



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING March 6, 2007 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 2:00 p.m. (The Ordinance Committee met at 12:30 p.m. The Finance Committee, which ordinarily meets at 1:00 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.

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

CEREMONIAL ITEMS

1. Subject: Proclamation Declaring March 7, 2007, As Arbor Day (120.04)

Documents:

PowerPoint presentation prepared and made by staff.

Action: Proclamation presented to Courtney Seepel, President of the Board of Directors of Santa Barbara Beautiful.

2. Subject: Proclamation Declaring March 11-17, 2007, As Girl Scouts Make The World A Better Place Week (120.04)

Action: Proclamation presented to Myfanwy DeVoe, Marketing and Communications Director of Girls Scouts of Tres Condados.

3. 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 March 31, 2007.

Documents:

March 6, 2007, report from the Administrative Services Director.

Speakers:

Staff: City Administrator James L. Armstrong.

Action: By consensus, the Council approved the recommendation. The following employees were recognized:

30-Year Pin

Christine Nail, Police Information Technology Manager, Police

25-Year Pin

Peggy Avila, Water Reclamation/Cross Connection Specialist, Public Works

20-Year Pin

Donald Ensign, Police Officer, Police

James Russell, Maintenance Supervisor I, Public Works

Alexander Alonzo, Wastewater Collection Systems Project Coordinator, Public Works

Fernando Reynoso, Airport Patrol Supervisor, Airport

15-Year Pin

Elizabeth Limon, Project Planner, Community Development

Kristin Shamordola, Police Officer, Police

10-Year Pin

Jose Monclus, Carpenter, Public Works

Donald Mac Nevin, Senior Maintenance Worker, Parks and Recreation

5-Year Pin

Brian Sawicki, Police Officer, Police

PUBLIC COMMENT

Speakers:

Members of the Public: Tamara Erickson, Hotel Santa Barbara; Terry Tyler, Eucalyptus Hill Homeowners Association; Howard Drozd; David Daniel Diaz; Kenneth Loch; Nancy Tunnell; Marc Chytilo, Friends of Mission Canyon.

CONSENT CALENDAR (Item Nos. 4-11)

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

Motion:

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

Vote:

Unanimous roll call vote.

4. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the special meetings of February 20, 2007.

Action: Approved the recommendation.

5. Subject: Records Destruction For Administrative Services Department (160.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the Administrative Services Department in the City Clerk's Office and Information Systems Division.

Action: Approved the recommendation; Resolution No. 07-010 (March 6, 2007, report from the Administrative Services Director; proposed resolution).

6. Subject: Notice Of Completion For The Signalization At The Santa Barbara And Ortega Streets Intersection Project (530.05)

Recommendation: That Council accept the work completed by Lash Construction, Inc., Contract No. 21,759, for the Signalization at the Santa Barbara and Ortega Streets Intersection Project, Bid No. 3417, in the final contract amount of \$192,089.32, including approved changes, and approve filing of a Notice of Completion.

Action: Approved the recommendation (March 6, 2007, report from the Public Works Director).

7. Subject: Notice Of Completion For The Area A Pavement Preparation 2005/2006 Project (530.04)

Recommendation: That Council accept the work completed by General Pavement Management (GPM), Contract No. 22,038, for the Area A Pavement Preparation 2005/2006 Project, Bid No. 3477, located at various locations as indicated on the street list, in the final contract amount of \$362,353.35, including approved changes, and approve filing of a Notice of Completion.

Action: Approved the recommendation (March 6, 2007, report from the Public Works Director).

8. Subject: Increase The Change Order Authority For The Contract For Construction For The Mission Canyon Road Water Main Project (540.06)

Recommendation: That Council increase the Public Works Director's authority to approve expenditures from \$27,332 to \$122,332 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 for construction of the Mission Canyon Road Water Main Project, Contract No. 22,083.

Speakers:

- Members of the Public: Marc Chytilo, Friends of Mission Canyon; Ginger Sledge; Paulina Conn; Tim Gill.
- Staff: Principal Engineer John Schoof, Water Systems Manager Cathy Taylor, City Attorney Stephen P. Wiley.

Action: Approved the recommendation (March 6, 2007, report from the Public Works Director).

9. Subject: Measure P Committee Resolution (110.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Establishing the "Measure P" (Santa Barbara Municipal Code Chapter 9.145) Oversight Committee Pursuant to the Requirements of Municipal Code Section 9.145.060.

Action: Approved the recommendation; Resolution No. 07-011 (March 6, 2007, report from the City Attorney; proposed resolution).

NOTICES

10. The City Clerk has on Thursday, March 1, 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.
11. A City Council site visit is scheduled for Monday, March 12, 2007, at 1:30 p.m. to the property located at 1528 State Street, which is the subject of a public hearing set for March 13, 2007, at 2:00 p.m.

