



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING March 8, 2005 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:01 p.m. (The Ordinance Committee and Finance Committee, which ordinarily meet at 12:30 p.m. and 1:00 p.m., respectively, did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Blum.

ROLL CALL

Councilmembers present: Brian B. Barnwell, Helene Schneider, Dan B. Secord, Das Williams, Mayor Blum.

Councilmembers absent: Iya G. Falcone, Roger L. Horton.

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

CEREMONIAL ITEMS

1. SUBJECT: COMMENDATION FOR HARBOR PATROL OFFICERS RICK HUBBARD AND JAN MARTINEZ FOR THE OCEAN RESCUE OF JEFF CATLIN (120.04)

ACTION: Commendation presented to Rick Hubbard and Jan Martinez.

2. SUBJECT: PROCLAMATION DECLARING MARCH 7, 2005, AS ARBOR DAY (120.04)

ACTION: Proclamation presented to Desmond O'Neill, Santa Barbara Beautiful.

3. SUBJECT: PROCLAMATION DECLARING MARCH 2005 AS DAFFODIL DAYS (120.04)

ACTION: Proclamation presented to Judy Meyer, American Cancer Society.

4. SUBJECT: PROCLAMATION DECLARING MARCH 2005 AS MEDIATION MONTH (120.04)

ACTION: Proclamation presented to Rental Housing Mediation Task Force (RHMTF) Director Andrea Bifano, RHMTF Founding Father Silvio DiLoreto, RHMTF Members Rey Ybarra and Skip Szymanski, and Community Mediation Program Co-Chair Gregory Lowe.

CHANGES TO THE AGENDA

Item Removed from Agenda

City Administrator James L. Armstrong suggested that the following item be continued to March 15:

13. SUBJECT: GOLF COURSE MASTER PLAN (570.02)

RECOMMENDATION: That Council:

- A. Approve the Golf Course Master Plan; and
- B. Authorize the Acting Parks and Recreation Director to negotiate an agreement with Cupp Design, in an amount not to exceed \$150,000, to perform the architectural, design and bid estimation services for the Master Plan construction project.

MOTION:

Councilmembers Schneider/Secord to continue this item to March 15.

VOTE:

Unanimous voice vote (Absent: Councilmembers Falcone, Horton).

PUBLIC COMMENT

No one wished to speak.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

INFORMATION:

- Councilmember Schneider mentioned that she sent a statement to the County Board of Supervisors regarding an item on their agenda today pertaining to a request to apply for a grant to start the 10-year plan to end homelessness in the County.
- Councilmember Secord said he attended a retirement party for Lee Moldaver, who retired from the MTD Board, and commended him for his dedication to the Board.
- Councilmember Barnwell spoke about a preliminary meeting he attended regarding a new baseball park.

(Cont'd)

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS (CONT'D)

INFORMATION (CONT'D):

- Councilmember Williams mentioned that the Youth Council will be having a garage sale to raise funds for the Teen Center on April 16 and 17; he also reported on his attendance at a meeting of the Eastside Study Group.

ITEM REMOVED FROM CONSENT CALENDAR

Councilmember Secord stated he would not vote on the following item due to a conflict of interest relating to his status as a Santa Barbara Harbor slip permittee.

6. SUBJECT: ADOPTION OF ORDINANCE FOR SLIP WAITING LIST REGULATIONS (570.03)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Section 17.20.005 of the Santa Barbara Municipal Code Pertaining to the Slip Waiting Lists.

DOCUMENTS:

Proposed Ordinance.

The title of the ordinance was read.

MOTION:

Councilmembers Schneider/Williams to approve the recommendation; Ordinance No. 5347.

VOTE:

Unanimous roll call vote (Abstention: Councilmember Secord; Absent: Councilmembers Falcone, Horton).

CONSENT CALENDAR (Item Nos. 5 and 7 – 11)

The titles of the ordinance and resolution related to Item Nos. 7 and 8 were read.

MOTION:

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

VOTE:

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

5. SUBJECT: MINUTES

RECOMMENDATION: That Council waive the reading and approve the minutes of the regular meeting of February 22, 2005 (cancelled due to lack of a quorum), and the special meeting of February 24, 2005.

ACTION: Approved the recommendation.

