



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING July 3, 2007 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:01 p.m. (The Finance Committee met at 12:30 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, Grant House, Helene Schneider, Das Williams, Mayor Blum.

Councilmembers absent: None.

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

CEREMONIAL ITEMS

1. Subject: Employee Recognition - Service Award Pins (410.01)

Recommendation: That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through July 31, 2007.

Documents:

July 3, 2007, report from the Administrative Services Director.

Speakers:

Staff: Assistant City Administrator Joan Kent, City Administrator James L. Armstrong.

(Cont'd)

1. (Cont'd)

Action: By consensus, the Council recognized the following employees:

30-Year Pin

Joan Kent, Assistant City Administrator, City Administrator's Office

25-Year Pin

Barbara Barker, Human Resources Manager, Administrative Services

20-Year Pin

Jose Yanez, Accounting Assistant, Finance

10-Year Pin

Robert Kendall, Fire Engineer, Fire

Robert Oshiro, Fire Engineer, Fire

Joseph Tieso, Fire Engineer, Fire

Robin Hamlin, Administrative Assistant, Public Works

Stephen Corral, Wastewater Collection System Operator II, Public Works

5-Year Pin

Michael Berman, Project Planner, Community Development

CONSENT CALENDAR (Item Nos. 2 - 16)

The title of the ordinance related to Item No. 11 was read.

Motion:

Councilmembers Horton/Falcone 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 June 19, 2007.

Action: Approved the recommendation.

3. Subject: Fiscal Year 2007 Interim Financial Statements For The Eleven Months Ended May 31, 2007 (250.02)

Recommendation: That Council accept the Fiscal Year 2007 Interim Financial Statements for the Eleven Months Ended May 31, 2007.

Action: Approved the recommendation (July 3, 2007, report from the Finance Director).

4. Subject: Community Promotion Contract With The Santa Barbara Symphony, Inc., In Connection With The 4th Of July Concert (230.02)

Recommendation: That Council authorize the Finance Director to execute a Community Promotion contract with the Santa Barbara Symphony, Inc., in an amount of \$15,000 for July 1, 2007, through September 30, 2007, for this year's 4th of July concert.

Action: Approved the recommendation; Contract No. 22,464 (July 3, 2007, report from the Finance Director).

5. Subject: Community Promotion Contract With The Santa Barbara Conference And Visitors Bureau And Film Commission (180.02)

Recommendation: That Council authorize the Finance Director to execute the Fiscal Year 2008 Community Promotion contract with the Santa Barbara Conference and Visitors Bureau in an amount of \$1,470,082 for the term of July 1, 2007, through June 30, 2008.

Action: Approved the recommendation; Contract No. 22,465 (July 3, 2007, report from the Finance Director).

6. Subject: Community Promotion Contract With Old Spanish Days (180.02)

Recommendation: That Council authorize the Finance Director to execute a Community Promotion contract with Old Spanish Days in an amount of \$60,000 covering the period from July 1, 2007, to May 31, 2008.

Action: Approved the recommendation; Contract No. 22,466 (July 3, 2007, report from the Finance Director).

7. Subject: Contract For Construction Of Reservoir No. 1 Structural Repair And Groundwater Control Project (540.09)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a contract with Schock Contracting Company (Schock), in their low bid amount of \$787,000, for construction of the Reservoir No. 1 Structural Repair and Groundwater Control Project, Bid No. 3485;
- B. Authorize the Public Works Director to approve expenditures up to \$78,700 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment; and

(Cont'd)

7. (Cont'd)

- C. Authorize the General Services Manager to issue a Purchase Order to Carollo Engineers (Carollo), in the amount of \$55,824, for construction support services, and approve expenditures of up to \$5,600 to Carollo for extra services that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Contract No. 22,467 (July 3, 2007, report from the Public Works Director).

8. Subject: Approval Of Map And Execution Of Agreements For 1102 East Canon Perdido Street And 822 North Voluntario Street (640.08)

Recommendation: That Council:

- A. Approve and authorize the City Administrator to record Parcel Map No. 20,747 by Gregory R. and Deborah J. Tice, for a subdivision located at 1102 East Canon Perdido Street and 822 North Voluntario Street, Santa Barbara County Assessor's Parcel Numbers 031-060-001 and 031-060-042, and find the Parcel Map in conformance with the General Plan for the City of Santa Barbara (City); and
- B. Approve and authorize the City Administrator to execute and record an Agreement Relating to Subdivision Map Conditions Imposed on Real Property.

