



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING
June 30, 2009
COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the joint meeting of the Council and Redevelopment Agency to order at 2:00 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 Blum.

ROLL CALL

Councilmembers present: Dale Francisco, Roger L. Horton, Grant House, Helene Schneider, Das Williams, Mayor Blum.

Councilmembers absent: Iya G. Falcone.

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

CEREMONIAL ITEMS

1. Subject: Letter Of Recognition To KZSB - AM1290 For Exemplary Coverage Of The Jesusita Fire (120.08)

Action: Letter of recognition presented to KZSB General Manager Les Carroll.

2. Subject: Letter Of Recognition To KEYT - Channel 3 For Exemplary Coverage Of The Jesusita Fire (120.08)

Action: Letter of recognition presented to Jim Bunner on behalf of KEYT.

PUBLIC COMMENT

Speakers: David Daniel Diaz; Ralph Fertig, President, Santa Barbara Bicycle Coalition; Marc McGinnes; Magda Arroyo; Laurie Barene; Melissa Gough; Kate Smith; David; Andrew Bermant, Bermant Development Company; Fred Kuhlmann; Ken Loch; Kellam deForest.

CONSENT CALENDAR (Item Nos. 3 – 16 and 18 – 20)

The titles of the resolutions and ordinance related to the Consent Calendar were read.

Motion:

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

Vote:

Unanimous roll call vote (Absent: Councilmember Falcone).

3. Subject: Fiscal Year 2009 Interim Financial Statements For The Eleven Months Ended May 31, 2009 (250.02)

Recommendation: That Council accept the Fiscal Year 2009 Interim Financial Statements for the Eleven Months Ended May 31, 2009.

Speakers:

Staff: Assistant Finance Director Robert Samario.

Action: Approved the recommendation (June 30, 2009, report from the Finance Director).

4. Subject: May 2009 Investment Report (260.02)

Recommendation: That Council accept the May 2009 Investment Report.

Action: Approved the recommendation (June 30, 2009, report from the Finance Director).

5. Subject: Records Destruction For Police Department (160.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the Police Department in the Records Bureau, Parking Enforcement Division and the Business Office.

Action: Approved the recommendation; Resolution No. 09-050 (June 30, 2009, report from the Chief of Police; proposed resolution).

6. Subject: Acceptance Of Public Easements Associated With Proposed Extension Of La Vista Del Oceano Drive (330.03)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting an Easement for Public Facility Purposes, Accepting an Easement for a Public Street Retaining Wall, and Accepting an Easement for a Public Street Wall Drainage Facility on Portions of the Real Property Known as 1575 La Vista Del Oceano Drive; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting an Easement for All Public Street Purposes on a Portion of the Real Property Known as 1562 La Vista Del Oceano Drive.

Action: Approved the recommendations; Resolution Nos. 09-051 and 09-052; Deed Nos. 61-338 - 61-341 (June 30, 2009, report from the Public Works Director; proposed resolutions).

7. Subject: Agreement With The Santa Barbara Metropolitan Transit District For Transit Services (150.05)

Recommendation: That Council authorize the Public Works Director to execute a Fiscal Year 2010 Master Agreement with the Santa Barbara Metropolitan Transit District (MTD) for Transit Services in an amount not to exceed \$2,422,345.

Action: Approved the recommendation; Agreement No. 23,135 (June 30, 2009, report from the Public Works Director).

8. Subject: Amendment To The Agreement For Transit Assistance For Santa Barbara Metropolitan Transit District Transit Lines 6 And 11 (150.05)

Recommendation: That Council authorize the Public Works Director to execute an amendment to the agreement between the City of Santa Barbara (City), Santa Barbara Metropolitan Transit District (MTD), the County of Santa Barbara (County), and the City of Goleta (Goleta), for transit services on MTD Transit Lines 6 and 11, for the period of July 1, 2009, through June 30, 2010, in the amount of \$159,447.

Action: Approved the recommendation; Agreement No. 22,278.1 (June 30, 2009, report from the Public Works Director).

9. **Subject: Contract For Pavement Overlay And Maintenance Design Services For The American Recovery And Reinvestment Act (530.04)**

Recommendation: That Council authorize the Public Works Director to execute a contract with Flowers and Associates (Flowers) in the amount of \$63,962 for design services for the American Recovery and Reinvestment Act (ARRA) Road Overlay and Maintenance Project, and authorize the General Services Manager to approve expenditures of up to \$6,396 for extra services for Flowers that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Contract No. 23,137 (June 30, 2009, report from the Public Works Director).

10. **Subject: Downtown Organization Maintenance Agreement For Fiscal Year 2010 (530.04)**

Recommendation: That Council authorize the Parks and Recreation Director to execute an agreement in the amount of \$625,511 with the Downtown Organization (DO) for landscape maintenance, sidewalk cleaning, and general maintenance of the 00-1200 blocks of State Street from Victoria Street to Cabrillo Boulevard, including the 101 underpass and various cross streets, from July 1, 2009, through June 30, 2010.