7. SUBJECT: ADOPTION OF ORDINANCE FOR RECYCLED WATER AGREEMENT WITH HOUSING AUTHORITY OF THE CITY OF SANTA BARBARA (540.13)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the User Agreement Between the City of Santa Barbara and the Housing Authority of the City of Santa Barbara, Political Subdivision, for Delivery of the City's Recycled Water to the Housing Authority of the City of Santa Barbara Irrigation System, Located at 1934-1938 Elise Way and 219-231 Meigs Road, Santa Barbara County Assessor's Parcel Nos. 45-015-17 and 45-011-12.

ACTION: Approved the recommendation; Ordinance No. 5348; Agreement No. 21,629.

8. SUBJECT: POSITION AND SALARY CONTROL RESOLUTION AMENDMENT FOR THE PUBLIC WORKS DEPARTMENT (410.06)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 04-047, the Position and Salary Control Resolution for Fiscal Year 2005, Adding a Project Engineer II in the Streets and Traffic Operations/Downtown Parking Divisions of the Public Works Department Effective March 8, 2005.

ACTION: Approved the recommendation; Resolution No. 05-020 (March 8, 2005, Public Works Director's report; proposed resolution).

9. SUBJECT: PLACEMENT OF PENFIELD AND SMITH ENGINEERS, INCORPORATED, ON THE THREE-YEAR PREQUALIFIED ENGINEERING SERVICES PROGRAM (530.01)

RECOMMENDATION: That Council approve the placement of Penfield & Smith Engineers, Inc. (Penfield & Smith), on the list of engineering firms to provide professional engineering services for the Three-Year Prequalified Engineering Services Program.

ACTION: Approved the recommendation (March 8, 2005, Public Works Director's report).

NOTICES

10. The City Clerk has on Thursday, March 3, 2005, at 3:00 p.m. 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.
11. Cancellation of the regular Redevelopment Agency meeting of March 8, 2005, due to lack of business.

This concluded the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

12. SUBJECT: STATE WORKFORCE HOUSING INCENTIVE GRANT APPLICATION (660.01)

RECOMMENDATION: That Council:

- A. Adopt by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Submission of an Application for Grant Funds to the California Department of Housing and Community Development's Workforce Housing Incentive Grant Program and, if Awarded, Authorizing the City Administrator or His Designee to Execute a Grant Agreement and Related Documents in a Form Acceptable to the City Attorney; and
- B. Upon award of the grant funds to the City, increase estimated revenues and appropriations in the General Fund Capital Fund by \$473,500.

DOCUMENTS:

- March 8, 2005, report from the Community Development Director.
- Proposed Resolution.

The title of the resolution was read.

SPEAKERS:

Staff: Project Planner Simon Kiefer.

MOTION:

Councilmembers Secord/Barnwell to approve the recommendations; Resolution No. 05-021.

VOTE:

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

PUBLIC WORKS DEPARTMENT

14. SUBJECT: ESTABLISHMENT OF A GRAFFITI REMOVAL PROGRAM (530.01)

RECOMMENDATION: That Council:

- A. Allocate \$41,961 from the Fiscal Year 2005 General Fund Appropriated Reserves to the Fiscal Year 2005 Public Works Streets Fund Operating Budget;
- B. Appropriate \$82,022 from the Streets Capital Fund Reserves to the Fiscal Year 2005 Public Works Streets Fund Operating Budget;

(Cont'd)

14. (Cont'd)

- C. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the Santa Barbara Municipal Code to Add a New Chapter, Chapter 9.66, Regarding Graffiti Removal and Abatement Measures; and
- D. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 04-047, the Position and Salary Control Resolution for Fiscal Year 2005, Adding a Maintenance Worker II in the Streets and Traffic Operations/Downtown Parking Divisions of the Public Works Department Effective March 8, 2005.

DOCUMENTS:

- March 8, 2005, report from the Public Works Director.
- Proposed Ordinance.
- Proposed Resolution.
- March 8, 2005, written comments from Joan Livingston.

The titles of the ordinance and resolution were read.

SPEAKERS:

- Staff: Transportation Manager Browning Allen, Assistant City Attorney William Carroll, City Administrator James L. Armstrong.
- Member of the Public: Lorraine Cruz-Carpenter, Executive Director, Looking Good Santa Barbara.

MOTION:

Councilmembers Secord/Schneider to approve the recommendations; Resolution No. 05-022.

VOTE:

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

15. SUBJECT: CRITICAL HABITAT DESIGNATION FOR STEELHEAD IN THE UPPER SANTA YNEZ RIVER (540.01)

RECOMMENDATION: That Council approve and authorize the Public Works Director to send a letter to the National Marine Fisheries Service commenting on the issue of critical habitat designation for steelhead trout in the Upper Santa Ynez River, and recommending against the designation of critical habitat for this area at this time.

