



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING September 27, 2005 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:02 p.m. (The Ordinance Committee met at 12:30 p.m., and the Finance Committee met at 1:00 p.m.)

### PLEDGE OF ALLEGIANCE

Mayor Blum.

### ROLL CALL

Councilmembers present: Brian B. Barnwell, Iya G. Falcone, Dan B. Secord, Das Williams, Mayor Blum.

Councilmembers absent: Roger L. Horton, Helene Schneider.

Staff present: Acting City Administrator Joan M. Kent, City Attorney Stephen P. Wiley, Deputy City Clerk Susan Tschech.

### CEREMONIAL ITEMS

- Subject: Proclamation Declaring October 2005 as Lawn Bowling in Santa Barbara Month (120.04)**

Action: Proclamation presented to MacKenzie Park Lawn Bowls Club representatives Charlie Schneider, President, and Ray Stone, Community Relations, and to Santa Barbara Lawn Bowls Club President Dorothy Thielges.

### PUBLIC COMMENT

Speakers: Matthew Hunter Kramer, T.D. Dwyer, and Philip Marteney.

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

### Information:

- Councilmember Barnwell reported on the effort to include an environmental policy document in the City's General Plan.
- Councilmember Falcone mentioned the following community events: 1) the Boys' and Girls' Club breakfast; 2) the Santa Barbara Beautiful awards ceremony, which included an award to the City's Parks Department; and 3) the restoration of the Ortega Park mural.
- Councilmember Williams commented on: 1) his attendance, along with Mayor Blum, at the summit regarding the Restorative Policing Program; 2) Santa Barbara Beautiful's presentation of a second award to the City (Waterfront Department); and 3) his participation in a "paddle-out" for clean water.

### **ITEM REMOVED FROM CONSENT CALENDAR**

#### **4. Subject: Contract for Public Information Services For The Airline Terminal Improvement Project (560.01)**

Recommendation: That Council approve and authorize the Airport Director to execute a contract with Julia McHugh Marketing/Public Relations, for public information services associated with the Airline Terminal Improvement Project, in an amount not to exceed \$70,070.

#### Documents:

September 27, 2005, Airport Director's report.

#### Speakers:

Staff: Assistant Airport Director Hazel Johns.

#### Motion:

Councilmembers Williams/Secord to continue this item, pending its review by the Airport Commission.

#### Vote:

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

### **CONSENT CALENDAR (Item Nos. 2, 3 and 5 – 15)**

The titles of all ordinances and resolutions related to Consent Calendar items were read.

#### Motion:

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

#### Vote:

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

**2. Subject: Minutes**

Recommendation: That Council waive the reading and approve the minutes of the special meeting of September 8, 2005.

Action: Approved the recommendation.

**3. Subject: City Advisory Groups Annual Recruitment Process And Schedule (140.05)**

Recommendation: That Council:

- A. Set Friday, October 28, 2005, at 5:00 p.m. as the deadline for receipt of applications in the City Clerk's Office for various City Advisory Group positions, including the positions whose terms expire December 31, 2005, the unscheduled vacancies resulting from resignations received by the City Clerk's Office through Friday, October 14, 2005, and one position on the Housing Authority Commission whose term expires February 15, 2006;
- B. Set Tuesday, November 15, 2005, at 6:00 p.m., and Tuesday, November 22, 2005, at an estimated time of 3:30 p.m., for interviews of applicants for various City Advisory Group positions; and
- C. Set Tuesday, December 13, 2005, for appointments to various City Advisory Group positions.

Action: Approved the recommendations (September 27, 2005, Assistant City Administrator's report).

**5. Subject: Representative Services Agreement With E. Del Smith And Company (570.03)**

Recommendation: That Council authorize the City Administrator to execute a Representative Services Agreement between the City of Santa Barbara and E. Del Smith of E. Del Smith and Company, Inc., for liaison and contact services with the United States Government, at a rate not to exceed \$1,250 per month, and in a total amount not to exceed \$30,000 for the Fiscal Years 2006 and 2007.

Speakers:

Staff: Waterfront Business Manager Scott Riedman.

Action: Approved the recommendation; Agreement No. 21,813 (September 27, 2005, Waterfront Director's report).

**6. Subject: Appropriation Of Funds For Council On Alcoholism And Drug Abuse "Kids Fight Drugs" Calendar Program (520.04)**

Recommendation: That Council appropriate \$7,906 from Asset Forfeiture Funds to pay to the Council on Alcoholism and Drug Abuse for the City of Santa Barbara's share of the expense for the "Kids Fight Drugs" Calendar Program for 2006.

Action: Approved the recommendation (September 27, 2005, report from the Chief of Police).

