



## **CITY OF SANTA BARBARA CITY COUNCIL MINUTES**

**REGULAR MEETING  
October 13, 2009  
COUNCIL CHAMBER, 735 ANACAPA STREET**

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### **CALL TO ORDER**

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

### **PLEDGE OF ALLEGIANCE**

Mayor Marty Blum.

### **ROLL CALL**

Councilmembers present: Iya G. Falcone, Dale Francisco, Grant House, Helene Schneider, Das Williams, Mayor Blum.

Councilmembers absent: Roger L. Horton.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, City Clerk Services Manager Cynthia M. Rodriguez.

### **CEREMONIAL ITEMS**

1. Subject: Proclamation Declaring October 2009 As Breast Cancer Awareness Month (120.04)

Action: Proclamation presented to President-Elect Nancy Heaton, Soroptimist International of Santa Barbara.

### **COUNCIL AND STAFF COMMUNICATIONS**

Administrative Services Director Marcelo López and City Clerk Services Manager Cynthia Rodriguez provided an update on the City's General Municipal Election process.

**PUBLIC COMMENT**

Speakers: Ruth Wilson, Cruzito Herrera Cruz.

**CONSENT CALENDAR (Item Nos. 2 – 7)****Motion:**

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

**Vote:**

Unanimous voice vote (Absent: Councilmember Horton).

2. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meetings of September 22, and September 29, 2009.

Action: Approved the recommendation.

3. Subject: Approval Of Funding For Downtown Parking Garage Lighting Project (550.05)

Recommendation: That Council:

- A. Increase the Downtown Parking estimated revenues in the amount of \$96,363.31 in the Downtown Parking operating reserve for amounts to be reimbursed by Southern California Edison; and
- B. Appropriate \$121,271.16 from operating reserves in the Downtown Parking Capital Program to cover the cost of installing new fluorescent light fixtures in four of the City's downtown parking garages.

Action: Approved the recommendations (October 13, 2009, report from the Public Works Director).

4. Subject: Purchase Order For Drafting Services For The Fiscal Year 2010 Water Main Improvement Project (540.06)

Recommendation: That Council authorize the General Services Manager to issue a Purchase Order to O'Brien & Wall (O'Brien) in the amount of \$38,665 for drafting services on the Water Main Improvement Project, Fiscal Year 2010 (Project), and change order authority of up to \$3,935 to cover any cost increases that may result from extra services.

Action: Approved the recommendation (October 13, 2009, report from the Public Works Director).

5. Subject: Agreements For Afterschool Recreation Programs (570.06)

Recommendation: That Council:

- A. Authorize the Parks and Recreation Director to enter into two annual program operation agreements with the Santa Barbara School Districts (SBSD) for the Recreation Afterschool Program (RAP) and Afterschool Opportunities for Kids! (A-OK!);
- B. Authorize the Parks and Recreation Director to enter into an annual program operation agreement with the Santa Barbara School Districts and Police Activities League (PAL) for the Junior High Afterschool Sports Program; and
- C. Increase estimated revenues and appropriations by \$32,432 in the Parks and Recreation Department Fiscal Year 2010 General Fund budget for the Recreation Afterschool Program and Afterschool Opportunities for Kids! Program.

Speakers:

Members of the Public: Kate Smith.

Action: Approved the recommendations; Agreement Nos. 23,216 - 23,218 (October 13, 2009, report from the Parks and Recreation Director).

#### NOTICES

- 6. The City Clerk has on Thursday, October 8, 2009, 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.
- 7. Cancellation of the regular Redevelopment Agency meeting of October 13, 2009, due to a lack of business.

This concluded the Consent Calendar.

#### **REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Member Helene Schneider reported that the Committee met to discuss the property tax securitization program where they received a report from staff on the California Communities' Proposition 1A, which allows cities to receive upfront the property tax revenues being borrowed by the State. The Committee approved staff's recommendation, which will be brought before the Council next week for discussion and a vote.

## CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

### CITY ADMINISTRATOR

8. Subject: Central Coast Water Authority Board Member Assignment (540.03)

Recommendation: That Council designate a Councilmember to serve as the City's Representative on the Central Coast Water Authority (CCWA) Board for the remainder of the year.

Documents:

October 13, 2009, report from the City Administrator.

Speakers:

Staff: City Administrator James L. Armstrong.

Motion:

Councilmembers Williams/Falcone to designate Councilmember Francisco to serve on the Central Coast Water Authority Board for the remainder of Councilmember Falcone's term.

Vote:

Unanimous voice vote (Absent: Councilmember Horton).

### FINANCE DEPARTMENT

9. Subject: Establishment Of Purchasing Debarment Procedures (340.02)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Establishing the Grounds and Procedures for the Debarment of Nonresponsible Contractors Who Seek Contracts with the City.

Documents:

- October 13, 2009, report from the Interim Finance Director.
- Proposed Resolution.
- October 13, 2009, overhead presentation prepared and made by staff.

The title of the resolution was read.

Speakers:

Staff: Interim Finance Director Bob Samario, Purchasing Manager Bill Hornung.