This concluded the Consent Calendar.

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Iya Falcone reported that the Committee met to review the Draft City Municipal Election Campaign Disclosure Ordinance and acted to have this ordinance forwarded to Council on a future agenda.

REDEVELOPMENT AGENCY REPORTS

12. Subject: Public Hearing Regarding The Sale Of Agency-Owned Property At 3738 Gregory Way #4 And Authorizing The Sale Of Such Property

Recommendation:

- A. That Council approve and adopt, by reading of title only, A Resolution of the City Council of the City of Santa Barbara Authorizing the use of Redevelopment Agency Housing Setaside Funds Outside of the Central City Redevelopment Agency Project Area and Approving the Sale of Agency-Owned Property at 3738 Gregory Way #4; and
- B. That the Agency Board approve and adopt, by reading of title only, A Resolution of the Redevelopment Agency of the City of Santa Barbara, Authorizing the Appropriation of Redevelopment Agency Housing Setaside Funds, the Expenditure of Such Funds Outside of the Central City Redevelopment Agency Project Area and Approving the Sale of Agency-Owned Property at 3738 Gregory Way #4.

Documents:

- March 6, 2007, report from the Community Development Director/Deputy Director.
- Proposed resolutions.

Speakers:

Staff: Community Development Director/Deputy Director Paul Casey.

Motion:

Council/Agency members Schneider/House to approve the recommendations; City Council Resolution No. 07-012; Redevelopment Agency Resolution No. 1005.

Vote:

Unanimous roll call vote.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PARKS AND RECREATION DEPARTMENT

13. Subject: Integrated Pest Management 2006 Annual Report (330.01)

Recommendation: That Council:

- A. Hear a staff presentation on the City's Integrated Pest Management (IPM) Program; and
- B. Accept the IPM 2006 Annual Report.

Documents:

- March 6, 2007, report from the Parks and Recreation Director.
- PowerPoint presentation prepared and made by staff.

(Cont'd)

13. (Cont'd)

Speakers:

Staff: Parks Manager Santos Escobar.

By consensus, the Council received the report.

MAYOR AND COUNCIL REPORTS

14. Subject: City Advisory Group Appointments (140.05)

Recommendation: That Council:

- A. Make appointments to the Architectural Board of Review and the Harbor Commission; and
- B. Make recommendations to the Mayor on appointments to the Measure P Committee.

Documents:

- March 6, 2007, report from the Administrative Services Director.
- March 6, 2007, e-mail from Thomas Hyatt withdrawing his application.

Speakers:

Staff: Deputy City Clerk Brenda Alcazar, City Attorney Stephen P. Wiley.

Architectural Board of Review:

Nominees for Public At Large representative:

Clay Aurell, Jim Blakeley, David Jacoby, Paul Zink.

Vote:

- For Aurell: Councilmembers Barnwell, Falcone, Horton, Schneider.
- For Blakeley: None.
- For Jacoby: Councilmember House.
- For Zink: Councilmember Williams, Mayor Blum.

Nominees for Professional Qualifications category:

Jim Blakeley, David Jacoby, Jim Kahan, and Paul Zink.

Vote:

- For Blakeley: Councilmembers Barnwell, Falcone, Horton, House, Schneider, Williams, Mayor Blum.
- For Jacoby: None.
- For Kahan: None.
- For Zink: Councilmembers Barnwell, Falcone, Horton, House, Schneider, Williams, Mayor Blum.

(Cont'd)

14. (Cont'd)

Architectural Board of Review (Cont'd):

Appointments:

Jim Blakeley was re-appointed for a term ending December 31, 2010, Paul Zink was appointed to the Professional Qualifications category for a term ending December 31, 2010, and Clay Aurell was appointed as a representative of the Public At Large for a term ending December 31, 2007.

Harbor Commission:

Nominees for Qualified elector category:

Elizabeth Cramer and Deborah Schwartz.

Vote:

- For Cramer: Councilmembers Barnwell, Schneider, Williams, Mayor Blum.
- For Schwartz: Councilmembers Falcone, Horton, House.

Appointments:

Elizabeth Cramer was appointed for a term expiring December 31, 2010.

Measure P Committee:

Nominees for Criminal Defense Attorney category:

Joe Allen and Luis Esparza.

Vote:

- For Allen: Councilmembers Barnwell, Falcone, Horton, House, Schneider, Williams, Mayor Blum.
- For Esparza: None.

Nominees for Civil Liberties Advocate category:

Luis Esparza and Brendan Hamme.

Vote:

- For Esparza: Councilmembers Barnwell, Horton, House, Schneider, Williams, Mayor Blum.
- For Hamme: Councilmember Falcone.

