



**CITY OF SANTA BARBARA
CITY COUNCIL MINUTES**

**REGULAR MEETING
September 25, 2012
COUNCIL CHAMBER, 735 ANACAPA STREET**

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:00 p.m. (The Finance and Ordinance Committees, which ordinarily meet at 12:30 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

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

Councilmembers absent: None.

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

PUBLIC COMMENT

Speakers: Robert Burke, Richard Robinson, K8longstory.

CONSENT CALENDAR (Item Nos. 1 - 10)

The titles of the ordinances related to Consent Calendar items were read.

Motion:

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

Vote:

Unanimous roll call vote.

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the special meeting of September 10, 2012, and the regular meetings of September 11 and 18, 2012.

Action: Approved the recommendation.

2. Subject: Introduction Of Ordinance For A Lease Agreement With Accurate Aviation Group, Inc. (330.04)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Seven-Year Lease Agreement with Accurate Aviation Group, Inc., Dated as of October 31, 2012, at a Monthly Rental of \$6,066, for Two Maintenance Hangars of 3,000 and 3,522 Square Feet, Respectively, 51,548 Square Feet of Ramp Space, and Associated Parking, at 101 Cyril Hartley Place, at the Santa Barbara Airport, for Operation of a General Aviation Maintenance Shop.

Action: Approved the recommendation (September 25, 2012, report from the Airport Director; proposed ordinance).

3. Subject: Adoption Of Ordinance Approving Sale Of City Surplus Real Property Located At 136 West Haley Street And 306 West Ortega Street (330.03)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the Sale of the Surplus Real Property Located at 136 West Haley Street (APN 037-162-010) to Victor Kirschbaum, in the High Bid Amount of \$350,000, and 306 West Ortega Street (APN 037-073-028) to G. Scott Armstrong & Cathy L. Armstrong, Trustees of the Armstrong Family Trust U/A/D 2/12/02, in the High Bid Amount of \$250,000.

Action: Approved the recommendation; Ordinance No. 5597; Agreement Nos. 24,259 and 24,260.

4. Subject: Adoption Of Ordinance Adopting The 2012-2013 General Unit Memorandum Of Understanding (440.02)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting the 2012-2013 Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara City Employees' Association (General Unit) and Providing for Compensation Changes for Confidential Employees.

Action: Approved the recommendation; Ordinance No. 5598; Agreement No. 24,261.

5. Subject: Agreement For Surface Water And Groundwater Monitoring (540.10)

Recommendation: That Council authorize the Public Works Director to execute a joint funding agreement with the United States Geological Survey for water resources investigations related to surface water and groundwater measurements for the period of November 1, 2012 through October 31, 2013, with a City cost share not to exceed \$111,150.

Action: Approved the recommendation; Agreement No. 24,262 (September 25, 2012, report from the Public Works Director).

6. Subject: Approval Of Parcel Map And Execution Of Agreements For 2501 - 2511 Medcliff Road (640.08)

Recommendation: That Council approve and authorize the City Administrator to execute and record Parcel Map Number 20,798 and Standard Agreements relating to the approved subdivision at 2501-2511 Medcliff Road.

Action: Approved the recommendation; Agreement Nos. 24,263 and 24,264 (September 25, 2012, report from the Public Works Director).

7. Subject: Appropriation Of Federal Aviation Administration Airport Improvement Program Grant Funds For Santa Barbara Airport (560.04)

Recommendation: That Council accept the increased Federal Aviation Administration grant offer and increase appropriations and estimated revenues by \$3,360,273 in the Airport's Grants Fund for two projects, the Airline Terminal Improvement Project (Phase V) and the Taxiway C, H, J Rehabilitation Project (Phase I), both of which will be primarily funded from Federal Aviation Administration Airport Improvement Program (AIP) Grant No. 03-06-0235-045-2012 totaling \$3,046,424, with the City's 9.3% match portion of \$313,849 to be funded from Airport reserves above policy.

Action: Approved the recommendation; Agreement No. 24,265 (September 25, 2012, report from the Airport Director).

8. Subject: Contract For Launch Ramp Design - Santa Barbara Harbor (570.03)

Recommendation: That Council authorize the Waterfront Director to execute a Professional Services Contract with Moffatt & Nichol, Inc., approved as to form by the City Attorney, in the amount of \$51,500 for design services for the Santa Barbara Harbor Launch Ramp Project; and approve expenditures of up to \$5,150 for extra design services that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Contract No. 24,266 (September 25, 2012, report from the Waterfront Director).