Action: Approved the recommendations; Agreement Nos. 22,468 and 22,469 (July 3, 2007, report from the Public Works Director).

9. Subject: Increase Purchase Order Issued To Poirier & David, Architects For The City Hall Basement Office Expansion Project (230.01)

Recommendation: That Council authorize the General Services Manager to increase Purchase Order No. 377234, issued to Poirier & David, Architects, by \$26,000, for a total of \$46,000, to complete the design, plans and specifications for the City Hall Basement Office Expansion Project.

Action: Approved the recommendation (July 3, 2007, report from the Public Works Director).

10. Subject: Lease Agreements For Franklin Neighborhood Center, Westside Community Center, And Louise Lowry Davis Recreation Center (330.04)

Recommendation: That Council authorize the Parks and Recreation Director to execute the following lease agreements for space at the following locations:

(Cont'd)

10. (Cont'd)

Franklin Neighborhood Center

- Brotherhood of Santa Barbara
- Cornelia Moore Dental Foundation
- Endowment for Youth

Westside Community Center

- Community Action Commission/Senior Nutrition Program
- Independent Living Resources Center
- Work Inc.

Louise Lowry Davis Recreation Center

- United Cerebral Palsy Association of Los Angeles, Ventura, and Santa Barbara Counties

Action: Approved the recommendation; Agreement Nos. 22,470 - 22,476 (July 3, 2007, report from the Parks and Recreation Director).

11. Subject: Adoption 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 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; Ordinance No. 5421.

12. Subject: Set A Date For Public Hearing Regarding Appeal Of Planning Commission Decision For 1829 State Street And 11 West Pedregosa Street (640.07)

Recommendation: That Council:

- A. Set the date of August 14, 2007, at 2:00 p.m. for hearing the appeal filed by Troy A. White, Dudek, on behalf of the applicant, of the Planning Commission's Denial of an application for property owned by Emmet Hawkes, Hawkes Family Trust, and located at 1829 State Street and 11 West Pedregosa Street, Assessor's Parcel Number 027-031-006 and 029-031-007, respectively, C-2/R-4 Zones, Commercial and Hotel/Motel/ Multiple Residence Zones, General Plan Designation: Offices and General Commerce. The project proposes the development of a three-story mixed-use building on two parcels. The proposed mixed-use project would provide 2,360 net square feet of commercial space and six residential condominiums, and the discretionary applications required are Setback Modifications, a Tentative Subdivision Map, a Conditional Use Permit, and Development Plan Approval; and
- B. Set the date of August 13, 2007, at 1:30 p.m. for a site visit to the property located at 1829 State Street and 11 West Pedregosa Street.

Action: Approved the recommendations (June 13, 2007, letter of appeal).

Agenda Item Nos. 13 and 14 appear in the Redevelopment Agency minutes.

NOTICES

15. The City Clerk has on Thursday, June 28, 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.
16. Cancellation of the regular City Council and Redevelopment Agency meeting of July 10, 2007, due to lack of a quorum.

This concluded the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

ADMINISTRATIVE SERVICES DEPARTMENT

17. Subject: General Municipal Election Of November 6, 2007 (110.03)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Calling and Giving Notice of the Holding of a General Municipal Election to Be Held in the City on Tuesday, November 6, 2007, for the Election of Certain Officers as Required by the Provisions of the Charter and for the Submission of a Charter Amendment to Transition to Regular City Elections in Even-Numbered Years;

(Cont'd)

17. (Cont'd)

- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting Regulations for Candidates for Elective Office Pertaining to Candidates' Statements Submitted to the Voters at the General Municipal Election to Be Held in the City on Tuesday, November 6, 2007;
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Directing the City Attorney to Prepare an Impartial Analysis of the City's Charter Amendment Measure to Be Placed on the Ballot for the November 6, 2007, General Municipal Election;
- D. Determine whether the City Council or any individual member(s) of City Council will file an argument regarding the proposed Charter Amendment related to Charter Section 1300, and if so, adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Setting Priorities for Filing a Written Argument Regarding the City's Charter Amendment Measure to Be Placed on the Ballot for the November 6, 2007, General Municipal Election;
- E. Provide staff direction on other potential charter amendments; and
- F. Cancel the November 6, 2007, City Council Meeting due to the holding of the stand-alone election.

