



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING
October 14, 2008
COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:03 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: Dale Francisco, Grant House, Helene Schneider, Das Williams, Mayor Blum.

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

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

CEREMONIAL ITEMS

1. Proclamation Declaring October 2008 As National Arts And Humanities Month, And October 3, 2008, As California Arts Day (120.04)

Action: Proclamation presented to Ginny Brush, Executive Director of the Santa Barbara County Arts Commission.

PUBLIC COMMENT

Speakers: Ralph Fertig, Santa Barbara Bicycle Coalition; Fairy Duncan; Kenneth Loch; Phil Walker; Richard Robinson.

CONSENT CALENDAR (Item Nos. 2 – 7 and 11 – 13)

The title of the ordinance related to Item No. 6 was read.

Motion:

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

Vote:

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

2. **Subject: Minutes**

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of September 16, 2008, and the adjourned regular meeting of September 29, 2008.

Action: Approved the recommendation.

3. **Subject: Fiscal Year 2009 Interim Financial Statements For The Month Ended July 31, 2008 (250.02)**

Recommendation: That Council accept the Fiscal Year 2009 Interim Financial Statements for the Month Ended July 31, 2008.

Action: Approved the recommendation (October 14, 2008, report from the Finance Director).

4. **Subject: Increase Of Professional Services Contract With Science Applications International Corporation By \$7,821 For Andree Clark Bird Refuge Vegetation Mapping (570.05)**

Recommendation: That Council authorize an increase of \$7,821, for a total contract of \$49,156, for the Professional Services Contract with Science Applications International Corporation (SAIC) for vegetation mapping of the Andree Clark Bird Refuge.

Action: Approved the recommendation; Contract No. 22,796.1 (October 14, 2008, report from the Parks and Recreation Director).

5. **Subject: Harbor Breakwater Cap Repair Project - Phase 3 (570.03)**

Recommendation: That Council appropriate \$600,000 from the Harbor Preservation Fund to the Breakwater Cap Repair Project to enable the Waterfront Department to complete the third phase of the project in Fiscal Year 2009.

(Cont'd)

5. (Cont'd)

Action: Approved the recommendation (October 14, 2008, report from the Waterfront Director).

6. Subject: Adoption Of Amendment To Lease Ordinance - 1240 East Yanonali Street (330.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Execution of a Unilateral First Amendment to Lease Agreement No. 11,003 for Vehicular and Utility Access to the Real Property Located at 1240 East Yanonali Street (APN 017-520-001, -002, -003, and -004) Extending the Existing Lease with the City for an Additional Fifty (50) Year Period.

Action: Approved the recommendation; Ordinance No. 5465; Agreement No. 11,003.1.

7. Subject: Inclusionary Housing Ordinance Revisions (640.09)

Recommendation: That the Council defer adoption of the proposed ordinance amending the City's Inclusionary Housing Ordinance for smaller residential projects (as introduced on September 30, 2008) pending further review of the draft ordinance by the City Planning Commission and receipt by the City Council of written Planning Commission comments on the proposed ordinance.

Action: Approved the recommendation (October 14, 2008, report from the Community Development Director).

Agenda Item Nos. 8 – 10 appear in the Redevelopment Agency minutes.

NOTICES

11. The City Clerk has on Thursday, October 9, 2008, 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.
12. The public hearing originally scheduled for September 23, 2008, at 2:00 p.m. to hear an appeal of the Planning Commission's approval for 101 E. Victoria Street, has been rescheduled for December 23, 2008, at 2:00 p.m. The City Council will make a site visit to the property on Monday, December 22, 2008, at 1:30 p.m.
13. Received a letter of resignation from Sign Committee Member Jennifer Rose; the vacancy will be part of the current City Advisory Group recruitment.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee member Helene Schneider reported that the Committee met to review Interim Financial Statements for the One Month Ended July 31, 2008, and for the Two Months Ended August 31, 2008, for both the Redevelopment Agency and the City. Ms. Schneider stated that the Council would now receive a Staff report regarding the City's Financial Statements for the Two Months Ended August 31, 2008 (Agenda Item No. 14).

