



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING
February 10, 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 2:02 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.

PUBLIC COMMENT

Speakers: Jack Wilson; Ruth Wilson; Roger Heroux;, Nancy Tunnell; Dr. Gary Linker, New Beginnings Counseling Center.

ITEMS REMOVED FROM CONSENT CALENDAR

3. Subject: Adoption Of Ordinance For The 2008-2010 General Unit Memorandum Of Understanding (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 Employees' Association (General Unit).

3. (Cont'd)

The title of the ordinance was read.

Motion:

Councilmembers Schneider/Williams to approve the recommendation;
Ordinance No. 5477; Agreement No. 22,993.

Vote:

Majority roll call vote (Noes: Councilmember Francisco).

Councilmember Falcone stated she would abstain from voting on the following item due to a conflict of interest related to her membership with the organization in which the contract is benefitting.

4. Subject: Introduction Of Ordinance For Ten-Year License Agreement With The Santa Barbara Youth Sailing Foundation (330.04)

Recommendation: That Council approve a license agreement with the Santa Barbara Youth Sailing Foundation, and introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Ten-Year License Agreement With the Santa Barbara Youth Sailing Foundation, Effective March 26, 2009, for a 2,500 Square-Foot Water Space in Marina 1, at an Initial Rent of \$595 per Month.

Documents:

- February 10, 2009, report from the Waterfront Director.
- Proposed ordinance.

The title of the ordinance was read.

Motion:

Councilmembers Williams/Schneider to approve the recommendation.

Vote:

Unanimous roll call vote (Abstentions: Councilmember Falcone).

12. Subject: Proposed Change To Parking Violation Penalties And Related Fees (550.01)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 08-060 Establishing Certain City Fees, Including Water and Wastewater Rates, and Rescinding Resolution Nos. 07-052, 07-085 and 08-013, Adjusting Parking Violation Penalties and Related Fees Effective March 1, 2009.

(Cont'd)

12. (Cont'd)

Documents:

- February 10, 2009, report from the Deputy Chief of Police.
- Proposed Resolution.

The title of the resolution was read.

Speakers:

Staff: City Administrator James Armstrong, Deputy Chief of Police Frank Mannix.

Motion:

Councilmembers Schneider/Francisco to approve the recommendation, excluding section 10.12.150(b) of the proposed resolution.

This motion was withdrawn.

CONSENT CALENDAR (Item Nos. 1, 2, 5 - 12 and 14 - 18).

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

Motion:

Council/Agency Members Schneider/House to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

CITY COUNCIL

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of January 20, 2009 (cancelled due to lack of a quorum), and the regular meeting of January 27, 2009.

Action: Approved the recommendation.

2. Subject: Termination Of The Proclamation For A Local Emergency (Tea Fire) (520.02)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Terminating a Local Emergency Due to the Tea Fire.

(Cont'd)

2. (Cont'd)

Action: Approved the recommendation; Resolution No. 09-006 (February 10, 2009, report from the Fire Chief; proposed resolution).

5. Subject: Introduction Of Ordinance To Approve Property Transfer For Highway 101 Operational Improvements Project (670.07)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the City Administrator to Execute the Property Transfer Agreement with the State of California Department of Transportation, and Subsequently, Subject to Review and Approval by the City Attorney, to Execute Any Deeds to Provide for the Transfer of Certain Properties Owned in Fee by the City of Santa Barbara Required for the State Highway Route 101 Milpas Street to Hot Springs Road Operational Improvements Project, and Accepting the Ownership in Fee of Certain Non-Freeway Properties to be Relinquished by the State of California Department of Transportation, Underlying and Adjacent to the Roundabout at Milpas Street, Now Existing Adjacent to State Highway.

Action: Approved the recommendation (February 10, 2009, report from the Public Works Director; proposed ordinance).

6. Subject: Introduction Of Ordinance For Airport Zoning Map Revision - 1600 Cecil Cook Place (640.09)

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Title 29 of the Santa Barbara Municipal Code to Rezone 9.04 Acres of Airport Approach and Operations Zone (A-A-O) to Aviation Facilities Zone (A-F) in the Coastal Zone at the Santa Barbara Municipal Airport; and
- B. Recommend approval of a Local Coastal Program Amendment to the California Coastal Commission to change the corresponding LCP zoning pursuant to State Public Resources Code §30514.