Documents:

- July 3, 2007, report from the Administrative Services Director.
- Proposed Resolutions.

The titles of the resolutions were read.

Speakers:

- Staff: Administrative Services Director Marcelo Lopez, City Clerk Services Manager Cynthia Rodriguez, City Attorney Stephen Wiley.
- Members of the Public: Steven A. Amerikaner; David Pritchett, Santa Barbara Clean Elections Working Group.

Motion:

Councilmembers House/Falcone to approve Recommendations A - C and F, determine that neither the Council nor individual members of the Council will file an argument regarding the proposed Charter amendment, and direct that no other potential Charter amendments be placed on the ballot for the November 6, 2007, General Municipal Election.

Vote:

Unanimous roll call vote.

PUBLIC COMMENT

Speakers: Suzanne Feldman.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

CITY ATTORNEY

18. Subject: Municipal Election Campaign Disclosure Ordinance (110.03)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the City Council of the City of Santa Barbara Enacting a City Municipal Election Campaign Disclosure Ordinance by Amending Santa Barbara Municipal Code Chapter 2.03.

Documents:

- July 3, 2007, report from the City Attorney.
- Proposed Ordinance.
- July 3, 2007, email communication from David Pritchett.

The title of the ordinance was read.

Speakers:

- Staff: City Attorney Stephen Wiley, City Clerk Services Manager Cynthia Rodriguez, Administrative Services Director Marcelo Lopez.
- Members of the Public: David Pritchett, Santa Barbara Clean Elections Working Group; Sandy Sites, Clean Election Coalition.

Motion:

Councilmembers Horton/House to approve the recommendation.

Amendment Motion:

Councilmembers Horton/House to approve the recommendation, directing staff to remove the on-line reporting section of the ordinance (proposed Municipal Code Section 2.03.110).

The Amendment Motion was withdrawn.

Vote on Original Motion:

Majority voice vote (Noes: Councilmembers Falcone, Schneider, Mayor Blum).

COMMUNITY DEVELOPMENT DEPARTMENT

19. Subject: Single Family Design Board And Architectural Board Of Review Guidelines (640.02)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara to Adopt Updated Architectural Board of Review and New Single Family Design Board Guidelines.

Documents:

- July 3, 2007, report from the Community Development Director.
- Proposed Resolution.
- July 2, 2007, letter from Alicia Guerra, submitted by Richard E. Breese.

The title of the resolution was read.

Speakers:

- Staff: Community Development Director Paul Casey, Project Planner Heather Baker, City Planner Bettie Weiss.
- Members of the Public: Timothy Harding, Santa Barbara Homeowners Association; S. Dorothy Fox.

Motion:

Councilmembers Schneider/Barnwell to approve the recommendation with the following revisions to the exhibits to the resolution: 1) add the Solar Design Guidelines to Section 3 of the Introduction for the Architectural Board of Review Guidelines and the Single Family Design Board Design Guidelines; and 2) remove the word "approaches" from Section 2.6, B.2 of Part 3 of the Single Family Design Board Design Guidelines.

Vote:

Unanimous roll call vote.

RECESS

4:28 p.m. - 4:44 p.m.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

COMMUNITY DEVELOPMENT DEPARTMENT (CONT'D)

20. Subject: Historic Preservation Incentives (640.06)

Recommendation: That Council:

- A. Review and consider various incentives for property owners of historic resources as outlined in the Council Agenda Report;

(Cont'd)

20. (Cont'd)

- B. Refer the item to Ordinance Committee for further consideration of an ordinance to implement the Mills Act Program, and zoning ordinance amendments to encourage rehabilitation and preservation of historic structures; and
- C. Refer the item to Finance Committee for further investigation of the financial impacts to City revenues as a result of the possible implementation of the Mills Act or other selected financial incentives.

Documents:

- July 3, 2007, report from the Community Development Director.
- Undated letter from Adam and Julie Ross.