Nominees for Medical Marijuana Patient category:

Patrick Fourmy and Brendan Hamme.

(Cont'd)

14. (Cont'd)

Measure P Committee (Cont'd):

Vote:

- For Fourmy: Councilmembers Horton, Williams, Mayor Blum.
- For Hamme: Councilmembers Barnwell, Falcone, House, Schneider.

Motion:

Councilmembers Barnwell/Schneider to appoint David Bearman as a representative of the Medical Profession.

Vote:

Unanimous voice vote.

Motion:

Councilmembers Williams/Falcone to appoint Al Rodriguez to the Drug Abuse, Treatment and Prevention Counselor category.

Vote:

Unanimous voice vote.

Nominees for City Resident category:

Thomas Hyatt, Patrick Killen, Ryan O'Leary, and Daniel Seidenberg.

Vote:

- For Hyatt: Councilmembers Barnwell, Falcone, Horton, House, Schneider, Williams, Mayor Blum.
- For Killen: Councilmember Williams.
- For O'Leary: Councilmembers Barnwell, Falcone, Horton, House, Mayor Blum.
- For Seidenberg: Councilmember Schneider.

Appointments:

Joe Allen was appointed to the Criminal Defense Attorney category for a term ending December 31, 2008, Luis Esparza was appointed to the Civil Liberties Advocate category for a term ending December 31, 2008, Brendan Hamme was appointed to the Medical Marijuana Patient category for a term ending December 31, 2009, David Bearman was appointed to the Medical Professional category for a term ending December 31, 2009, Al Rodriguez was appointed to the Drug Abuse, Treatment and Prevention Counselor category for a term ending December 31, 2010, and Thomas Hyatt and Ryan O'Leary were appointed as representatives of Residents of the City for terms ending December 31, 2010, and December 31, 2007, respectively.

(Cont'd)

14. (Cont'd)

Measure P Committee (Cont'd):

Note:

During the appointment process, Mr. Hyatt sent his e-mail withdrawing his application. On March 7, 2007, Mayor Blum appointed Patrick Fourmy to his position.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember House mentioned the Looking Good Santa Barbara Spirit of Service Awards and that he volunteered to read to fifth graders.
- Community Development Director Paul Casey made a short presentation regarding the La Entrada project.
- Councilmember Falcone commented on the following: 1) the opening day celebration at the Yacht Club; 2) her participation in an American Lung Association dinner, where she acted as a celebrity waiter, along with Councilmembers Schneider and Williams; and 3) her train ride to Burbank and Sacramento for a Utility User Tax Task Force meeting.
- Councilmember Horton attended the monthly meeting of the Interfaith Initiative of Santa Barbara County.
- Councilmember Williams reported on the following: 1) the California Transportation Commission's approval of Highway 101 widening from Mussel Shoals to Rincon; 2) his participation, along with Mayor Blum, at Santa Barbara High School's Career Day, 3) his teleconference with the Climate Change Working Group; 4) a meeting of the Public Policy Academy at Santa Barbara High School; and 5) his attendance at a Teen Center meeting.
- Councilmember Schneider remarked upon the following: 1) she thanked all of the Advisory Group applicants; 2) her participation in a tour of the Naples Development project area, which was hosted by the Naples Coalition, the Surf Rider Foundation, EDC, and the Sierra Club; 3) the lightblueline presentation on the main floor of City Hall; and 4) her volunteer work at Harding Elementary School, where she read to the students.
- Councilmember Barnwell commented on the following: 1) his daughter read her first book on Dr. Suess's birthday; 2) a meeting he attended, along with Mayor Blum, with Santa Barbara City College students who want to ban styrofoam; 3) his attendance, along with Councilmember Schneider, at an Americans with Disabilities Act meeting; 4) a meeting of the Housing Policy Steering Committee; and 5) the lightblueline project.
- Mayor Blum reported on the Yacht Club's decision to take over the flag project at the Harbor and the Local Agency Formation Commission hearing.

RECESS

Mayor Blum recessed the meeting at 5:00 p.m. in order for the Council to reconvene in closed session for Item No. 15 and stated that no reportable action is anticipated.

CLOSED SESSION

15. 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: Michael Perry v. City of Santa Barbara, WCAB, case number GOL 0094199.

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

Documents:

March 6, 2007, report from the Finance Director.

Time:

5:02 p.m. - 5:11 p.m.

No report made.

ADJOURNMENT

Mayor Blum adjourned the meeting at 5:11 p.m. to Monday, March 12, 2007, at 1:30 p.m. for a site visit to the property located at 1528 State Street.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER

MARTY BLUM
MAYOR

ATTEST: _____
LORI COLE
DEPUTY CITY CLERK