Action: Approved the recommendations (February 10, 2009, report from the Airport Director; proposed ordinance).

7. Subject: Emergency Purchase Orders Issued For The Tea Fire (520.02)

Recommendation: That Council retroactively approve the issuance of emergency purchase orders to Tierra Contracting, Inc., in the amount of \$79,970 to construct debris racks, and to Acacia Erosion Control, Inc., in the amount of \$73,000 for slope stabilization and erosion control.

Action: Approved the recommendation (February 10, 2009, report from the Finance Director).

8. Subject: Preliminary Economic Development Designation For 352 Hitchcock Way Project (640.09)

Recommendation: That Council make a preliminary finding that the project proposed for 352 Hitchcock Way meets the definition of an Economic Development Project, and grant the proposed project a Preliminary Economic Development Designation for 7,925 square feet of non-residential floor area.

Action: Approved the recommendation (February 10, 2009, report from the Community Development Director).

9. Subject: Acceptance Of Southern California Edison Energy Leaders Pilot Program Revenues (380.01)

Recommendation: That Council accept and appropriate the Southern California Edison (SCE) Energy Leaders Pilot Program incentive revenue for \$66,699.34 in the General Fund Capital Outlay, Downtown Parking and Water Operating funds, and appropriate \$36,805 for additional General Fund sustainability projects.

Action: Approved the recommendation (February 10, 2009, report from the Public Works Director).

10. Subject: Appropriation Of Airport Improvement Program Grant Fund (560.04)

Recommendation: That Council increase appropriations and estimated revenue by \$1,647,802 in the Airport's Grant Fund for the final phase of mitigation for the Runway Safety Area project, to be funded from Federal Aviation Administration Airport Improvement Program (AIP) Grant No. 03-06-0235-37, including the City's 5% match portion (\$233,390) to be funded from Airport reserves above policy.

Action: Approved the recommendation (February 10, 2009, report from the Airport Director).

11. Subject: State Workforce Housing Reward Program Projects (570.07)

Recommendation: That Council redirect the remaining balance of State Workforce Housing Reward Funds from the Franklin Center project (\$98,362) to other Park and Recreation facility projects.

Action: Approved the recommendation (February 10, 2009, report from the Parks and Recreation Director).

12. Subject: Proposed Change To Parking Violation Penalties And Related Fees (550.01)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 08-060 Establishing Certain City Fees, Including Water and Wastewater Rates, and Rescinding Resolution Nos. 07-052, 07-085 and 08-013, Adjusting Parking Violation Penalties and Related Fees Effective March 1, 2009.

Action: Approved the recommendation; Resolution No. 09-007 (February 10, 2009, report from the Deputy Chief of Police; proposed resolution).

REDEVELOPMENT AGENCY

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

14. Subject: Notice To City Council And Redevelopment Agency Board Regarding Real Estate Interest In Redevelopment Project Area From Agency Board Member (620.01)

Recommendation: That the Council and the Agency Board receive the notice of City Councilmember and Redevelopment Agency Board Member Grant House of real estate interest in the Redevelopment Project Area in compliance with California Redevelopment Law Section 33130.

Action: Approved the recommendation (February 10, 2009, report from the Community Development Director/Agency Deputy Director; February 4, 2009, letter from Trey Pinner, Manager of Professional Investment Planning).

15. Subject: Educational Revenue Augmentation Fund Payment (150.02)

Recommendation:

- A. That Council authorize the Finance Director to notify the Santa Barbara County Auditor that the Redevelopment Agency's Educational Revenue Augmentation Fund payment will be made by the Redevelopment Agency from Redevelopment Agency tax increment revenues; and
- B. That the Redevelopment Agency Board authorize the appropriation and expenditure of \$1,403,758 from the Redevelopment Agency's General Fund to pay the Agency's obligation to the state-imposed Educational Revenue Augmentation Fund.

Action: Approved the recommendations (February 10, 2009, report from the Community Development/Agency Deputy Director).

