



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING June 21, 2005 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the joint meeting of the Council and the Redevelopment Agency 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: Iya G. Falcone, Roger L. Horton, Helene Schneider, Das Williams, Mayor Blum.

Councilmembers absent: Brian B. Barnwell, Dan B. Secord.

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

PUBLIC COMMENT

Speakers: Ken Loch and Nancy Tunnell.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Horton reported on his attendance at the ceremony for the Lost at Sea Memorial.
- Councilmember Williams mentioned that he participated in the Santa Barbara Channel Relay swim which was sponsored by the Community Environmental Council. He also provided an update on the Snowy Plovers.
- Councilmember Falcone reported on her attendance at the following events/meetings: 1) the Lost at Sea Memorial; 2) the Creeks Advisory Committee meeting; 3) the Community Environmental Council meeting where a presentation was made about renewable energy; 4) the League of California Cities meeting; and 5) a memorial service for Henry Kramer.
- Mayor Blum spoke about the Summer Solstice workshop and reminded everyone that the parade will be held this Saturday.

Councilmember Secord entered the meeting at 2:11 p.m.

CONSENT CALENDAR (Item Nos. 1 – 10)

The titles of the ordinance and resolution related to Item Nos. 2 and 3 were read.

Motion:

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

Vote:

Unanimous roll call vote (Absent: Councilmember Barnwell).

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of May 31, 2005 (cancelled due to lack of quorum), the special meeting of June 6, 2005, and the regular meeting of June 7, 2005.

Action: Approved the recommendation.

2. Subject: Adoption Of Ordinance For Mercury Air Center-Santa Barbara, Inc. (330.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving an Amendment of Lease Agreement No. 21,267 Between the City of Santa Barbara and Mercury Air Center-Santa Barbara, Inc., for Operation of a Fixed Base Operation (FBO) at the Santa Barbara Airport.

Action: Approved the recommendation; Ordinance No. 5364; Agreement No. 21,267.1.

3. Subject: Grant From California Department Of Boating And Waterways For Removal And Disposal Of Vessels Abandoned In City Waters Or On City Beaches (570.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Requesting a Grant in the Amount of \$73,500 from the California Department of Boating and Waterways for the Removal and Disposal of Abandoned Recreational Vessels and Related Hazards to Navigation in City Waters and on City Beaches.

Action: Approved the recommendation; Resolution No. 05-053 (June 21, 2005, Waterfront Director's report; proposed resolution).

4. Subject: Acceptance Of Contributions From The Parks And Recreation Community Foundation (570.05)

Recommendation: That Council:

- A. Accept a contribution from the Parks and Recreation Community (PARC) Foundation in the amount of \$17,078 for Parks and Recreation Department programs; and
- B. Increase estimated expenditures and revenues in the Fiscal Year 2005 Parks and Recreation Department Miscellaneous Grants Fund in the amount of \$13,378 and to the General Fund in the amount of \$3,700.

Action: Approved the recommendations (June 21, 2005, Acting Parks and Recreation Director's report).

5. Subject: Approval Of Final Map And Execution Of Subdivision Agreement For 414 De La Vina Street (640.08)

Recommendation: That Council:

- A. Approve and authorize the City Administrator to record Final Map No. 20,689 by De La Vina Partners, LLC, hereinafter referred to as "Owner", for a one-lot subdivision including two residential condominium units and three live/work or mixed-use (residential and commercial combined) condominiums, finding the Final Map in conformance with the General Plan and applicable specific plans of the City; 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. 21,732 (June 21, 2005, Public Works Director's report).

6. Subject: Contract For Audit Services (220.03)

Recommendation: That Council authorize the Finance Director to negotiate and execute a professional services agreement with Brown Armstrong Randall Paulden McCown Hill Starbuck & Keeter Accountancy Corporation (Brown Armstrong) for financial audit services for Fiscal Year 2005 for an amount not to exceed \$68,000.

Action: Approved the recommendation; Agreement No. 21,733 (June 21, 2005, Finance Director's report).