9. Subject: August 2012 Investment Report (260.02)

Recommendation: That Council accept the August 2012 Investment Report.

Action: Approved the recommendation (September 25, 2012, report from the Finance Director).

NOTICES

10. The City Clerk has on Thursday, September 20, 2012, 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.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

FIRE DEPARTMENT

11. Subject: TsunamiReady Community Designation (520.02)

Recommendation: That Council accept recognition by the National Weather Service designating the City of Santa Barbara as a TsunamiReady Community.

Documents:

September 25, 2012, report from the Fire Chief.

Speakers:

- Staff: Emergency Services Manager Yolanda McGlinchey
- National Weather Service: Eric Boldt, Mark Jackson.

By consensus, the Council accepted a certificate designating the City of Santa Barbara as a TsunamiReady Community from National Oceanic and Atmospheric Administration (NOAA)/National Weather Service.

MAYOR AND COUNCIL REPORTS

12. Subject: Request From Mayor Schneider And Councilmember Francisco Regarding Safe Passage (530.04)

Recommendation: That Council consider the request from Mayor Schneider and Councilmember Francisco regarding safety issues for pedestrians, bicyclists and vehicle drivers in the corridor from Laguna Street, along with East Los Olivos Street through the intersections with Alameda Padre Serra and Mountain Drive, across Mission Creek Bridge, onto Mission Canyon Road, through the intersection with Puesta del Sol Road to the intersection with Las Encinas Road.

(Cont'd)

12. (Cont'd)

Documents:

- September 25, 2012, report from the City Administrator.
- June 8, 2012, document entitled "Safe Passage – Mission Historical Park to Mission Canyon" submitted by Concerned Citizens for Safe Passage.

Speakers:

- Staff: City Administrator James Armstrong, Principal Transportation Planner Rob Dayton, Parks and Recreation Director Nancy Rapp; City Attorney Stephen Wiley.
- Concerned Citizens for Safe Passage Working Group: Tom Jacobs.
- Members of the Public: Rosie Dyste, Santa Barbara County Planning Department; Scott Wenz, Cars Are Basic; Ernestine Ignacio DeSoto, Chumash Community Representative; Nancy Mixon; Father Richard McManus.

Councilmember Hotchkiss left the meeting at 3:06 p.m. due to a conflict of interest related to his residence which is located within the Safe Passage area.

Motion:

Councilmembers House/Francisco to direct staff to work with Safe Passage and the County of Santa Barbara to scope out a possible work plan and come back to the Council in two months.

Vote:

Unanimous voice vote (Absent: Councilmember Hotchkiss).

PUBLIC HEARINGS**13. Subject: Public Hearing For The City Of Santa Barbara's "2012 Analysis Of Impediments To Fair Housing Choice" (660.06)**

Recommendation: That Council:

- A. Hold a public hearing to consider the "2012 Analysis of Impediments to Fair Housing Choice (AI)" and provide direction to staff regarding any changes to the AI; and
- B. Authorize staff to submit the final AI to the Department of Housing and Urban Development (HUD) in accordance with the requirements of the federal Community Development Block Grant (CDBG) and the Home Investments Partnership (HOME) programs.

Document:

September 25, 2012, report from the Assistant City Administrator/Community Development Director.

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13. (Cont'd)

Public Comment Opened:
3:17 p.m.

Councilmember House left the meeting at 3:17 p.m. and returned at 3:19 p.m.

Speakers:

- Staff: Community Development Programs Supervisor Deirdre Randolph, Community Development Program Specialist Elizabeth Stotts
- Members of the Public: No one wished to speak.

Public Comment Closed:
3:24 p.m.

Councilmember Hotchkiss returned to the meeting at 3:26 p.m.

Motion:

Councilmember White/Rowse to approve recommendation B.

Vote:

Majority voice vote (Noes: Councilmember House).

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**Information:**

- Councilmember Murillo reported on her attendance, along with Mayor Schneider and Councilmember Francisco, at the Westside Association neighborhood meeting; she also said that she will start monthly office hours at the Eastside library soon.
- Councilmember Hotchkiss reported on the Arts Commission discussion of the new Airport sculpture and a recent West Beach residents meeting.
- Councilmember House reported on the recent meeting of the Beach Erosion Authority for Clean Oceans and Nourishment (BEACON) where they discussed the ban of single-use bags and the Conference and Visitor's Bureau board meeting where they are starting a new marketing campaign.
- Mayor Schneider thanked all involved for their work at the Westside Community Health Fair event which was held over the weekend.

