



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING June 14, 2005 COUNCIL CHAMBER, 735 ANACAPA STREET

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### 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, Roger L. Horton, Helene Schneider, Dan B. Secord, Das Williams, Mayor Blum.

Councilmembers absent: None.

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

### PUBLIC COMMENT

SPEAKERS: Claudia Bratton.

### COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

#### INFORMATION:

- Councilmember Horton reported on his attendance, along with Councilmembers Falcone and Schneider, at the City of Santa Barbara Housing Authority's Family Self-Sufficiency awards event.
- Councilmember Schneider commented on the Spring 2005 DARE graduation ceremony and the status of the Neighborhood Preservation Ordinance update.

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**INFORMATION (CONT'D):**

- Councilmember Williams updated the Council on the breeding status of the local population of the Snowy Plover and the need for volunteer help to monitor these birds.
- Councilmember Barnwell noted the upcoming dedication of the Lost at Sea memorial and mentioned his attendance at a luncheon for 17 Chilean ambassadors.
- Councilmember Falcone remarked upon the following projects/events: 1) the Courthouse Legacy Project, which will promote improvements to this local landmark; 2) the Citizens' Planning Association annual meeting and awards event; and 3) the annual dinner of the League of California Cities' Channel Counties Division, to be held this week.
- Councilmember Secord reported on his attendance at the recent meeting of the California Coastal Commission, which included an agenda item regarding Southern California Edison's lack of a permit for a local project to install metal utility poles.
- Mayor Blum commented on her attendance at the recent Conference of Mayors' meeting in Chicago.

**CONSENT CALENDAR** (Item Nos. 1 – 8 and 11 – 14)

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

**MOTION:**

Council/Agency members Horton/Secord to approve the Consent Calendar as recommended.

**VOTE:**

Unanimous roll call vote.

1. **SUBJECT: MINUTES**

**RECOMMENDATION:** That Council waive the reading and approve the minutes of the regular meeting of May 24, 2005, and the special meeting of June 1, 2005.

**ACTION:** Approved the recommendation.

2. **SUBJECT: LEASE AMENDMENT WITH BROPHY & SONS, INC. (330.04)**

**RECOMMENDATION:** That Council approve and authorize the Waterfront Director to execute Amendment Number One to Lease Agreement 21,550 with Brophy & Sons, Inc., adding 169 square feet of additional office space to their existing lease in the Marine Center Building at 125 Harbor Way, at a monthly rate of \$2.15 per square foot.

**ACTION:** Approved the recommendation; Agreement No. 21,550.1 (June 14, 2005, Waterfront Director's report).

3. SUBJECT: INTRODUCTION OF ORDINANCE FOR LEASE AMENDMENT AGREEMENTS WITH MERCURY AIR CENTER-SANTA BARBARA, INC. (330.04)

RECOMMENDATION: That Council:

- A. Approve and authorize the Airport Director to execute a Lease Amendment Agreement with Mercury Air Center-Santa Barbara, Inc., a California Corporation, amending the "Lease, Leasehold Premises," "Lessee's Obligation to Construct and Operate Improvements," "Rent," and "Insurance, Indemnification, and Damage or Destruction" provisions of Agreement No. 21,267, effective upon completion of the required improvements, but no later than January 1, 2006; and
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving an Amendment of Lease Agreement No. 21,267 Between the City of Santa Barbara and Mercury Air Center-Santa Barbara, Inc., for Operation of a Fixed Base Operation (FBO) at the Santa Barbara Airport.

ACTION: Approved the recommendations (June 14, 2005, Airport Director's report; proposed ordinance).

4. SUBJECT: AIRPORT PASSENGER FACILITY CHARGE APPLICATIONS (560.01)

RECOMMENDATION: That Council:

- A. Approve and authorize filing of application, including all understandings and assurances contained therein, and directing and authorizing the Airport Director to act in connection with the application to amend Passenger Facility Charge Application No. 02-03-C-00-SBA (PFC No. 3) to increase the approved collection amount from \$2,001,560 to \$2,420,080; and
- B. Authorize filing of a new "Impose and Use" Passenger Facility Charge application in the amount of \$2,000,000 (PFC No. 4), including all understandings and assurances contained therein, and directing and authorizing the Airport Director to act in connection with the application.