NOTICES

7. The City Clerk has on Thursday, June 16, 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.
8. Received a letter of resignation from Creeks Advisory Committee Member W. Michael Hackett; the vacancy will be part of the next City Advisory Group recruitment. (540.03)
9. Cancellation of a public hearing scheduled for Tuesday, June 21, 2005, at 2:00 p.m., to hear an appeal of the Architectural Board of Review decision regarding the project at 1600 Mira Vista Avenue, due to withdrawal of the appeal.
10. A City Council site visit originally scheduled for Monday, June 27, 2005, at 1:30 p.m. to the property located at 29 State Street, has been rescheduled for Monday, July 18, 2005, at 1:30 p.m.

This concluded the Consent Calendar.

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Iya G. Falcone reported that the Committee met to discuss a proposed amendment pertaining to the 2004 California Electrical Code; this item will be presented to the Council for introduction as Agenda Item No. 14.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dan B. Secord reported that the Committee met to review the Statement of Investment Policy for Fiscal Year 2006; this item will be presented to the Council next week.

REDEVELOPMENT AGENCY REPORTS

11. Subject: Contract For Chapala Street Design And Engineering Services With Penfield And Smith (530.04)

Recommendation: That the Redevelopment Agency Board:

- A. Authorize the Public Works Director to execute a contract with Penfield and Smith in an amount not to exceed \$123,922 for design and engineering services regarding various streetscape improvements to be constructed on Chapala Street at the intersections of Gutierrez and De La Guerra Streets; and
- B. Authorize the Public Works Director to approve expenditures of up to \$12,392 for extra services of Penfield and Smith that may result from necessary changes in the scope of work.

(Cont'd)

11. (Cont'd)

Documents:

June 21, 2005, report from the Community Development Director/Deputy Director.

Councilmember Barnwell entered the meeting at 2:18 p.m.

Speakers:

- Staff: Redevelopment Specialist Louis Lazarine.
- Penfield and Smith: Derek Rapp.

Motion:

Council/Agency members Secord/Schneider to approve the recommendations; City Council Contract No. 21,736.

Vote:

Unanimous voice vote.

12. Subject: Redevelopment Agency Operating Budget For Fiscal Year 2006 And Parking Operations Agreement For Fiscal Year 2006 (550.01)

Recommendation:

- A. That the Redevelopment Agency Board adopt, by reading of title only, A Resolution of the Redevelopment Agency of the City of Santa Barbara Approving the Budget for Fiscal Year 2006;
- B. That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving a Parking Operations Agreement for Parking Structure No. 2, Parking Structure No. 10, Parking Lot No. 11, Parking Lot No. 12, the Railroad Station Parking Lots, and the Two Transportation Management Program Employee Parking Lots Between the City of Santa Barbara and the Redevelopment Agency of the City of Santa Barbara for Fiscal Year 2006; and
- C. That the Redevelopment Agency Board adopt, by reading of title only, A Resolution of the Redevelopment Agency of the City of Santa Barbara Approving a Parking Operations Agreement for Parking Structure No. 2, Parking Structure No. 10, Parking Lot No. 11, Parking Lot No. 12, the Railroad Station Parking Lots, and the Two Transportation Management Program Employee Parking Lots Between the Redevelopment Agency of the City of Santa Barbara and the City of Santa Barbara for Fiscal Year 2006.

Documents:

- June 21, 2005, report from the Community Development Director/Deputy Director.
- Proposed Redevelopment Agency Resolutions.
- Proposed City Council Resolution.

(Cont'd)

12. (Cont'd)

The titles of the resolutions were read.

Speakers:

Staff: Assistant Community Development Director/Housing and Redevelopment Manager David Gustafson.

Motion:

Council/Agency members Williams/Horton to approve the recommendations; Recommendation A: Redevelopment Agency Resolution No. 993; Recommendation B: City Council Resolution No. 05-054 and City Council Agreement No. 21,734; Recommendation C: Redevelopment Agency Resolution No. 994 and Redevelopment Agency Agreement No. 450.

Vote:

Unanimous roll call vote.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

13. Subject: Introduction Of Ordinance Amending The City-Redevelopment Agency Multi-Year Agreement (620.01)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the Agreement for Public Improvement, Public Transportation, and Administrative and Other Services Between the City of Santa Barbara and the Redevelopment Agency of the City of Santa Barbara, and Repealing Ordinance No. 5301.