DOCUMENTS:

- March 8, 2005, report from the Public Works Director.
- March 2, 2005, memorandum from Bill Ferguson submitting the Comments on NOAA Fisheries' Draft Economic Analysis Regarding Proposed Critical Habitat Designation for Southern California O.mykiss.

(Cont'd)

15. (Cont'd)

SPEAKERS:

- Staff: Acting Water Resources Manager Steve Mack.
- Water Commission: Commissioner Kate Reese.
- Members of the Public: Sharyn Main, South Coast Watershed Alliance; Karen Kraus and Brian Trautwein, Environmental Defense Center; Craig Fusaro, California Trout, Inc.

RECESS

4:08 p.m. – 4:18 p.m. Councilmember Secord was absent when the Council reconvened.

SPEAKERS (Cont'd):

Members of the Public (Cont'd): Eddie Harris, Santa Barbara Urban Creeks Council; Matt Stecker; Art Kvaas; David Pritchett, Southern California Steelhead Coalition; Daniel Wilson.

Councilmember Secord entered the meeting at 4:21 p.m.

MOTION:

Councilmembers Williams/Schneider to direct staff to prepare a letter before the deadline stating that the City of Santa Barbara supports steelhead recovery, even if it means critical habitat designation in the lower and upper river; stating that the City looks forward to continuing efforts to restore the steelhead population; and including the information on genetic similarities in the Entrix and US Fish and Wildlife Service genetic reports by Dr. Jennifer Nielsen.

Councilmember Barnwell stated that he will abstain from voting on this item due to insufficient information.

AMENDMENT MOTION:

Councilmembers Williams/Schneider to direct staff to prepare a letter stating that the City supports restoration of the steelhead population, including, if necessary, critical habitat designations for the lower and upper Santa Ynez River; the City looks forward to working with other agencies to continue to restore steelhead population, the language which is in the staff report.

(Cont'd)

15. (Cont'd)

AMENDED AMENDMENT MOTION:

Councilmembers Williams/Schneider to direct staff to prepare a letter stating that the City of Santa Barbara supports the recovery of steelhead trout; the City looks forward to working with other agencies to restore steelhead populations; and if the designation of critical habitat in either the lower or upper Santa Ynez River will result in an increase in the speed of the recovery, then the City supports such designation.

VOTE ON AMENDED AMENDMENT MOTION:

Majority voice vote (Ayes: Councilmembers Schneider, Williams, Mayor Blum; Noes: Councilmember Secord; Abstention: Councilmember Barnwell; Absent: Councilmembers Falcone, Horton).

16. SUBJECT: APPLICATION TO LOCAL AGENCY FORMATION COMMISSION FOR THE ANNEXATION OF PARCELS INTO THE GOLETA SANITARY DISTRICT (680.04)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Applying for Initiation of Proceedings for the Annexation of Parcels for Wastewater Collection and Treatment, Only, into the Goleta Sanitary District (GSD).

DOCUMENTS:

- March 8, 2005, report from the Public Works Director.
- Proposed Resolution.

The title of the resolution was read.

SPEAKERS:

Staff: Principal Engineer Homer Smith.

MOTION:

Councilmembers Barnwell/Secord to approve the recommendation; Resolution No. 05-023.

VOTE:

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

RECESS

The Mayor recessed the meeting at 5:24 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 17. City Attorney Stephen Wiley stated there would be no reportable action taken during the closed session.

CLOSED SESSION

17. SUBJECT: CONFERENCE WITH LABOR NEGOTIATOR (440.05)

RECOMMENDATION: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to the City's labor negotiators, Joan Kent, Assistant City Administrator, and Kristy Schmidt, Employee Relations Manager, regarding negotiations with the Police Management Association, Supervisory Employees' Association, Hourly Employees' Bargaining Unit, and unrepresented managers.

Scheduling: Duration, 90 minutes; anytime

Report: None anticipated

DOCUMENTS:

March 8, 2005, City Administrator's report.

TIME:

5:25 p.m. – 6:30 p.m.

No report made.

ADJOURNMENT

Mayor Blum adjourned the meeting at 6:30 p.m.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER

MARTY BLUM
MAYOR

ATTEST: _____
BRENDA ALCAZAR, CMC
DEPUTY CITY CLERK