



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING April 19, 2005 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 Ordinance Committee met at 12:30 p.m. The Finance Committee met at 1:00 p.m.)

### PLEDGE OF ALLEGIANCE

Mayor Blum.

### ROLL CALL

Councilmembers present: Brian B. Barnwell, Iya G. Falcone, Roger L. Horton, Helene Schneider, Dan B. Secord, Das Williams, Mayor Blum.

Councilmembers absent: None.

Staff present: City Administrator/Clerk James L. Armstrong, Acting City Attorney Sarah Knecht, Deputy City Clerk Brenda Alcazar.

### PUBLIC COMMENT

SPEAKERS: Elsa Granados, Dusty Grigg, Bubbha, Nancy Tunnell, and Bob Hansen.

### COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

#### INFORMATION:

- Councilmember Horton reported on his attendance at a meeting of the Santa Barbara County First 5 Commission Advisory Board. He also said that he and Mayor Blum attended a meeting with the real estate community regarding job housing and transportation.
- Councilmember Schneider said she attended the Santa Barbara County Board of Supervisors meeting and that a recommendation to prepare a ten-year plan to end chronic homelessness was unanimously approved.

**INFORMATION (CONT'D):**

- Councilmember Williams said there will be a Speak Out on the topic of Alcohol and Drug Abuse on Saturday, at 6:00 p.m., at the Carrillo Recreation Center. He also mentioned that the National Commission on Energy Policy has developed recommendations that are comparable to the Community Environmental Council's ideas of Fossil Free in 33.
- Councilmember Falcone spoke about her attendance at the Employee Art Exhibit. She also mentioned that the Youth Council held a car wash to raise money for the new Teen Center.
- Councilmember Barnwell mentioned the following items: 1) Gabriella Mistral will be honored at Kids World on Friday; 2) There will be a Harbor Flea Market on April 30; 3) his attendance, along with Councilmember Schneider, at the Single Family Design Guidelines meeting; and 4) his attendance at the opening of the Edward Borein art exhibit at the Santa Barbara Historical Society Museum.
- Councilmember Secord reported on his attendance at the California Coastal Commission meeting.
- Mayor Blum spoke about her attendance at the Santa Barbara Newcomers Club 50<sup>th</sup> anniversary.
- Councilmember Williams mentioned that the Bren Group will be making a presentation on Creek Monitoring Protocol on Thursday at Fess Parker's Double Tree Resort.

**CONSENT CALENDAR** (Item Nos. 1 – 5)

The title of the ordinance related to Item No. 1 was read.

**MOTION:**

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

**VOTE:**

Unanimous roll call vote.

1. **SUBJECT: ADOPTION OF ORDINANCE AMENDMENT PERTAINING TO YELLOW ZONE RESTRICTIONS (550.01)**

**RECOMMENDATION:** That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Section 10.48.040 and Section 10.48.050 of the Santa Barbara Municipal Code Pertaining to Yellow Zone Restrictions.

**ACTION:** Approved the recommendation; Ordinance No. 5353.

2. SUBJECT: AWARD OF CONTRACT FOR COMMUNICATION LINK (550.05)

RECOMMENDATION: That Council:

- A. Authorize the Public Works Director to execute a contract with Akerman Construction Company, Incorporated (Akerman), in their low bid amount of \$318,855, for construction of a communication link from City Hall on Anacapa and De la Guerra Streets to the new Granada Garage at 1221 Anacapa Street, Bid No. 6082; and
- B. Authorize the Public Works Director to approve expenditures up to \$31,885 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.

ACTION: Approved the recommendations; Contract No. 21,697 (April 19, 2005, Public Works Director's report).

3. SUBJECT: APPROVAL OF ASSIGNMENT OF SUBLEASE FOR RADIO TOWER SITE (330.04)

RECOMMENDATION: That Council approve, under City Agreement No. 15,541, the assignment of a sublease of a radio tower site upon Yanonali Street from Rotijefco, Incorporated, to Santa Barbara Broadcasting, Incorporated.

ACTION: Approved the recommendation; Agreement No. 21,698 (April 19, 2005, City Administrator's report).

NOTICES

- 4. Received a letter of resignation from Civil Service Commissioner John C. Greer, Jr.; the vacancy will be part of the next City Advisory Group recruitment. (420.03)
- 5. The City Clerk has on Thursday, April 14, 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.

This concluded the Consent Calendar.

**ORDINANCE COMMITTEE AND FINANCE COMMITTEE REPORTS**

ORDINANCE COMMITTEE

- 6. SUBJECT: ORDINANCE COMMITTEE AGENDA, APRIL 19, 2005, 12:30 P.M., IN COUNCIL CHAMBER FOR CONSIDERATION OF PROPOSED AMENDMENTS TO SANTA BARBARA MUNICIPAL CODE CHAPTER 5.29 REGARDING PARATRANSIT SERVICE (120.03)

7. SUBJECT: REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Iya G. Falcone reported that the Committee met to consider amendments to Santa Barbara Municipal Code Chapter 5.29 regarding Paratransit Service; the Committee voted unanimously to forward the ordinance to the Council.