RECESS

3:35 p.m. - 6:00 p.m.

Mayor Schneider presiding.

Councilmembers present: Francisco, Hotchkiss, House, Murillo, Rowse, White, Mayor Schneider.

Councilmembers absent: None.

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

PUBLIC COMMENT

No one wished to speak.

MAYOR AND COUNCIL REPORTS

14. Subject: Request From Councilmembers Hotchkiss And Rowse Regarding Recent Architectural Board Of Review Conduct (640.03)

Recommendation: That Council consider a request from Councilmembers Hotchkiss and Rowse to review recent Architectural Board of Review actions concerning Chick-fil-A restaurant and decide appropriate action.

Documents:

- September 25, 2012, report from the City Administrator.
- September 24, 2012, letter from Keith Rivera.

Speakers:

- Staff: City Attorney Stephen Wiley, City Planner Bettie Weiss.
- Architectural Board of Review: Members Chris Gilliland, Gary Mosel.
- Members of the Public: Jim Worthen; Loyd Applegate; Bob Handy; Bill Marks, Work Group; Pam Brandon; Mark Bagley; Stephen Thomas; Terry Leftgoff, GLBA of Santa Barbara; Mike Jordan; Tania Israel, Fund for Santa Barbara Board Member; Teresa Machado who read a statement from Assemblymember Das Williams; Lauren Gunther, Pacific Pride Foundation; Hillary Blackerby; Nicole Dinkelacker, Just Communities Co-Chair; Daraka Larimore-Hall, Santa Barbara Democratic Party; Marco Silva, Pacific Pride Foundation; David Selberg, Pacific Pride Executive Director; John Doe; Dan Secord; Kathy Mora; Lynn Goebel; Michael Nicholson.

Recess: 8:01 p.m. – 8:09 p.m.

Motion:

Councilmembers House/Murillo to:

- 1) Retain Architectural Board of Review members Gary Mosel and Chris Gilliland and to invite Keith Rivera to return as a member of the Board and

(Cont'd)

14. (Cont'd)

- 2) Direct the City Attorney and Assistant City Administrator/Community Development Director to conduct training for Staff and members of the boards and commissions (particularly for the Chairs), specifically in the areas of conflict of interest and code of conduct, with an emphasis on the expectation that and critical need for each individual board member to consistently separate their personal political or socio-economic views from their role as a City board or commission member, and to avoid any intrusion of their personal opinions, whether explicit or implicit, into the City board and commission decision-making process.

Amendment Motion:

Councilmembers House/Murillo to:

- 1) Retain Architectural Board of Review members Gary Mosel and Chris Gilliland;
- 2) Direct the City Attorney and Assistant City Administrator/Community Development Director to conduct training for Staff and members of the boards and commissions (particularly for the Chairs), specifically in the areas of conflict of interest and code of conduct, with an emphasis on the expectation that and critical need for each individual board member to consistently separate their personal political or socio-economic views from their role as a City board or commission member, and to avoid any intrusion of their personal opinions, whether explicit or implicit, into the City board and commission decision-making process; and
- 3) Direct Staff to update the Code of Conduct, which is signed by board and commission members, to reflect changes recommended by the City Attorney.

Vote on Amendment Motion:

Majority voice vote (Noes: Councilmembers Francisco, Hotchkiss, Rowse).

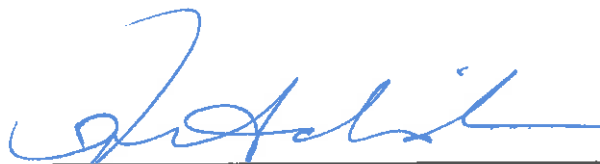
Motion:

Councilmember White to direct Staff to return to the Council in the near future with an overview of the design review boards policies regarding board members and their role as an applicant.

The motion was withdrawn.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 9:42 p.m.

SANTA BARBARA CITY COUNCIL**SANTA BARBARA
CITY CLERK'S OFFICE**

HELENE SCHNEIDER
MAYOR

ATTEST:



SARAH FOX
DEPUTY CITY CLERK

ATTEST:



BRENDA ALCAZAR
DEPUTY CITY CLERK