ACTION: Approved the recommendations (June 14, 2005, Airport Director's report).

5. SUBJECT: ADOPTION OF ORDINANCE FOR SUPERVISORY EMPLOYEES' MEMORANDUM OF UNDERSTANDING FOR 2005 - 2009 (440.02)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting the Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara City Supervisory Employees' Bargaining Unit (Supervisors' Unit).

(Cont'd)

5. (Cont'd)

ACTION: Approved the recommendation; Ordinance No. 5361; Agreement No. 21,728.

6. SUBJECT: ADOPTION OF ORDINANCE FOR HOURLY EMPLOYEES' MEMORANDUM OF UNDERSTANDING RE-OPENER (440.02)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting an Addendum to the 2004-2005 Memorandum of Understanding Between the City of Santa Barbara and the Hourly Employees' Bargaining Unit.

ACTION: Approved the recommendation; Ordinance No. 5362; Agreement No. 21,522.1.

7. SUBJECT: ADOPTION OF ORDINANCE TO AMEND THE REDEVELOPMENT PLAN FOR THE CENTRAL CITY REDEVELOPMENT PROJECT AREA (620.04)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the Redevelopment Plan for the Central City Redevelopment Project Area by Amending Section 602 and Section 900 Pertaining to Receipt of Tax Increment for the Plan and Certain Time Limits Imposed Under the Plan.

ACTION: Approved the recommendation; Ordinance No. 5363.

8. SUBJECT: CONTINUANCE OF PUBLIC HEARING FOR MODIFICATION OF SOLID WASTE COLLECTION RATES SCHEDULE (630.01)

RECOMMENDATION: That Council continue the public hearing to consider adjustments to the Monthly Solid Waste Collection Rates to the Council meeting of June 21, 2005.

SPEAKERS:

Staff: City Attorney Stephen Wiley, Acting Water Resources Manager  
Steve Mack.

ACTION: Approved the recommendation (June 14, 2005, Public Works Director's report).

Agenda Item Nos. 9 and 10 appear in the Redevelopment Agency minutes.

11. SUBJECT: PROFESSIONAL SERVICES CONTRACT FOR PHASE IV STATE STREET SIDEWALK IMPROVEMENT PROJECT (290.00)

RECOMMENDATION:

- A. That the Redevelopment Agency Board authorize the expenditure of \$67,100 for a contract with Penfield & Smith to provide preliminary design services for the Phase IV (400-500 Blocks) State Street Sidewalk Improvement Project, and \$7,000 for extra services that may result from necessary changes in the scope of work as approved by the Public Works Director, for a total amount not to exceed \$74,100;
- B. That Council authorize the City Administrator to execute a contract with Penfield & Smith Engineers, Inc., for professional services for preliminary design of the Phase IV (400-500 Blocks) State Street Sidewalk Improvement Project, at a total fee not to exceed \$67,100; and
- C. That Council authorize the Public Works Director to approve extra services of the Contractor that may result from necessary changes in the scope of work, at a total amount not to exceed \$7,000.

ACTION: Approved the recommendations; City Council Contract No. 21,729 (June 14, 2005, report from the Public Works Director and the Agency Deputy Director).

NOTICES

- 12. The City Clerk has on Thursday, June 9, 2005, 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.
- 13. The public hearing scheduled for June 14, 2005, at 6:00 p.m. to hear an appeal of the Planning Commission's approval for 1900 Lasuen Road (El Encanto Hotel) has been cancelled due to withdrawal of the appeal.
- 14. Cancellation of a City Council site visit scheduled on Monday, June 20, 2005, at 1:30 p.m. to the property located at 1600 Mira Vista Avenue due to withdrawal of the appeal.

This concluded the Consent Calendar.