Speakers:

- Staff: City Planner Bettie Weiss.
- Members of the Public: Maureen Masson, Kellum deForest, Robert Maxim, Robert Ooley.

Motion:

Councilmembers Horton/Schneider to approve the recommendations.

Vote:

Unanimous voice vote.

MAYOR AND COUNCIL REPORTS

22. Subject: Authorization To Paint The Light Blue Line On City Streets (530.04)

Recommendation: That Council:

- A. Approve installation of the Public Art Action called the Lightblueline (LBL) on City streets by the LBL organization and authorize Public Works staff to assist with this effort; and
- B. Appropriate \$12,000 from the General Fund Appropriated Reserves to the Fiscal Year 2008 Streets Fund to cover cost of material and Streets staff time in assisting with the application of LBL.

Documents:

July 3, 2007, report from the Public Works Director.

Speakers:

- Staff: Transportation Manager Browning Allen.
- LightBlueLine: Bruce Caron, PhD.
- Arts Commission: Executive Director Ginny Brush.

(Cont'd)

22. (Cont'd)

Speakers (Cont'd):

- Members of the Public: Tim Manley; Nathan Alley, Environmental Defense Center; Sharyn Main; David Davis, Community Environmental Council; Dale Francisco; Adrienne Davis; Kellum deForest.

Motion:

Councilmembers House/Williams to approve the recommendations.

Vote:

Majority voice vote (Noes: Councilmember Horton).

Councilmember House left the meeting at 6:10 p.m.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

FINANCE DEPARTMENT

21. Subject: Purchase Of New Utility Billing System (210.01)

Recommendation: That Council:

- A. Authorize the Finance Director to negotiate and execute a professional services agreement in a form acceptable to the City Attorney with Advanced Utility Systems for the acquisition and implementation of a utility billing system in an amount not to exceed \$450,000;
- B. Authorize the Finance Director to approve additional services, if necessary, that may be identified during the implementation phase, in an amount not to exceed \$45,000 (10%); and
- C. Authorize the Finance Director to negotiate and execute a two-year technical support and maintenance agreement in a form acceptable to the City Attorney in an amount of \$43,750 per year.

Documents:

July 3, 2007, report from the Finance Director.

Speakers:

Staff: Assistant Finance Director Robert Samario.

Motion:

Councilmembers Horton/Falcone to approve the recommendations; Agreement No. 22,477.

Vote:

Unanimous voice vote (Absent: Councilmember House).

MAYOR AND COUNCIL REPORTS (CONT'D)

23. Subject: City Advisory Group Appointments (140.05)

Recommendation: That Council make appointments to City Advisory Groups.

Central Coast Commission for Senior Citizens:

Motion:

Councilmembers Schneider/Barnwell to appoint Marilyn Rickard Schafer.

Vote:

Unanimous voice vote (Absent: Councilmember House).

Appointment:

Marilyn Rickard Schafer was appointed for a term expiring June 30, 2009.

Civil Service Commission:

Motion:

Councilmembers Falcone/Williams to appoint Nancy Miller.

Vote:

Unanimous voice vote (Absent: Councilmember House).

Appointment:

Nancy Miller was appointed for a term expiring December 31, 2010.

Community Development and Human Services Committee:

Motion:

Councilmembers Schneider/Barnwell to appoint Veronica Loza.

Vote:

Unanimous voice vote (Absent: Councilmember House).

Appointment:

Veronica Loza was appointed as the representative of the Eastside Neighborhood for a term expiring December 31, 2007.

Historic Landmarks Commission:

Motion:

Councilmembers Williams/Barnwell to appoint Kenneth M. Curtis.

Vote:

Unanimous voice vote (Absent: Councilmember House).

(Cont'd)

23. (Cont'd)

Historic Landmarks Commission (Cont'd):

Appointment:

Kenneth M. Curtis was appointed as a representative of the public at large for a term expiring December 31, 2009.

Housing Authority Commission:

Motion:

Councilmembers Schneider/Barnwell to appoint David K. Hughes.

Vote:

Unanimous voice vote (Absent: Councilmember House).

Appointment:

David K. Hughes was appointed as a representative of the public at large for a term expiring August 6, 2011.

Library Board:

Nominees:

Mary Lou Kravetz and Catherine Radecki-Bush.