(Cont'd)

## 9. (Cont'd)

## Motion:

Councilmembers House/Falcone to approve the recommendation;  
Resolution No. 09-083.

## Vote:

Unanimous roll call vote (Absent: Councilmember Horton).

PUBLIC WORKS DEPARTMENT

## 10. Subject: Joint Participation Agreement For Cachuma Operations And Maintenance Board Bond Issuance To Finance Improvements To The South Coast Conduit (540.03)

## Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Execution and Delivery of a Joint Participation Agreement with the Cachuma Operations and Maintenance Board, and Authorizing Certain Other Actions Related Thereto; and
- B. Authorize the City Administrator to execute an Indemnification Agreement by and between the Cachuma Operations and Maintenance Board, Goleta Water District, City of Santa Barbara, Carpinteria Valley Water District, and the Santa Ynez Water Conservation District, Improvement District No. 1 (ID No. 1), provided the agreement is in a form acceptable to the City Attorney.

## Documents:

- October 13, 2009, report from the Public Works Director.
- Proposed Resolution.
- October 13, 2009, PowerPoint presentation prepared and made by staff.

The title of the resolution was read.

## Speakers:

- Staff: Water Resources Manager Rebecca Bjork.
- Cachuma Operations and Maintenance Board: General Manager Kate Rees.

## Motion:

Councilmembers House/Schneider to approve the recommendations;  
Resolution No. 09-084; Agreement No. 23,219.

## Vote:

Unanimous roll call vote (Absent: Councilmember Horton).

11. Subject: Public Hearing Regarding Proposed Solid Waste Rate Changes (630.01)

Recommendation: That Council hold a public hearing, as required by State law, regarding proposed changes to rates for the collection of recyclables, greenwaste, foodscraps and trash for businesses within the City of Santa Barbara.

Documents:

- October 13, 2009, report from the Interim Finance Director.
- October 13, 2009, PowerPoint presentation prepared and made by staff.
- Affidavit of Publication.
- August 21, 2009, letter received from Francisco P. Mejia.

Public Comment Opened:  
3:11 p.m.

Speakers:

Staff: Environmental Services Supervisor Stephen MacIntosh.

Public Comment Closed:  
3:23 p.m.

By consensus, the public hearing was held.

## RECESS

3:34 p.m. - 3:49 p.m. Mayor Blum was absent when the Council reconvened having stated previously that she would not participate in the discussion of the following item due to a potential conflict of interest related to the proximity of her residence to the subject property.

City Administrator James Armstrong was also absent when the Council reconvened. Assistant City Administrator Joan M. Kent was in attendance for the remainder of the meeting.

## PUBLIC HEARINGS

12. Subject: Appeal Of The Planning Commission Denial Of The 1642 & 1654 Calle Cañon/2418 Calle Montilla Subdivision (640.07)

Recommendation: That Council deny the appeal of Joseph and Carolyn Maguire, thereby upholding the Planning Commission denial of the proposed six-lot subdivision and associated modifications and waivers.

(Cont'd)

## 12. (Cont'd)

## Documents:

- October 13, 2009, report from the Community Development Director.
- October 13, 2009, PowerPoint presentation prepared and made by staff.
- Affidavit of Publication.
- October 8, 2009, letter from Berni Bernstein, Co-President La Mesa Neighborhood Association.
- October 12, 2009, letter from William E. Lindberg, Ph.D., Prospect Mortgage.

## Public Comment Opened:

3:49 p.m.

## Speakers:

- Staff: Associate Planner Daniel Gullett, Senior Planner Danny Kato.
- Planning Commission: Commissioner Sheila Lodge.
- Applicant/Appellant: Carol Maguire, Architect Peter Ehlen.
- Members of the Public: Kevin Pieruc, Keith Coffman-Grey, Bill Boyd, Sandy Gray, Joe Maguire, Pamela Garland, Je Goolsby.

## Public Comment Closed:

4:46 p.m.

## Motion:

Councilmembers Williams/Schneider to deny the appeal, upholding the Planning Commission's denial of the proposed six-lot subdivision.

## Amendment Motion:

Councilmembers Williams/Schneider to deny the appeal without prejudice.

## Vote on Amendment Motion:

Majority voice vote (Noes: Councilmember Falcone; Absent: Councilmember Horton, Mayor Blum).

**ADJOURNMENT**

Mayor Pro Tempore Francisco adjourned the meeting at 5:18 p.m.

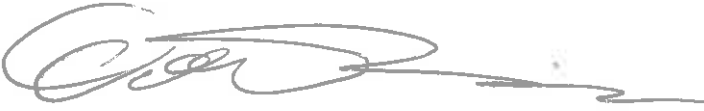
SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

  
\_\_\_\_\_  
MARTY BLUM  
MAYOR

ATTEST:

  
\_\_\_\_\_  
CYNTHIA M. RODRIGUEZ, CMC  
CITY CLERK SERVICES MANAGER

  
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DALE FRANCISCO  
MAYOR PRO TEMPORE