Speakers:

Downtown Organization: Executive Director Bill Collyer.

Action: Approved the recommendation; Agreement No. 23,138 (June 30, 2009, report from the Parks and Recreation Director).

11. **Subject: Sewer Connection Agreement And Sewer Main Extension Agreement For 731 Coyote Road (540.13)**

Recommendation: That Council:

- A. Authorize the Public Works Director to negotiate and execute a Service Connection Agreement between the City and the Lupe T. Rivera Trust, to provide for City sewer service to 731 Coyote Road; and
- B. Authorize the Public Works Director to negotiate and execute a Sewer Main Extension Agreement between the City and the Lupe T. Rivera Trust, to provide for the extension of the City sewer system to serve 731 Coyote Road.

Action: Approved the recommendations; Agreement Nos. 23,139 and 23,140 (June 30, 2009, report from the Public Works Director).

12. Subject: Community Promotion Contract With Santa Barbara International Film Festival (230.02)

Recommendation: That Council authorize the Finance Director to execute a Community Promotion contract with Santa Barbara International Film Festival in an amount of \$54,960, covering the period from July 1, 2009, to June 30, 2010.

Action: Approved the recommendation; Contract No. 23,141 (June 30, 2009, report from the Finance Director).

13. Subject: Community Promotion Contract With The Santa Barbara Symphony, Inc., In Connection With The 4th Of July Concert (230.02)

Recommendation: That Council authorize the Finance Director to execute a Community Promotion contract with the Santa Barbara Symphony, Inc., in an amount of \$13,740 for July 1, 2009, through September 30, 2009, for this year's 4th of July concert.

Action: Approved the recommendation; Contract No. 23,142 (June 30, 2009, report from the Finance Director).

14. Subject: Community Promotion Contract With The Santa Barbara Conference And Visitors Bureau And Film Commission (230.02)

Recommendation: That Council authorize the Finance Director to execute the Fiscal Year 2010 Community Promotion contract with the Santa Barbara Conference and Visitors Bureau in an amount of \$1,499,483 for the term of July 1, 2009, through June 30, 2010.

Action: Approved the recommendation; Contract No. 23,143 (June 30, 2009, report from the Finance Director).

15. Subject: Purchase Order With Univision To Broadcast Spanish Language Public Service Announcements (540.14)

Recommendation: That Council:

- A. Accept a contribution of \$3,400 from the County of Santa Barbara and \$3,000 from the City of Goleta; and
- B. Authorize the General Services Manager to issue a purchase order in the amount of \$20,000 to Univision for a Spanish language public awareness campaign on water pollution prevention.

Action: Approved the recommendations (June 30, 2009, report from the Parks and Recreation Director).

16. Subject: Adoption Of Ordinance Amending the 2008-2010 Memorandum of Understanding Between the City of Santa Barbara And The Santa Barbara City Employees' Association (General Unit) (440.02)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the 2008-2010 Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara City Employees' Association (General Unit) to Include a Supplemental Agreement Regarding Furlough and Other Layoff Avoidance Measures.

Action: Approved the recommendation; Ordinance No. 5492; Agreement No. 22,993.1.

Item No. 17 appears in the Redevelopment Agency minutes.

NOTICES

18. The City Clerk has on Thursday, June 25, 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.
19. Received letters of resignation from Architectural Board of Review Member James Blakeley and Franklin Center Advisory Committee Member Ken Rivas; the vacancies will be included in the next City Advisory Group recruitment.
20. Cancellation of the regular City Council and Redevelopment Agency meetings of July 7, 2009.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Roger L. Horton reported that the Committee met to review the City's and the Redevelopment Agency's Interim Financial Statements for the eleven months ended May 31, 2009 (Agenda Item Nos. 17 and 3, respectively). They also reviewed the City's May 2009 Investment Report (Agenda Item No. 4). These items were approved by the Council and Redevelopment Agency Board as part of this agenda's Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

ADMINISTRATIVE SERVICES DEPARTMENT

21. Subject: General Municipal Election Of November 3, 2009 (110.03)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Calling for the Holding of a Vote-By-Mail General Municipal Election to be Held in the City on Tuesday, November 3, 2009, for the Election of Certain Officers as Required by the Provisions of the Charter and for the Submission of Four Charter Amendment Measures;
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Conduct of a Vote-By-Mail Election for the November 3, 2009, General Municipal Election;
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting Regulations for Candidates for Elective Office Pertaining to Candidates' Statements to be Provided to the Voters for the General Municipal Election to be Held in the City on Tuesday, November 3, 2009;
- D. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Directing the City Attorney to Prepare Impartial Analyses of the City's Charter Amendment Measures to be Placed on the Ballot for the November 3, 2009, General Municipal Election;
- E. Determine whether the City Council or any individual member(s) of City Council will file an argument regarding the proposed Charter Amendments related to Charter Sections 1506, 809, 811 and 814, and if so, adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Setting Priorities for Filing Written Arguments Regarding City Charter Amendments to be Placed on the Ballot for the November 3, 2009, General Municipal Election; and
- F. Cancel the November 3, 2009, City Council Meeting due to the holding of the stand-alone election.