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

FINANCE DEPARTMENT

14. Subject: Fiscal Year 2009 Interim Financial Statements For The Two Months Ended August 31, 2008 (250.02)

Recommendation: That Council accept the Fiscal Year 2009 Interim Financial Statements for the Two Months Ended August 31, 2008.

Documents:

October 14, 2008, report from the Finance Director.

Speakers:

Staff: Finance Director Robert Peirson, City Administrator James Armstrong.

Motion:

Councilmembers Schneider/Williams to approve the recommendation.

Vote:

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

Agenda Item No. 15 appears in the Redevelopment Agency minutes.

PARKS AND RECREATION DEPARTMENT

17. Subject: Interview And Appointment Of Youth Intern Applicant To Park And Recreation Commission (570.08)

Recommendation: That Council:

- A. Interview applicant Diego Torres-Santos for the position of Youth Intern on the Park and Recreation Commission; and
- B. Request that Mayor Blum appoint Diego Torres-Santos to the position of Youth Intern on the Park and Recreation Commission.

(Cont'd)

17. (Cont'd)

Documents:

October 14, 2008, report from the Parks and Recreation Director.

Speakers:

- Staff: Recreation Supervisor Susan Young.
- Applicant: Diego Torres-Santos.

Motion:

Councilmembers House/Williams to approve recommendation B.

Vote:

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

At the Council's request, Mayor Blum appointed Mr. Torres-Santos to the Youth Intern position on the Park and Recreation Commission.

MAYOR AND COUNCIL REPORTS

16. Subject: Interim Suspension Of The Hedge Ordinance (640.09)

Recommendation: That Council consider the request of Councilmembers Francisco and Schneider to discuss the proposed interim suspension of the Hedge Ordinance.

Documents:

October 14, 2008, report from the Community Development Director.

Speakers:

- Staff: City Attorney Stephen Wiley, Community Development Director Paul Casey.
- Members of the Public: Judy Orias, Allied Neighborhoods Association; Colleen Kelly; Jim Westby; Todd Drevo; William Henderson; Francesca Cava; Meloni Cava; Benita Wilson; Reed Wilson; Clay Cole; Steve Johnson; Phil Walker; Lauren Carl; Tony Fischer.

Motion:

Councilmembers House/Williams to: 1) direct Staff to submit an ordinance temporarily suspending the Hedge Ordinance, which suspension ordinance will sunset in two years; 2) refer the general requirements of the Hedge Ordinance to the Ordinance Committee for consideration and possible revision; and 3) stipulate that the temporary suspension of the Hedge Ordinance will not apply to hedges within 10 feet of a driveway.

Vote:

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

RECESS

The Mayor recessed the meeting at 4:15 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 18 - 20, and she stated there would be no reportable action taken during the closed sessions.

CLOSED SESSIONS

18. Subject: Council Chambers Safety and Security (520.04)

Recommendation: That Council hold a closed session to receive a report from the Police Department regarding Council Chambers safety and security pursuant to Subsection (a) of Section 54957 of the Government Code and take appropriate action as needed.

Scheduling: Duration, 60 minutes; anytime

Report: None anticipated

Documents:

October 14, 2008, report from the Police Chief.

Time:

4:17 p.m. - 5:25 p.m.

No report made.

19. 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 Ampersand Publishing, LLC, v. City Of Santa Barbara; Santa Barbara Transportation And Circulation Committee, et al., SBSC Number 1266463.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

October 14, 2008, report from the City Attorney.

Time:

5:25 p.m. - 5:55 p.m.

No report made.

20. Subject: Conference with Labor Negotiator (440.05)

Recommendation: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristy Schmidt, Employee Relations Manager, regarding negotiations with the General, Treatment and Patrol, Hourly, Police Management, and Supervisory bargaining units, and regarding salaries and fringe benefits for unrepresented management and confidential employees.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

Documents:

October 14, 2008, report from the Assistant City Administrator.

Time:

5:55 p.m. - 6:55 p.m.

No report made.

ADJOURNMENT

Mayor Blum adjourned the meeting at 6:55 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE


MARTY BLUM
MAYOR

ATTEST: 
SUSAN TSCHUCH, CMC
DEPUTY CITY CLERK