**7. Subject: Approval Of Map And Execution Of Agreement For 1429 Olive Street (640.08)**

Recommendation: That Council:

- A. Approve and authorize the City Administrator to record Parcel Map No. 20,716 by Richard Weger and Kathleen Dagg, Trustees for the Weger/Dagg Family Trust, for a Tentative Map approved by the City of Santa Barbara (City) Planning Commission (PC), located at 1429 Olive Street, Assessor's Parcel Number 029-022-008; and
- B. Approve and authorize the City Administrator to execute and record an Agreement Relating to Subdivision Map Conditions Imposed on Real Property.

Action: Approved the recommendations; Agreement No. 21,814 (September 27, 2005, Public Works Director's report).

**8. Subject: Acceptance Of Waterline Easement For Water Main Extension (540.06)**

Recommendation: That City Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting Interest in Real Property Located Adjacent to Gelson's Market at 3305 State Street, Santa Barbara County Assessor's Parcel Numbers 051-100-001 and -002.

Action: Approved the recommendation; Resolution No. 05-079 (September 27, 2005, Public Works Director's report; proposed resolution).

**9. Subject: Contract For Design Of Airfield Safety Project - Runway 7-25 Relocation (560.04)**

Recommendation: That Council authorize the Public Works Director to execute a contract with Mead & Hunt, Inc. (M & H), in the amount of \$675,000 for design services, and authorize the Public Works Director to approve expenditures of up to \$67,500 for extra services of M & H that may result from necessary changes in the scope of work.

(Cont'd)

**9. (Cont'd)**

Action: Approved the recommendation; Contract No. 21,815 (September 27, 2005, Public Works Director's report).

**10. Subject: Fiscal Year 2006 Interim Financial Statements For The Two Months Ended August 31, 2005 (250.02)**

Recommendation: That Council accept the Fiscal Year 2006 Interim Financial Statements for the two months ended August 31, 2005.

Action: Approved the recommendation (September 27, 2005, Finance Director's report).

**11. Subject: Agreement For The Provision Of Library Services (570.04)**

Recommendation: That Council approve and authorize the City Administrator to execute an agreement between the City of Goleta and the City of Santa Barbara for the provision of library services for a period of five years, which may be extended for five successive one-year periods with the approval of both cities.

Action: Approved the recommendation; Agreement No. 21,816 (September 27, 2005, Library Director's report).

**12. Subject: PERS Miscellaneous Plan 2.7% at 55 Benefit Formula Employer-Paid Member Contributions (430.08)**

Recommendation: That Council:

- A. Adopt, by reading of title only, An Ordinance of the City Council of the City of Santa Barbara Authorizing an Amendment to the Contract Between the City of Santa Barbara and the Board of Administration of the California Public Employees' Retirement System with Respect to Miscellaneous City Employees;
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara for Paying and Reporting the Value of Employer-Paid Member Contributions (EPMC) for Regular Miscellaneous Employees, Effective October 29, 2005; and
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara for Employer-Paid Member Contributions (EPMC) for Hourly Employees, Effective October 29, 2005.

Action: Approved the recommendations; Contract No. 21,817; Ordinance No. 5372; Resolution Nos. 05-080 and 05-081 (September 27, 2005, Finance Director's report; proposed ordinance and resolutions).

**13. Subject: Purchase Of Learning Management System (460.01)**

Recommendation: That Council:

- A. Find it in the City's best interest to waive the formal bid process, as authorized by Municipal Code 4.52.080 (k), and authorize the City's General Services Manager to execute a software and services agreement with GeoMetrix Data Systems Inc. and issue a Purchase Order in an amount not to exceed \$43,320, for the acquisition and implementation of a learning management system;
- B. Authorize the City's General Services Manager to issue Change Orders to GeoMetrix Data Systems Inc., as required, in a total amount not to exceed \$7,000 per year, to cover annual maintenance for a period not to exceed four (4) years; and
- C. Appropriate \$7,594 from the Information Systems Fund's Unappropriated Reserves to fund its share of the purchase.

Action: Approved the recommendations; Contract No. 21,818 (September 27, 2005, Assistant City Administrator's report).

**NOTICES**

- 14. The City Clerk has on Thursday, September 22, 2005, 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.
- 15. A City Council site visit is scheduled for Monday, October 3, 2005, at 1:30 p.m. to the property located at 17 West Canon Perdido Street, which is the subject of an appeal hearing set for Tuesday, October 4, 2005, at 2:00 p.m.

This concluded the Consent Calendar.

**REPORT FROM THE ORDINANCE COMMITTEE**

Ordinance Committee Chair Iya Falcone reported that the Committee reviewed and approved a draft temporary Neighborhood Preservation Ordinance update. The ordinance will be submitted to Council for introduction and subsequent adoption in approximately three weeks.

**REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Dan Secord reported that the Committee reviewed the Fiscal Year 2006 Interim Financial Statements for the two months ended August 31, 2005; these statements were approved by Council as part of this Agenda's Consent Calendar. The Committee also discussed the August 2005 Investment Report, which would be presented to the Council as Agenda Item No. 17.

## CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

### COMMUNITY DEVELOPMENT DEPARTMENT

#### **16. Subject: General Plan Update 2030 - Professional Services Contract And Advisory Committee Direction (650.05)**

Recommendation: That Council:

- A. Authorize the Community Development Director to negotiate and execute a professional services contract with Moore, Iacofano, Goltsman, Inc. (MIG) Consultants, in the amount of \$607,820, for professional services related to the General Plan Update 2030, and authorize the Community Development Director to approve expenditures of up to \$61,180 for extra services of MIG that may result from necessary changes in the scope of work;
- B. Appropriate \$194,000 from the General Fund Unappropriated Reserves to the Fiscal Year 2006 Community Development Department's budget to fund a portion of the above professional services costs; and
- C. Direct the Community Development Director to initiate a Council recruitment process for up to seven community members, to serve in conjunction with two appointed members of the City Council and two members of the Planning Commission, on the General Plan Outreach Committee.

Documents:

- September 27, 2005, Community Development Director's report.
- Statement of the League of Women Voters of Santa Barbara, Inc., read by Connie Hannah.

Speakers:

- Staff: Principal Planner John Ledbetter, Community Development Director Paul Casey.
- Members of the Public: Connie Hannah, League of Women Voters of Santa Barbara, Inc.; Louise Boucher, Naomi Kovacs, Mary Louise Days, Claudia Madsen, Paul Hernandi, Doreen Farr, and Michael Gray, Citizens Planning Association.

Motion:

Councilmembers Secord/Williams to approve the recommendations;  
Contract No. 21,819.

Vote:

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

Councilmember Williams left the meeting at 3:23 p.m.

## FINANCE DEPARTMENT

### **17. Subject: August 2005 Investment Report (260.02)**

Recommendation: That Council accept the August 2005 Investment Report.

Documents:

September 27, 2005, Finance Director's report.

Speakers:

Staff: Treasury Manager Cynthia Odell.

Motion:

Councilmembers Secord/Falcone to accept the report.

Vote:

Unanimous voice vote (Absent: Councilmembers Horton, Schneider, Williams).

Councilmember Williams returned to the meeting at 3:31 p.m.

## PUBLIC WORKS DEPARTMENT

### **18. Subject: Outdoor Dining Rent Discussion (530.04)**

Recommendation: That Council review a status report of the Outdoor Dining Program and if changes to the Program are desired by Council, direct staff to work with the Finance Committee to make Council directed recommendations.  
(Continued from September 20, 2005)

Documents:

- September 20, 2005, Public Works Director's report.
- June 10, 2005, memorandum from the Public Works Director.
- Outdoor Dining Fee Related Background.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Assistant Public Works Director/City Engineer Pat Kelly, Principal Engineer John Ewasiuk, City Attorney Stephen Wiley.
- Downtown Organization: Executive Director Marshall Rose.

Motion:

Councilmembers Secord/Barnwell to refer the Program's rent methodology to the Finance Committee for its consideration of possible changes.

Vote:

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

## RECESS

3:51 p.m. – 4:06 p.m.

## PUBLIC HEARINGS

### 19. **Subject: Appeal Of Planning Commission Approval For 13 W. Haley Street (640.07)**

Recommendation: That Council make the necessary findings and deny the appeal of Trevor Martinson, thereby upholding the decision of the Planning Commission for approval of the modifications requested to construct the proposed 699 square-foot, four-story residence with an attached 259 square-foot, one-car garage on a 400 square-foot vacant lot.

#### Documents:

- September 27, 2005, Community Development Director's report.
- September 27, 2005, letter from Appellant.
- Affidavit of Publication.

#### Public Comment Opened:

4:07 p.m.

#### Speakers:

- Staff: Associate Planner Marisela Salinas.
- Appellant: Trevor Martinson.
- Member of the Public: Tom Williams.

#### Public Comment Closed:

4:15 p.m.

#### Motion:

Councilmembers Falcone/Secord to deny the appeal.

#### Amendment Motion:

Councilmembers Barnwell/Falcone to amend the motion by specifying the findings to deny the appeal, as outlined in the Council Agenda Report.

#### Vote on Amendment Motion:

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

#### Vote on Original Motion as Amended:

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

## COUNCIL AND STAFF COMMUNICATIONS

Information: Mayor Blum announced that the City of Biloxi, Mississippi, has chosen Santa Barbara as a sister city.