Documents:

- June 30, 2009, report from the Administrative Services Director.
- Proposed Resolutions.

The titles of the resolutions were read.

Speakers:

- Staff: City Clerk Services Manager Cynthia M. Rodriguez, City Attorney Stephen Wiley.
- Member of the Public: Kate Smith.

(Cont'd)

21. (Cont'd)

Motion:

Councilmembers House/Horton to approve Recommendations A - F, adopting Resolution Nos. 09-053 – 09-057, with the following specifics related to Recommendation E: 1) Mayor and Council will sign arguments for proposed charter amendments for the Harbor Commission and the Architectural Board of Review; and 2) Mayor and Council, with the exception of Councilmember Francisco, will sign arguments for the proposed charter amendment for the Parks and Recreation Commission.

Vote:

Unanimous roll call vote (Absent: Councilmember Falcone).

COMMUNITY DEVELOPMENT DEPARTMENT

22. Subject: Zoning Ordinance Amendment Pertaining To Non-Residential Construction Projects (Measure E) (640.09)

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Section 28.87.300 of Chapter 28.87 of Title 28 of the Municipal Code Regarding Limitations on Non-Residential Development Within the City; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Establishing Procedures for Administration of the Amendments to Titles 28 and 29 of the Municipal Code Implementing the General Plan Update Growth Decisions and Charter Section 1508, and Rescinding Resolution No. 99-036.

Documents:

- June 30, 2009, report from the Community Development Director.
- June 30, 2009, PowerPoint presentation prepared and made by Staff.
- Proposed Ordinance.
- Proposed Resolution.

The titles of the ordinance and resolution were read.

Speakers:

Staff: City Planner Bettie Weiss.

Motion:

Councilmembers House/Horton to approve the recommendations; Resolution No. 09-058.

Vote:

Unanimous roll call vote (Absent: Councilmember Falcone).

FINANCE DEPARTMENT

23. Subject: Amendments To The Purchasing Code, Chapter 4.52 Of The Municipal Code (340.02)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 4.52 of Title 4 of the Santa Barbara Municipal Code Providing Procedures for the Purchase of Equipment, Supplies and Services.

Documents:

- June 30, 2009, report from the Finance Director.
- June 30, 2009, PowerPoint presentation prepared and made by Staff.
- Proposed Ordinance.

The title of the ordinance was read.

Speakers:

Staff: Assistant Finance Director Robert Samario, General Services Manager Bill Hornung, City Administrator James Armstrong.

Motion:

Councilmembers Williams/Schneider to approve the recommendation.

Vote:

Unanimous voice vote (Absent: Councilmember Falcone).

Councilmember House stated that due to a potential conflict of interest related to the ownership of two businesses in the subject area, he would not participate in the following item, and left the meeting at 3:40 p.m.

Councilmember Williams left the meeting at 3:40 p.m.

PUBLIC WORKS DEPARTMENT

24. Subject: Parking And Business Improvement Area Annual Assessment 2010 (550.10)

Recommendation: That Council:

- A. Consider any protests to the Parking and Business Improvement Area (PBIA) Annual Assessment Report 2010, as required by the California Parking and Business Improvement Area Law of 1989; and B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Fixing and Assessing the PBIA Assessment Rates for Fiscal Year 2010, and Confirming its Approval of the PBIA Annual Assessment Report for Fiscal Year 2010.

(Cont'd)

24. (Cont'd)

Documents:

- June 30, 2009, report from the Public Works Director.
- June 30, 2009, PowerPoint presentation prepared and made by Staff.
- Proposed Resolution.

The title of the resolution was read.

Speakers:

Staff: Transportation Manager Browning Allen, Administrative Assistant Brandon Beaudette.

Motion:

Councilmembers Schneider/Horton to approve the recommendations; Resolution No. 09-059.

Vote:

Unanimous roll call vote (Absent: Councilmembers Falcone, House, Williams).

RECESS

3:46 p.m. - 3:55 p.m.

MAYOR AND COUNCIL REPORTS

25. Subject: Appointments To City Advisory Groups (140.05)

Recommendation: That Council:

- A. Make appointments to the City Advisory Groups; and
- B. Make a recommendation to the Mayor on the appointments to the Housing Authority Commission.

Documents:

June 30, 2009, report from the Administrative Services Director.

Building and Fire Code Board of Appeals:

Motion:

Councilmembers Horton/Schneider to appoint Meg West.

Vote:

Unanimous voice vote (Absent: Councilmember Falcone).

Appointment:

Meg West was appointed for an open term.

(Cont'd)

25. (Cont'd)

Community Development & Human Services Committee:

Nominees for Latino Community category:

Yesenia Curiel and Maria Belen Seara.

Vote:

- For Curiel: Councilmembers Francisco, Horton, Schneider, Williams.
- For Seara: Mayor Blum, Councilmember House.

Appointment:

Yesenia Curiel was appointed to the Latino Community category for a term expiring December 31, 2010.

Motion:

Councilmembers Schneider/Williams to appoint Daniel Ramirez to the Youth Oriented Services category.

Vote:

Unanimous voice vote (Absent: Councilmember Falcone).

Appointment:

Daniel Ramirez was appointed to the Youth Oriented Services category for a term expiring December 31, 2011.

Creeks Advisory Committee:

Motion:

Councilmembers House/Schneider to appoint Paul Bullock and Natasha Lohmus.

Vote:

Unanimous voice vote (Absent: Councilmember Falcone).

Appointments:

Paul Bullock was appointed to the Hotel/Lodging Industry category for a term expiring December 31, 2011; Natasha Lohmus was appointed for a term expiring December 31, 2010.

Franklin Center Advisory Committee:

Motion:

Councilmembers Horton/Schneider to appoint Jhoane Perez.

Vote:

Unanimous voice vote (Absent: Councilmember Falcone).

(Cont'd)

25. (Cont'd)

Appointment:

Jhoane Perez was appointed to the Public at Large category with a term expiring December 31, 2010.

Harbor Commission:

Nominees:

Bill Spicer and Charles Watson.

Vote:

- For Spicer: Councilmembers Horton, House, Schneider, Williams, Mayor Blum.
- For Watson: Councilmember Francisco.

Appointment:

Bill Spicer was appointed for a term expiring December 31, 2012.

Housing Authority Commission:

Nominees:

Barbara Allen, William Tumelty and Catherine Woodford.

Vote:

- For Allen: Councilmembers Francisco, House, Schneider, Williams, Mayor Blum.
- For Tumelty: Councilmembers Francisco, Horton, Mayor Blum.
- For Woodford: Councilmembers Horton, House, Schneider, Williams.

Appointments:

Barbara Allen was reappointed and Catherine Woodford was appointed to the Public at Large category for terms expiring July 12, 2013.

Living Wage Advisory Committee:

Motion:

Councilmembers Horton/Williams to appoint Richard Flacks.

Vote:

Unanimous voice vote (Absent: Councilmember Falcone).

Appointment:

Richard Flacks was reappointed to the Living Wage Advocacy Organization category for a term expiring June 30, 2013.

(Cont'd)

25. (Cont'd)

Rental Housing Mediation Task Force:

Motion:

Councilmembers Williams/Schneider to appoint Trudy Paul, Roger Simpson, Joshua Allen and Lynn Goebel.

Vote:

Unanimous voice vote (Absent: Councilmember Falcone).

Appointments:

Trudy Paul and Roger Simpson were appointed to the Homeowner category for terms expiring December 31, 2012; Joshua Allen and Lynn Goebel were appointed to the Tenant category for terms expiring December 31, 2011, and December 31, 2009, respectively.

Single Family Design Board:

Motion:

Councilmembers Williams/Horton to appoint Denise Woolery and Berni Bernstein.

Vote:

Unanimous voice vote (Absent: Councilmember Falcone).

Appointments:

Denise Woolery was reappointed to the Professional Qualifications category and Berni Bernstein was reappointed to the Public at Large category for terms expiring June 30, 2013.

Transportation & Circulation Committee:

Nominees:

Hillary Blackerby and Charles Ebeling.

Vote:

- For Blackerby: Councilmembers House, Schneider, Williams.
- For Ebeling: Councilmembers Francisco, Horton, Mayor Blum.

Run-off Vote:

- For Blackerby: Councilmembers House, Schneider, Williams, Mayor Blum.
- For Ebeling: Councilmembers Francisco, Horton.

Appointment:

Hillary Blackerby was appointed for a term expiring December 31, 2010.

(Cont'd)

25. (Cont'd)

Water Commission:

Motion:

Councilmembers House/Schneider to appoint William Thomas.

Vote:

Unanimous voice vote (Absent: Councilmember Falcone).

Appointment:

William Thomas was appointed to the Qualified Elector category for a term expiring December 31, 2011.

ADJOURNMENT

Mayor Blum adjourned the meeting at 4:04 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE


MARTY BLUM
MAYOR

ATTEST:


BRENDA ALCAZAR, CMC
DEPUTY CITY CLERK