NOTICES

16. The City Clerk has on Thursday, February 5, 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.
17. Cancellation of the regular City Council and Redevelopment Agency meeting of February 17, 2009, due to lack of a quorum.
18. Received a letter of resignation from Creeks Advisory Committee Member Daniel Hochman; the vacancy will be part of the next City Advisory Group recruitment.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Roger Horton reported that the Committee met to hear staff's presentation on carbon neutrality options for the City. The Committee is in favor of having City goals in this regard, but has requested additional financial information. Once the Committee receives the additional information, the Committee will review the options and return to the full Council in the near future.

REDEVELOPMENT AGENCY REPORTS

19. Subject: West Beach Public Art Program Professional Services Contract (610.04)

Recommendation: That Council and the Agency Board:

- A. Authorize the General Services Manager to execute a purchase order not to exceed \$123,100 with Richard Irvine and Raphel Perea de la Cabada for design, fabrication and construction consulting of public art for three of the four plazas of the West Beach Public Art Program as part of the Redevelopment Agency-funded West Beach Pedestrian Improvement Project; and authorize the General Services Manager to approve expenditures up to \$12,300 for extra services that may result from necessary changes to the scope of work;
- B. Authorize the General Services Manager to execute a purchase order not to exceed \$25,600 with Lori Ann David for design, fabrication and construction consulting of public art for one of the four plazas of the West Beach Public Art Program as part of the Redevelopment Agency-funded West Beach Pedestrian Improvement Project; and authorize the General Services Manager to approve expenditures up to \$2,500 for extra services that may result from necessary changes to the scope of work; and

(Cont'd)

19. (Cont'd)

- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara and the City of Santa Barbara Redevelopment Agency Approving and Adopting the Findings Required by Health and Safety Code Section 33445 for Funding of Capital Improvements for the West Beach Public Art Program.

Documents:

- February 10, 2009, joint report from the Public Works Director and Community Development Director/Agency Deputy Director.
- Proposed Resolution.
- February 10, 2009, PowerPoint presentation prepared and made by staff.

The title of the resolution was read.

Speakers:

Staff: Redevelopment Supervisor Brian Bosse, Redevelopment Specialist Jeannette Candau.

Motion:

Council/Agency Members House/Falcone to approve the recommendations; City Council Resolution No. 09-008; Redevelopment Agency Resolution No. 1014.

Vote:

Unanimous roll call vote.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

20. Subject: Introduction Of Ordinance For 535 E. Montecito Street, Los Portales Specific Plan (SP-10) (660.04)

Recommendation: That Council 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's Parcel Number 031-351-010.

Documents:

- February 10, 2009, report from the Community Development Director.
- Proposed ordinance.
- February 10, 2009, PowerPoint presentation prepared and made by staff.

The title of the ordinance was read.

(Cont'd)

20. (Cont'd)

Speakers:

- Staff: Associate Planner Kathleen Kennedy, Community Development Director Paul Casey, Assistant City Attorney Scott Vincent, City Attorney Stephen Wiley.
- Planning Commission: Commissioner Addison Thompson.
- Member of the Public: President John Campanella, Bermant Development Company.

Motion:

Councilmembers Williams/Horton to approve the recommendation, with an added condition that staff develop a list of items that would not be permitted in the open-yard use area unless compatible with the surrounding uses, including a maintenance agreement related to the upkeep of the exterior grounds.

Amendment Motion:

Councilmembers Williams/Horton to approve the recommendation with the added conditions requiring plans for:

- 1) Open yard uses that are compatible with the surrounding properties in a manner acceptable to the property owner and the Community Development Director; and
- 2) Maintaining the appearance of the property's open yard uses, effective 60 days of the adoption of the ordinance.

Vote on Amendment Motion:

Majority roll call vote (Noes: Councilmember Francisco, Mayor Blum).

RECESS

3:50 p.m. - 4:02 p.m.

PUBLIC WORKS DEPARTMENT

21. Subject: Outdoor Lighting And Streetlight Design Guidelines (530.04)

Recommendation: That Council hear a report from the Streetlight Design Guidelines Advisory Group and adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Establishing and Approving the City's Outdoor Lighting and Streetlight Design Guidelines Dated as of February 10, 2009.

Documents:

- February 10, 2009, report from the Public Works Director.
- Proposed Resolution.
- February 10, 2009, PowerPoint presentation prepared and made by staff.

(Cont'd)

21. (Cont'd)

The title of the resolution was read.