FINANCE COMMITTEE

8. SUBJECT: FINANCE COMMITTEE AGENDA, APRIL 19, 2005, 1:00 P.M., IN ROOM 15 FOR CONSIDERATION OF THE PROPOSED TWO YEAR FINANCIAL PLAN FOR FISCAL YEARS 2006 AND 2007 (120.03)

9. SUBJECT: REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dan B. Secord reported that the Committee met to discuss the proposed two-year financial plan for Fiscal Years 2006 and 2007; the proposed plan will be available on the City's website and copies are available in the Finance Department.

**CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

FINANCE DEPARTMENT

14. SUBJECT: PROPOSED TWO-YEAR FINANCIAL PLAN FOR FISCAL YEARS 2006 AND 2007 AND RECOMMENDED OPERATING AND CAPITAL BUDGET FOR FISCAL YEAR 2006 (230.05)

RECOMMENDATION: That Council:

- A. Receive the Proposed Two-Year Financial Plan for Fiscal Years 2006 and 2007 and Recommended Operating and Capital Budget for Fiscal Year 2006;
- B. Hear a report from staff in connection with the filing of the two-year financial plan and recommended budget; and
- C. Approve the proposed budget special meeting and public hearing schedule.

DOCUMENTS:

- April 19, 2005, Finance Director's report.
- April 19, 2005, memorandum from the Budget Manager submitting the Proposed Two-Year Financial Plan for Fiscal Years 2006 and 2007.

(Cont'd)

14. (Cont'd)

**SPEAKERS:**

Staff: City Administrator James L. Armstrong, Finance Director Robert Peirson.

**MOTION:**

Councilmembers Schneider/Horton to approve the recommendations.

**VOTE:**

Unanimous voice vote.

**CITY ADMINISTRATOR**

10. **SUBJECT: FOUR YEAR GENERAL MEMORANDUM OF UNDERSTANDING AND FOUR YEAR TREATMENT AND PATROL MEMORANDUM OF UNDERSTANDING (440.02)**

**RECOMMENDATION: That Council:**

- A. Ratify the Memorandum of Understanding between the City and the Santa Barbara City Employees' Association, Local 620, Service Employees' International Union, AF of L, CIO, for the period of October 1, 2004, through September 30, 2008, by introduction and subsequent adoption of, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting the Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara City Employees' Association (General Unit);
- B. Ratify the Memorandum of Understanding between the City and the Service Employees' International Union, Local 620, AF of L, CIO, CLC, Airport and Harbor Patrol Officers' and Treatment Plants' Bargaining Units, for the period of October 1, 2004, through September 30, 2008, by introduction and subsequent adoption of, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting the Memorandum of Understanding Between the City of Santa Barbara and the Patrol Officers' and Treatment Plants' Bargaining Units (TAP Units);
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 04-047, the Position and Salary Control Resolution for Fiscal Year 2004-2005, Affecting Salaries of General, Treatment and Patrol, and Confidential Employees Effective April 2, 2005; and
- D. Direct staff to include Fiscal Year 2005 budget adjustments of \$411,026 in the upcoming third quarter budget review, to be presented to Council in May, to cover salary and benefit costs associated with the adoption of General Unit and Treatment and Patrol Bargaining Unit M.O.U.s, and for Confidential employee increases.

(Cont'd)

10. (Cont'd)

DOCUMENTS:

- April 19, 2005, Assistant City Administrator's report.
- Proposed Ordinances.
- Proposed Resolution.

The titles of the ordinances and resolution were read.

SPEAKERS:

- Staff: Employee Relations Manager Kristy Schmidt.
- Service Employees' International Union Local 620: Executive Director Walt Hamilton, City of Santa Barbara Automotive/Equipment Technician Dave Harris, City of Santa Barbara Harbor Patrol Officer Erik Engebretson.

MOTION:

Councilmembers Williams/Falcone to approve the recommendations;  
Resolution No. 05-034.

VOTE:

Unanimous roll call vote.

Councilmember Williams left the meeting at 3:53 p.m.

11. SUBJECT: UNREPRESENTED MANAGEMENT AND ATTORNEY SALARY ADJUSTMENTS (410.06)

RECOMMENDATION: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Setting Forth a Salary Plan for Fiscal Years 2005 through 2008 for Unrepresented Managers and Professional Attorneys;
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Setting Forth a Salary Plan for Fiscal Years 2005 through 2007 for Unrepresented Fire Managers;
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 04-047, the Position and Salary Control Resolution for Fiscal Year 2005, Affecting Management and Professional Attorney Salaries;
- D. Authorize the City Administrator to negotiate a professional services agreement for a management compensation survey in an amount not to exceed \$50,000; and

(Cont'd)

11. (Cont'd)

- E. Direct staff to include Fiscal Year 2005 budget adjustments of \$480,158 in the upcoming third quarter budget review, to be presented to Council in May, to cover the cost of the salary plans and the management compensation survey.

