



**CITY OF SANTA BARBARA
CITY COUNCIL MINUTES**

**REGULAR MEETING
January 29, 2013
COUNCIL CHAMBER, 735 ANACAPA STREET**

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:01 p.m. (The Finance and Ordinance Committees met at 12:30 p.m.)

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Dale Francisco, Frank Hotchkiss, Grant House, Cathy Murillo, Randy Rowse, Mayor Schneider.

Councilmembers absent: Bendy White.

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

CHANGES TO THE AGENDA

Order of Agenda Items

City Administrator James Armstrong requested that Item No. 6 be considered after PUBLIC COMMENT.

Motion:

Councilmembers Rowse/House to go into closed session for Item No. 6 after PUBLIC COMMENT is taken.

Vote:

Unanimous voice vote (Absent: Councilmember White).

Item Removed from Agenda

City Administrator Armstrong stated that the following item was being removed from the agenda:

8. 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 *Jeannetta Ann Purdue Rizkalla And Tarek Ramzi Rizkalla, v. City Of Santa Barbara, et al.*, SBSC Case No.1383789.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

PUBLIC COMMENT

Speakers: Leoncio Martins; Sheila Cushman, Children's Museum; Nancy Tunnell; Patrick Matthew Ortiz; Max Golding.

RECESS

Mayor Schneider recessed the meeting at 2:15 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 6.

CLOSED SESSIONS

6. Subject: Fire Chief Appointment (520.03)

Recommendation: That Council hold a closed session, pursuant to Section 54957 of the Government Code, to consider a public employee appointment.

Title: Fire Chief

Scheduling: Duration, 20 minutes; anytime

Report: Anticipated

Documents:

January 29, 2013, report from the City Administrator.

Time:

2:16 p.m. – 2:26 p.m. Councilmember White was absent.

Recess: 2:26 p.m. – 2:27 p.m.

(Cont'd)

6. (Cont'd)

Announcement:

City Administrator Armstrong reported that the Council voted unanimously to approve his appointment of City Fire Operations Division Chief Pat McElroy as the City's Fire Chief. Mr. McElroy made comments in acceptance of his appointment.

CONSENT CALENDAR (Item Nos. 1 – 4)

The title of the resolution related to Agenda Item No. 3 was read.

Motion:

Councilmembers Rowse/Hotchkiss to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote (Absent: Councilmember White).

1. **Subject: Minutes**

Recommendation: That Council waive the reading and approve the minutes of the regular meetings of January 8 and 15, 2013, and the regular meeting of January 22, 2013 (cancelled).

Action: Approved the recommendation.

2. **Subject: December 31, 2012, Investment Report And December 31, 2012, Fiscal Agent Report (260.02)**

Recommendation: That Council:

- A. Accept the December 31, 2012, Investment Report; and
- B. Accept the December 31, 2012, Fiscal Agent Report.

Action: Approved the recommendations (January 29, 2013, report from the Finance Director).

3. **Subject: Resolution Authorizing Execution Of Grant Agreement In The Amount Of \$300,000 With The State Coastal Conservancy For Construction Of The Mission Creek Fish Passage Project - Lower Caltrans Channel (540.14)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Parks and Recreation Director, or Designee, to Negotiate and Execute an Agreement and any Amendments for a Grant in the Amount of \$300,000 from the State Coastal Conservancy for the Mission Creek Fish Passage Project - Lower Caltrans Channel.

(Cont'd)

3. (Cont'd)

Action: Approved the recommendation; Resolution No. 13-002; Agreement No. 24,359 (January 29, 2013, report from the Parks and Recreation Director; proposed resolution).

NOTICES

4. The City Clerk has on Thursday, January 24, 2013, 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.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dale Francisco reported that the Committee met to review the December 31, 2012, Investment and Fiscal Agent Reports. These reports were approved by the Council as part of this Agenda's Consent Calendar (Item No. 2).