Speakers:

- Staff: Principal Civil Engineer John Ewasiuk, Facilities Manager Jim Dewey.
- Member of the Public: Steve Hausz.

Motion:

Councilmembers House/Horton to approve the recommendation;
Resolution No. 09-009.

Vote:

Unanimous roll call vote.

RECESS

4:56 p.m. - 6:04 p.m.

Mayor Blum presiding.

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

Councilmembers absent: None.

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

PUBLIC COMMENT

No one wished to speak.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTSPUBLIC WORKS DEPARTMENT

22. Subject: State And De La Vina Intersection Reconfiguration Project (530.04)

Recommendation: That Council:

- A. Direct Staff to continue with the Transportation and Circulation Committee's (TCC) recommended concept for the State and De La Vina Intersection Reconfiguration Project;
- B. Approve the final design elements for the Project as presented to the Architectural Board of Review (ABR) on May 8, 2008; and
- C. Authorize an increase in MNS Engineering's contract in the amount of \$20,000 to complete the Project design.

(Cont'd)

22. (Cont'd)

Documents:

- February 10, 2009, report from the Public Works Director.
- February 10, 2009, PowerPoint presentation prepared and made by staff.
- February 9, 2009, email communication from Patricia Hiles.
- June 24, 2008, letter from Jim Westby and Roger Manasse.
- February 10, 2009, letter from Jim Youngson.
- February 10, 2009, letter from James O. Kahan.
- February 10, 2009, letter from Michael Self.
- February 10, 2009, email communication from Lloyd and Margaret Albright.
- February 10, 2009, comments submitted via telephone from various citizens to the Mayor and Council Office.

Speakers:

- Staff: Public Works Director Christine Andersen, Supervising Transportation Engineer Drusilla Van Hengel, Traffic Engineer Peter Doctors.
- Transportation and Circulation Committee: Members Keith Coffman-Grey, David Pritchett, Mark Bradley.
- Members of the Public: Michael Self, Santa Barbara Safe Streets; Bonnie Donovan; Steve Maas, Metropolitan Transit District; Lanny Ebenstein; Paul Suavina; David T. Jennings; Ralph Fertig, Santa Barbara Bicycle Coalition; Roger Manasse; Joyce Untch; Scott Wenz; Thomas Matthias; David VanHoy; Josiah Jenkins; Larry Bickford; Karen VanHoy; Wilson Hubbell; Shirley Wood Force, Santa Barbara Safe Streets; Lee Moldaver; Leslie Mancebo; Eli Horowitz; Michael C. Warnken; Harold F. Hattier; Linda Foster; Kellam de Forest; Pierre Delong; Harry Kazali, Quality Inn; Michael Kwan; Mickey Flacks; Sharon Westby; Frank Hotchkiss, Santa Barbara Safe Streets; Susan Horne, Safe Routes to School; Courtney Dietz, Santa Barbara Walks; Dennis Rickard; James Kahan, Grove Lane; Chris Orr; Jim Westby; Alice Post; Marc Phillips; Kent Epperson; Michael Chiacos; Eva Inbar, Coalition for Sustainable Transportation (COAST); Lori La Riva; Reed Wilson; Edward France; Alex Pujó.

RECESS

8:15 p.m. - 8:23 p.m.

Motion:

Mayor Blum/Councilmember House to approve staff's recommendations, including the addition of a bicycle lane and right-turn arrow.

This motion was withdrawn.

(Cont'd)

22. (Cont'd)

Motion:

Councilmember Williams/Mayor Blum to send the project back to the Transportation and Circulation Committee with direction to better balance the intersection for all users, including the following safety improvements:

- 1) Eliminating the right-hand turn lane;
 - 2) Adding a right-hand turn arrow;
 - 3) Reviewing the bike lane reconfiguration;
 - 4) Minimizing any loss of parking; and
- Approve Recommendation C.

This motion was withdrawn.

Motion:

Councilmembers House/Williams to table the item and direct staff to return to Council with some alternatives.

Vote:

Unanimous voice vote.

Motion:

Councilmembers Schneider/Horton to approve Recommendation C.

Vote:

Unanimous voice vote.

ADJOURNMENT

Mayor Blum adjourned the meeting at 10:10 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



MARTY BLUM
MAYOR

ATTEST:



CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER