speakers:

- Staff: Urban Historian Jake Jacobus, Community Development Director Paul Casey.
- Historic Landmarks Commission: Commissioners William La Voie and Louise Boucher.
- Members of the Public: Property Owner Brian Gregory, Kellem de Forest.

Motion:

Councilmembers Falcone/Williams to approve the recommendation; Resolution No. 07-045.

Vote:

Unanimous roll call vote (Absent: Councilmember Horton).

16. Subject: Proposed Designation Of The D'Alfonso House At 1710 Mira Vista Avenue As A City Landmark (640.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating the D'Alfonso House at 1710 Mira Vista Avenue (Assessor's Parcel Number 019-090-015) as a City Landmark.

Documents:

- June 19, 2007, report from the Community Development Director.
- Proposed Resolution.

The title of the resolution was read.

Speakers:

- Staff: Urban Historian Jake Jacobus.
- Historic Landmarks Commission: Commissioner William La Voie.
- Members of the Public: Architect Vadim Hsu, Kellem de Forest.

Motion:

Councilmembers House/Schneider to approve the recommendation; Resolution No. 07-046.

Vote:

Unanimous roll call vote (Absent: Councilmember Horton).

REDEVELOPMENT AGENCY REPORTS

17. Subject: Professional Design Services For The Proposed Community Arts Workshop And Required Findings For Proposed Capital Improvments At 631 Garden Street (610.04)
- A. That the Redevelopment Agency Board authorize the Deputy Director to execute a Professional Design Services Agreement, in a form acceptable to Agency Counsel, with Poirier and David Architects, in an amount not to exceed \$95,650 for final design services for the Community Arts Workshop;
 - B. That the Redevelopment Agency Board authorize the Deputy Director to approve additional expenditures of up to \$9,565 to cover any cost increases that may result from contract change orders for extra work; and
 - C. That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving and Adopting the Findings Required by Health and Safety Code Section 33445 for Funding of Capital Improvements at 631 Garden Street Located Outside the Redevelopment Project Area.

(Cont'd)

17. (Cont'd)

Documents:

- June 19, 2007, report from the Community Development Director/Deputy Director.
- Proposed Resolution.

The title of the resolution was read.

Speakers:

- Staff: Redevelopment Specialist Renee Brooke, Assistant Community Development Director/Housing and Redevelopment Manager David Gustafson, Community Development Director/Deputy Director Paul Casey, City Administrator/Executive Director James Armstrong.
- Members of the Public: Architect Paul Poirier; Patrick Davis, Summer Solstice Celebration.

Motion:

Council/Agency members Williams/Falcone to approve the recommendations with direction to include seismic safety work in the Professional Design Services Agreement; City Council Resolution No. 07-047; Redevelopment Agency Agreement No. 492.

Vote:

Unanimous roll call vote (Absent: Council/Agency member Horton).

RECESS

3:47 p.m. - 3:57 p.m.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

ADMINISTRATIVE SERVICES DEPARTMENT

18. Subject: Agreements For Election Services Related To The November 6, 2007, General Municipal Election With Martin & Chapman Company And Donna M. Grindey, CMC (110.03)

Recommendation: That Council:

- A. Find it in the City's best interest to waive the formal bid process, as authorized by Municipal Code 4.52.080(k);
- B. Authorize the Administrative Services Director to execute a professional services agreement with Martin & Chapman Company in an amount not to exceed \$126,000 for election services, and approve expenditures up to \$18,900 for extra services that may result from necessary changes in the scope of work; and

(Cont'd)

18. (Cont'd)

- C. Authorize the Administrative Services Director to execute a professional services agreement with Donna M. Grindey, CMC, in an amount not to exceed \$55,000 for election services.

Documents:

June 19, 2007, report from the Administrative Services Director.

Speakers:

Staff: City Clerk Services Manager Cynthia Rodriguez, Administrative Services Director Marcelo Lopez.

Motion:

Councilmembers House/Falcone to approve the recommendations; Agreement Nos. 22,458 and 22,459.

Vote:

Unanimous voice vote (Absent: Councilmember Horton).

Councilmember House stated he would not participate in the following item due to a conflict of interest related to the location of his residence proximate to the Wildland Fire Suppression Assessment District, and he left the meeting at 4:07 p.m.

FIRE DEPARTMENT

19. Subject: Renewal Of Levy For Fiscal Year 2007-2008 And Increase In Levy By Consumer Price Index For The Wildland Fire Suppression Assessment District (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 Continue Vegetation Road Clearance, Implementation of a Defensible Space Inspection and Assistance Program, and Implementation of a Vegetation Management Program 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; Approving the Engineer's Report; Confirming Diagram and Assessment; and Ordering Levy of the Wildland Fire Suppression Assessment District for Fiscal Year 2007-2008.

Documents:

- June 19, 2007, report from the Fire Chief.
- Proposed Resolution.

The title of the resolution was read.

(Cont'd)

19. (Cont'd)

Speakers:

- Staff: Fire Chief Ron Prince; Fire Inspector Ann Marx.
- SCI Consulting Group (Consultant to the City): Vice President John Bliss.

Motion:

Councilmembers Falcone/Williams to approve the recommendation;
Resolution No. 07-048.

Vote:

Unanimous roll call vote (Absent: Councilmembers Horton, House).

Councilmember House returned to the meeting at 4:25 p.m.

PUBLIC WORKS DEPARTMENT

20. Subject: Authorization To Initiate Sale Of Excess City Land At 319 West Haley Street (330.03)

Recommendation: That Council:

- A. Declare the City-owned property commonly known as 319 West Haley Street (Assessor's Parcel Number 037-192-012) as excess, and eligible for disposal according to applicable laws and guidelines;
- B. Authorize the City Administrator and assigned City staff to take reasonably necessary steps, including preparation and execution of preliminary documents relating to title matters, surveys, lot validity, appraisals, environmental studies, notices to potentially interested parties, and advertising, to initiate disposal and sale of such excess property, subject to review and advice by the City Attorney; and
- C. Direct City staff to prepare and negotiate documents proposed to accomplish such disposal and sale, subject to final review and approval by Council following initial activities by City staff.

Documents:

June 19, 2007, report from the Public Works Director.

Speakers:

Staff: Principal Engineer Homer Smith, Public Works Director Anthony Nisich, City Attorney Stephen Wiley, City Administrator James Armstrong.

(Cont'd)

20. (Cont'd)

Motion:

Councilmembers Williams/Barnwell take no action on the recommendations; direct Staff to obtain the required title search, boundary survey, appraisal, and environmental study for the property; and refer to the Finance Committee the determination of possible alternative funding sources to allow the City or Redevelopment Agency to retain the property.

Vote:

Unanimous voice vote (Absent: Councilmember Horton).

RECESS

Mayor Blum recessed the meeting at 5:10 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 21, and she stated that no reportable action was anticipated.

CLOSED SESSIONS

21. 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 City of Santa Barbara v. County of Santa Barbara, et al., Ventura Superior Court Case Number CIV247089.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

Documents:

June 19, 2007, report from the City Attorney.

Time:

5:15 p.m. - 5:35 p.m.

No settlement approved.

RECESS

5:35 p.m. - 6:01 p.m.

Mayor Blum presiding.

Councilmembers present: Barnwell, Falcone, Schneider, Williams, Mayor Blum.

Councilmembers absent: Horton, House.

Staff present: City Administrator Armstrong, City Attorney Wiley, Deputy City Clerk Tschech.

PUBLIC COMMENT

No one wished to speak.

MAYOR AND COUNCIL REPORTS

22. Subject: City Advisory Group Interviews (140.05)

Recommendation: That Council:

- A. Hold interviews of applicants to various City Advisory Groups; and
- B. Continue interviews of applicants to June 26, 2007, at an estimated time of 4:00 p.m.

Documents:

June 19, 2007, report from the Administrative Services Director.

Speakers:

- Staff: City Attorney Stephen Wiley.
- The following applicants were interviewed:
 - Central Coast Commission for Senior Citizens:
 - Marilyn Rickard Schafer
 - Civil Service Commission:
 - Monte Fligsten
 - David Hughes
 - Community Development and Human Services Committee:
 - Veronica Loza
 - Historic Landmarks Commission:
 - Kenneth M. Curtis
 - Housing Authority Commission:
 - David Hughes
 - Ron Tan
 - Cynthia Furst
 - Library Board:
 - Catherine Radecki-Bush
 - Mary Lou Kravetz
 - Living Wage Advisory Committee:
 - Allan Williams
 - Single Family Design Board:
 - Kenneth Curtis
 - Bree Medley
 - David Burke
 - Nils V. Hammerbeck
 - Paul Zink
 - Gary Mosel
 - Water Commission:
 - Barry Keller
 - Landon Neustadt

(Cont'd)

22. (Cont'd)

By consensus, the Council will continue the interviews on June 26, 2007
(recommendation B).

ADJOURNMENT

Mayor Blum adjourned the meeting at 7:04 p.m.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER

MARTY BLUM
MAYOR

ATTEST: _____
SUSAN TSCHECH, CMC
DEPUTY CITY CLERK