Vote:

- For Kravetz: Councilmembers Barnwell, Falcone.
- For Radecki-Bush: Councilmembers Horton, Schneider, Williams, Mayor Blum.

Appointment:

Catherine Radecki-Bush was appointed for a term expiring December 31, 2008.

Living Wage Advisory Committee:

Motion:

Councilmembers Falcone/Schneider to re-appoint Allen Williams.

Vote:

Unanimous voice vote (Absent: Councilmember House).

Appointment:

Allen Williams was re-appointed for a term expiring June 30, 2011.

(Cont'd)

23. (Cont'd)

Rental Housing Mediation Task Force:

Motion:

Councilmembers Barnwell/Schneider to appoint Leesa Beck.

Vote:

Unanimous voice vote (Absent: Councilmember House).

Appointment:

Leesa Beck was appointed to the Tenant category for a term expiring December 31, 2010.

Councilmember House entered the meeting at 6:18 p.m.

Single Family Design Board:

Nominees for Licensed Architect category:

David Burke, William Mahan, Robert John Pester and Paul Zink.

Vote:

- For Burke: Councilmembers Barnwell, Falcone, Mayor Blum.
- For Mahan: Councilmembers Barnwell, Horton, House, Schneider, Williams.
- For Pester: Councilmember Falcone.
- For Zink: Councilmembers Horton, House, Schneider, Williams, Mayor Blum.

Appointments:

William Mahan and Paul Zink were appointed to the Licensed Architect category for terms expiring June 30, 2010, and June 30, 2011, respectively.

Motion:

Councilmembers Schneider/Barnwell to appoint Erin Carroll.

Vote:

Unanimous voice vote.

Appointment:

Erin Carroll was appointed to the Licensed Landscape Architect category for a term expiring June 30, 2011.

(Cont'd)

23. (Cont'd)

Single Family Design Board (Cont'd):

Nominees for Professional Qualifications category:

Glen Deisler, Nils Hammerbeck, Bree Medley, Gary Mosel and Denise Woolery.

Vote:

- For Deisler: Councilmembers Barnwell, Falcone, Horton, Mayor Blum.
- For Hammerbeck: Councilmembers Barnwell, House.
- For Medley: Councilmembers Falcone, Schneider, Williams.
- For Mosel: Councilmembers Barnwell, Falcone, Horton, House, Schneider, Williams, Mayor Blum.
- For Woolery: Councilmembers Horton, House, Schneider, Williams, Mayor Blum.

Appointments:

Glen Deisler, Gary Mosel and Denise Woolery were appointed to the Professional Qualifications category for terms expiring June 30, 2008, June 30, 2010, and June 30, 2009, respectively.

Motion:

Councilmembers Falcone/Barnwell to appoint Berni Bernstein.

Vote:

Unanimous voice vote.

Appointment:

Berni Bernstein was appointed to the Public at Large category for a term expiring June 30, 2009.

Water Commission:

Nominees:

Landon Neustadt and Russell Ruiz.

Vote:

- For Neustadt: Councilmembers Falcone, Schneider, Williams.
- For Ruiz: Councilmembers Barnwell, Horton, House, Mayor Blum.

Appointment:

Russell Ruiz was appointed for a term expiring December 31, 2008.

(Cont'd)

23. (Cont'd)

Motion:

Councilmember Williams/Falcone to schedule a special recruitment to fill an unscheduled vacancy on the Water Commission.

Vote:

Unanimous voice vote.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Roger Horton reported that the Committee met to review and discuss the following items:

- 1) The Fiscal Year 2007 Interim Financial Statements for the eleven months ended May 31, 2007, for both the City and the Redevelopment Agency; both sets of statements were approved as part of this Agenda's Consent Calendar (Item Nos. 3 and 14, respectively);
- 2) The purchase of a new utility billing system, approved by the Council as Agenda Item No. 21; and
- 3) The Statement of Investment Policy for Fiscal Year 2008, which will be presented to the Council in the near future.

ADJOURNMENT

Mayor Blum adjourned the meeting at 6:27 p.m.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER

MARTY BLUM
MAYOR

ATTEST: _____
BRENDA ALCAZAR, CMC
DEPUTY CITY CLERK