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Grant House reported that the Committee met to continue its discussion of proposed Municipal Code amendments to implement the Nonresidential Growth Management Program. The Committee approved the amendments, which will be forwarded to the Council on its agenda of March 5 for introduction and subsequent adoption.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

5. **Subject: Transfer Of Real Property From The Successor Agency To The Former Redevelopment Agency Of The City Of Santa Barbara To The City Of Santa Barbara (620.03)**

Recommendation:

- A. That Successor Agency adopt, by reading of title only, A Resolution of the Successor Agency to the Redevelopment Agency of the City of Santa Barbara Conveying and Assigning For Public Parking and All Related Purposes All Right, Title and Interest to the "Governmental Purpose" Real Property Described Herein Owned by the Successor Agency to the Former Redevelopment Agency of the City of Santa Barbara to the City of Santa Barbara and Authorizing the Executive Director to Execute Such Agreements and Related Documents as Necessary to Effectuate Such Transfer of Real Property Interests to the City of Santa Barbara; and

(Cont'd)

5. (Cont'd)

- B. That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting and Assuming for Public Parking and All Related Purposes All Right, Title and Interest to the "Governmental Purpose" Real Property Described Herein Owned by the Successor Agency to the Former Redevelopment Agency of the City of Santa Barbara to the City of Santa Barbara and Authorizing the City Administrator to Execute Such Agreements and Related Documents as Necessary to Effectuate Such Transfer of Real Property Interests to the City of Santa Barbara.

Documents:

- January 29, 2013, report from the Assistant City Administrator/Community Development Director.
- Proposed Resolutions.
- PowerPoint presentation prepared and made by Staff.

The titles of the resolutions were read.

Speakers:

Staff: Assistant City Administrator/Community Development Director Paul Casey, City Attorney Stephen Wiley.

Motion:

Councilmembers House/Rowse to approve the recommendations and adopt Resolution Nos. 13-003 and 13-004.

Vote:

Unanimous roll call vote (Absent: Councilmember White).

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Murillo reported on meetings of: 1) the City/County Affordable Housing Task Group, during which the issue of economic development as it affects the housing stock was considered; and 2) the South Coast Gang Task Force, which held a panel discussion with service providers.
- Councilmember Francisco remarked upon the 105th birthday party held for Direct Relief International volunteer Edythe Kirchmaier, and he also reported that the Architectural Board of Review heard a presentation of the new project to redevelop the Sandman Inn property.
- Councilmember Rowse reported on the presentation given by City Administrator Armstrong at the Downtown Organization's annual retreat, held recently.

(Cont'd)

Information (Cont'd):

- Councilmember Hotchkiss mentioned that the Milpas Community Association held a retreat to consider the possible formation of a business improvement district; he also commented on a meeting held to celebrate the 50th anniversary of the Santa Barbara Trust for Historic Preservation.
- Councilmember House commented on the activities held to commemorate Martin Luther King Day, and on the recent visit made by Tibetan Society members to the City; he also reported that the Santa Barbara Conference & Visitors Bureau and Film Commission recently held its annual summit, at which the organization's course for the future was discussed.
- Mayor Schneider reported on her attendance at the United States Conference of Mayors' winter meeting in Washington, D.C., and she also remarked on a project of the Samarkand Retirement Community to add a new building to its facilities.

RECESS

The Mayor recessed the meeting at 3:16 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 7 and 9, and she stated that no reportable action is anticipated.

CLOSED SESSIONS

7. 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 Police Officers' Association and the Fire Management Association, and regarding discussions with certain unrepresented managers about salaries and fringe benefits.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

Documents:

January 29, 2013, report from the Assistant City Administrator.

Time:

3:20 p.m. – 3:27 p.m. Councilmember White was absent.

No report made.

9. 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 *On Patrol with SBPD, Inc., vs. City of Santa Barbara, City of Santa Barbara vs. On Patrol with SBPD, Inc., Ira Distenfield, Linda Distenfield, et al.*, SBSC Case No. 1385228.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

January 29, 2013, report from the City Attorney.

Time:

3:27 p.m. – 4:06 p.m. Councilmember White was absent.

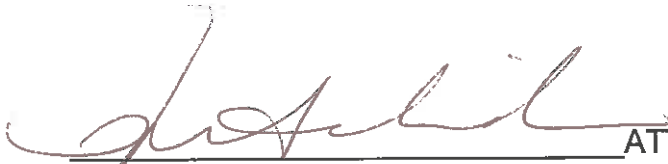
No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 4:06 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



HELENE SCHNEIDER
MAYOR

ATTEST:



SUSAN TSCHECH, CMC
DEPUTY CITY CLERK