DOCUMENTS:

- April 19, 2005, Assistant City Administrator's report.
- Proposed Ordinances.
- Proposed Resolution.

The titles of the ordinances and resolution were read.

SPEAKERS:

Staff: Labor Relations Manager Kristy Schmidt.

MOTION:

Councilmembers Horton/Schneider to approve the recommendations; Resolution No. 05-035.

VOTE:

Unanimous roll call vote (Absent: Councilmember Williams).

12. SUBJECT: CITY ADMINISTRATOR AND CITY ATTORNEY SALARY ADJUSTMENTS (410.06)

RECOMMENDATION: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Setting Forth a Salary Plan for Fiscal Years 2005 Through 2008 for the City Administrator and the City Attorney;
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 04-047, the Position and Salary Control Resolution for Fiscal Year 2005, Affecting Salaries for the City Administrator and the City Attorney; and
- C. Direct staff to include the Fiscal Year 2005 budget adjustments of \$20,569 in the upcoming third quarter budget review to cover the costs of the salary plan.

DOCUMENTS:

- April 19, 2005, Assistant City Administrator's report.
- Proposed Ordinance.
- Proposed Resolution.

(Cont'd)

12. (Cont'd)

The titles of the ordinance and resolution were read.

**SPEAKERS:**

Staff: Labor Relations Manager Kristy Schmidt.

**MOTION:**

Councilmembers Horton/Secord to revise Section 1 of the ordinance to add the following sentence: "The annual salary increases provided in the Salary Plan are contingent upon the satisfactory completion by the City Administrator and the City Attorney of an annual performance review by the City Council. If necessary, the salary increases shall be paid retroactively to the annual effective date provided in the Salary Plan."

**VOTE:**

Unanimous voice vote (Absent: Councilmember Williams).

**MOTION:**

Councilmembers Schneider/Horton to approve the recommendations; Resolution No. 05-036.

**VOTE:**

Unanimous roll call vote (Absent: Councilmember Williams).

ADMINISTRATIVE SERVICES DEPARTMENT

13. SUBJECT: CITY ADVISORY GROUPS SEMI-ANNUAL RECRUITMENT PROCESS AND SCHEDULE (140.05)

**RECOMMENDATION:** That Council:

- A. Set Monday, May 23, 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 unscheduled vacancies resulting from resignations received by the City Clerk's Office through Monday, May 9, 2005;
- B. Set Tuesday, June 7, 2005, at 6:00 p.m., and Tuesday, June 14, 2005, at an estimated time of 3:30 p.m., for interviews of applicants for various City Advisory Group positions; and
- C. Set Tuesday, June 28, 2005, for appointments to various City Advisory Group positions.

**DOCUMENTS:**

April 19, 2005, Assistant City Administrator's report.

(Cont'd)

13. (Cont'd)

**SPEAKERS:**

Staff: City Clerk Services Manager Cynthia M. Rodriguez, City Administrator James L. Armstrong.

**MOTION:**

Councilmembers Horton/Secord to approve the recommendations.

**VOTE:**

Unanimous voice vote (Absent: Councilmember Williams).

**RECESS**

The Mayor recessed the meeting at 4:13 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 15.

**CLOSED SESSIONS**

15. SUBJECT: CONFERENCE WITH REAL PROPERTY NEGOTIATOR (330.03)

**RECOMMENDATION:** That Council hold a closed session to consider instructions to City staff regarding real property negotiations with Summer Solstice Celebration regarding the potential leasehold disposition of a portion of City parcel APN 031-152-028 (220 East Ortega Street). Negotiations will be conducted by David Gustafson, Housing and Redevelopment Manager, Paul Casey, Community Development Director, and the City Attorney on behalf of the City, and are held pursuant to the authority of Government Code Section 54956.8, with Claudia Bratton, Executive Director, as representative of the Summer Solstice Celebration. Under negotiation: Possible disposition.

Scheduling: Duration, 20 Minutes; anytime

Report: None anticipated

**DOCUMENTS:**

April 19, 2005, Community Development Director's report.

**TIME:**

4:16 p.m. – 4:45 p.m.; Councilmember Williams was absent.

No report made.

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 4:45 p.m.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC  
CITY CLERK SERVICES MANAGER

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

ATTEST: \_\_\_\_\_  
BRENDA ALCAZAR, CMC  
DEPUTY CITY CLERK