**FINANCE COMMITTEE REPORT**

- 15. SUBJECT: FINANCE COMMITTEE AGENDA, JUNE 14, 2005, 1:00 P.M., IN ROOM 15 (120.03)
  - A. Redevelopment Agency Fiscal Year 2005 Interim Financial Statements for the Ten Months Ended April 30, 2005 (See Consent Calendar Item No. 10); and
  - B. Amendment to Purchasing Code.

16. SUBJECT: REPORT FROM FINANCE COMMITTEE

Finance Committee Chair Dan Secord reported that the Committee reviewed the Redevelopment Agency Fiscal Year 2005 Interim Financial Statements for the Ten Months Ended April 30, 2005 (these statements were approved by Council as part of this Agenda's Consent Calendar). The Committee also considered and approved a proposed amendment to the City's Purchasing Code; the amending ordinance will be submitted to Council in two weeks for introduction and subsequent adoption.

**REDEVELOPMENT AGENCY REPORTS**

17. SUBJECT: FAULDING HOTEL REHABILITATION GRANT, INTEREST FORGIVENESS AND LOAN RESTRUCTURING (660.04)

RECOMMENDATION:

- A. That Council approve a grant of \$800,000 in Community Development Block Grant (CDBG) housing rehabilitation funds and a grant of \$95,000 in federal HOME Investment Partnerships funds for repairs and improvements to the Faulding;
- B. That the Redevelopment Agency Board forgive the accrued interest in the amount of approximately \$1.4 million on a 1987 Agency loan in the amount of \$1,218,500 and amend the loan to bear zero interest;
- C. That Council forgive all principal and accrued interest on a 1994 loan from Socioeconomic Monitoring Program (SEMP) funds in the amount of \$150,000, and a 2001 rehabilitation loan from CDBG funds in the amount of \$1,250;
- D. That Council extend the expiring affordability conditions on the Faulding by 60 years; and
- E. That Council and the Agency Board authorize the City Administrator and the Executive Director to execute all implementing documents in a form approved by the City Attorney and Agency Counsel.

DOCUMENTS:

June 14, 2005, report from the Deputy Director.

SPEAKERS:

- Staff: Housing Programs Supervisor Steven Faulstich.
- Santa Barbara Community Housing Corporation: Board of Directors President Joe Carrillo, Executive Director Kathryn Byrne.

(Cont'd)

17. (Cont'd)

**MOTION:**

Council/Agency members Barnwell/Secord to approve the recommendations; City Council Agreement No. 21,730 (recommendation A).

**VOTE:**

Unanimous voice vote.

**CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

**FINANCE DEPARTMENT**

18. SUBJECT: PROPOSED TWO-YEAR FINANCIAL PLAN FOR FISCAL YEARS 2006 AND 2007 (230.05)

**RECOMMENDATION:** That Council:

- A. Approve staff-recommended adjustments to the Fiscal Year 2006 recommended budget as described in this report; and
- B. Provide staff with final directions based on the Council's review of the Proposed Two-Year Financial Plan.

**DOCUMENTS:**

June 14, 2005, Finance Director's report.

**SPEAKERS:**

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

**MOTION:**

Councilmembers Barnwell/Schneider to approve recommendation A and also approve budget adjustments to 1) increase Downtown Parking Fund estimated revenues by \$250,000, and 2) increase funding for the Conference & Visitors Bureau by \$45,860.

**VOTE:**

Unanimous voice vote.

**RECESS**

3:28 p.m. – 3:39 p.m. City Administrator Armstrong was absent when the Council reconvened.

## MAYOR AND COUNCIL REPORTS

### 22. SUBJECT: CITY ADVISORY GROUP INTERVIEWS (140.05)

RECOMMENDATION: That Council hold interviews of applicants to various City Advisory Groups at an estimated time of 3:30 p.m.  
(Estimated Time: 3:30 p.m.)

#### DOCUMENTS:

June 14, 2005, Assistant City Administrator's report.

#### SPEAKERS:

The following applicants were interviewed:

Airport Commission:

John Clark

Central Coast Commission for Senior Citizens:

Dan Milstein

Community Development and Human Services Committee:

David Tabor

Catherine Woodford

Cathy Cash

Dr. Daniel Seymour

Housing Authority Commission:

David P. Wass

Robert Niehaus

Mary Johnston-de León

Library Board:

Eric Friedman

Rental Housing Mediation Task Force:

Silvio Di Loreto

Bill Hurst

Transportation and Circulation Committee:

Dan Milstein

David Tabor

David P. Wass

Appointments to fill the vacancies are scheduled for June 28, 2005.

City Administrator Armstrong returned to the meeting at 4:13 p.m.

## CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

### PUBLIC WORKS DEPARTMENT

19. SUBJECT: CONTRACT FOR ENVIRONMENTAL SERVICES FOR EL ESTERO SWALE PROJECT (540.13)

RECOMMENDATION: That Council:

- A. Receive a staff presentation on the El Estero Swale Project;
- B. Authorize the Public Works Director to execute a \$154,507 contract with Blasland, Bouck & Lee, Incorporated (BBL), for the El Estero Swale Project;
- C. Authorize the Public Works Director to approve expenditures of up to \$15,000 for extra services of BBL that may result from changes to the scope of work; and
- D. Appropriate \$50,000 from the Wastewater Fund Reserves to the Fiscal Year 2005 Wastewater Capital Program.

DOCUMENTS:

- June 14, 2005, Public Works Director's report.
- PowerPoint presentation prepared and made by Staff.

SPEAKERS:

- Staff: Public Works Director Anthony Nisich, Senior Planner Jan Hubbell, Wastewater System Manager Rebecca Bjork, City Attorney Stephen Wiley.
- Member of the Public: Brian Trautwein, Environmental Defense Center.

MOTION:

Councilmembers Secord/Barnwell to approve the recommendations;  
Contract No. 21,731.

VOTE:

Unanimous voice vote.

21. SUBJECT: RATIFICATION OF CACHUMA CONSERVATION AND RELEASE BOARD BUDGET (540.03)

RECOMMENDATION: That Council:

- A. Ratify the Fiscal Year 2006 Cachuma Conservation and Release Board (CCRB) budget of \$1,600,311;
- B. Ratify budget augmentations as may be approved by CCRB in an additional amount of up to \$10,000 for anticipated salary adjustments for CCRB staff; and

(Cont'd)

21. (Cont'd)

- C. Approve payment in the amount of up to \$386,000 as the City's share of needed funds for the approved Fiscal Year 2006 budget and anticipated CCRB salary adjustments.

DOCUMENTS:

June 14, 2005, Public Works Director's report.

SPEAKERS:

- Staff: Acting Water Resources Manager Steve Mack.
- Cachuma Conservation and Release Board: Manager Kate Rees.

MOTION:

Councilmembers Schneider/Horton to approve the recommendations.

VOTE:

Unanimous voice vote.

20. SUBJECT: DRAFT CACHUMA OPERATION AND MAINTENANCE BOARD BUDGET (540.03)

RECOMMENDATION: That Council hear a presentation on the draft Fiscal Year 2006 Cachuma Operation and Maintenance Board (COMB) budget.

DOCUMENTS:

June 14, 2005, Public Works Director's report.

SPEAKERS:

Staff: Acting Water Resources Manager Steve Mack.

The presentation was made.

**RECESS**

5:45 p.m. – 5:46 p.m.

**CLOSED SESSIONS**

23. 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: *Laurie Prescott v. City of Santa Barbara*, WCAB, Case No. GOL 092434.

Scheduling: Duration, 10 minutes; anytime  
Report: None anticipated

DOCUMENTS:

June 14, 2005, Finance Director's report.

TIME:

5:46 p.m. – 5:50 p.m.

No settlement approved.

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 5:50 p.m.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC  
CITY CLERK SERVICES MANAGER

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

ATTEST: \_\_\_\_\_  
SUSAN TSCHECH, CMC  
DEPUTY CITY CLERK