Documents:

- June 21, 2005, report from the Community Development Director.
- Proposed Ordinance.

The title of the ordinance was read.

Speakers:

Staff: Redevelopment Supervisor Brian Bosse.

Motion:

Councilmembers Secord/Falcone to approve the recommendation.

Vote:

Unanimous voice vote.

14. Subject: Introduction Of Ordinance To Adopt 2004 California Electrical Code (640.04)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Santa Barbara Municipal Code Chapter 22.04, Adopting by Reference the California Electrical Code (2004 Edition) and Adopting Revisions to Said Codes.

Documents:

- June 21, 2005, report from the Community Development Director.
- Proposed Ordinance.

The title of the ordinance was read.

Speakers:

Staff: Chief Building Official George Estrella.

Motion:

Councilmembers Secord/Williams to approve the recommendation.

Vote:

Unanimous voice vote.

PUBLIC WORKS DEPARTMENT

15. Subject: Agreement For Solid Waste Services Program Fee With The County Of Santa Barbara (630.01)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute an agreement between the City of Santa Barbara and the County of Santa Barbara for a Program Fee to pay for the continued provision of community and regional solid waste services, in an amount not to exceed \$498,797 for Fiscal Year 2006; and
- B. Increase estimated Fiscal Year 2006 Solid Waste Fund revenues by \$69,300 in Fiscal Year 2006, and appropriate this amount in the Fiscal Year 2006 Solid Waste Fund operating budget.

Documents:

- June 21, 2005, report from the Public Works Director.
- June 21, 2005, PowerPoint presentation prepared and made by staff.

Speakers:

Staff: Environmental Services Supervisor Stephen MacIntosh, Acting Water Resources Manager Steve Mack, City Administrator James L. Armstrong.

(Cont'd)

15. (Cont'd)

Motion:

Councilmembers Barnwell/Schneider to approve the recommendations;
Agreement No. 21,735.

Vote:

Majority voice vote (Noes: Councilmember Secord).

16. Subject: Adjustment And Rate Modification For Marborg Industries And Allied Waste Industries (630.01)

Recommendation: That Council:

- A. Consider the proposed adjustments to the Monthly Solid Waste Collection Rates schedule, including new waste services, a tipping fee increase at the Tajiguas Landfill, a County Program Fee increase, and Consumer Price Index (CPI) adjustment for the City's franchised haulers; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adjusting Rates for Collection of Refuse, Recyclables and Greenwaste by the City's Franchised Haulers.

Documents:

- June 21, 2005, report from the Public Works Director.
- Proposed Resolution.
- June 21, 2005, PowerPoint presentation prepared and made by staff.
- June 21, 2005, revised Page 5 of the proposed resolution.

The title of the resolution was read.

Speakers:

- Staff: Environmental Services Supervisor Stephen MacIntosh, Acting Water Resources Manager Steve Mack, Solid Waste Specialist Karen Gumtow.
- MarBorg Industries: Mario Borgatello.
- County of Santa Barbara: Mark Schleich, Deputy Director of Solid Waste.

Motion:

Councilmembers Secord/Falcone to approve the recommendations;
Resolution No. 05-055.

Vote:

Unanimous roll call vote.

RECESS

3:47 p.m. - 4:02 p.m. Councilmember Williams was absent when the Council reconvened.

FINANCE DEPARTMENT

17. Subject: Adoption Of Fiscal Year 2006 Operating and Capital Budget (230.05)

Recommendation: That Council adopt, by reading of title only:

- A. A Resolution of the Council of the City of Santa Barbara Adopting the Budget for the Fiscal Year 2006 by Appropriating Moneys for the Use and Support of Said City from the Funds and to the Purposes Herein Specified;
- B. A Resolution of the Council of the City of Santa Barbara Adopting the Budgets for the Airport and Waterfront Funds for the Fiscal Year 2006 by Appropriating Moneys for the Use and Support of Said Departments from the Funds and to the Purposes Herein Specified;
- C. A Resolution of the Council of the City of Santa Barbara Authorizing the Continuation of Capital and Special Project Appropriations to Fiscal Year 2006;
- D. A Resolution of the Council of the City of Santa Barbara Establishing the City's Appropriation Limitation for Fiscal Year 2006;
- E. A Resolution of the Council of the City of Santa Barbara Authorizing Classified and Unclassified Positions in the City's Service Effective July 1, 2005, and Providing a Schedule of Classifications and Salaries for the Same in Accordance With the Operating Budget for the 2006 Fiscal Year;
- F. A Resolution of the Council of the City of Santa Barbara Establishing Certain City Fees Including Water and Wastewater Rates, and Rescinding Resolution Nos. 83-148, 88-136, 04-048, 04-079, 04-080 and 05-009; and
- G. A Resolution of the Council of the City of Santa Barbara Establishing Certain City Fees at the Airport and Waterfront, and Rescinding Resolution Nos. 04-049 and 05-019.

Documents:

- June 21, 2005, report from the Finance Director.
- Proposed Resolutions.
- May 1, 2005, letters from W. Louis Wooldridge and Albert Anolick.
- May 2, 2005, letters from Roger and Martha Helkey, Robert J. Perko, and Robert Allbright.
- May 3, 2005, letters from Mr. and Mrs. Lawrence Castagnola, and Earl W. Stanfield.
- May 5, 2005, letters from Dennis and Dianne Gaon, and Martin Grano.
- May 6, 2005, letter from Margo Rana.
- May 7, 2005, letter from Efigenia and Fernando Banales.
- May 8, 2005, letter from Richard and Barbara Tozer.
- May 9, 2005, letter from Jennifer H. Scott.
- May 10, 2005, letters from Herb Simpkins and Jason Provance.

(Cont'd)

17. (Cont'd)

Documents (Cont'd):

- May 12, 2005, letters from Frances L. Green and Santa Barbara Investment Company.
- May 14, 2005, letter from Forrest B. Wilde.
- May 16, 2005, letter from Edwin V. Weiss.
- May 18, 2005, letters from Isidora Frausto and Marco Frausto.
- May 21, 2005, letter from Marie Batastini.
- June 1, 2005, letters from Doris Batastini and R. Teraoka.
- June 6, 2005, letter from Ronald F. Weaver.
- June 14, 2005, letters from Shen Wei and Rosa Steiner.
- June 16, 2005, letter from Donna Lewis.
- June 16, 2005, e-mail communication from Marian Robinson.
- June 20, 2005, letter signed as "Mesa Resident".

The titles of the resolutions were read.

Councilmember Williams entered the meeting at 4:07 p.m.

Speakers:

- Staff: Assistant Finance Director Robert Samario, City Administrator James L. Armstrong, City Attorney Stephen P. Wiley.
- Members of the Public: Patricia Wenz; Joe Armendariz, Santa Barbara County Taxpayers Association.

Councilmember Secord stated that he would not vote on recommendations B and G due to a conflict of interest.

Motion:

Councilmembers Horton/Barnwell to approve recommendations A, and C through F; Resolution Nos. 05-056 – 05-060.

Vote:

Majority roll call vote (Noes: Councilmember Secord).

Motion:

Councilmembers Horton/Barnwell to approve recommendations B and G; Resolution Nos. 05-061 and 05-062.

Vote:

Unanimous roll call vote (Abstention: Councilmember Secord).

RECESS

4:29 p.m. – 6:00 p.m.

Mayor Blum presiding.

Councilmembers present: Barnwell, Horton, Schneider, Secord, Williams; Mayor Blum.

Councilmembers absent: Falcone.

Staff present: City Administrator/Clerk Armstrong, City Attorney Wiley, Deputy City Clerk Alcazar.

PUBLIC COMMENT

No one wished to speak.

MAYOR AND COUNCIL REPORTS

18. **Subject: Living Wage Report (Mayor Blum and Councilmembers Horton and Williams) (800.08)**

Recommendation: That Council:

- A. Hear a report from staff on the Living Wage proposal; and
- B. Provide direction to staff, as appropriate.

Documents:

- June 21, 2005, report from the Assistant City Administrator.
- June 21, 2005, PowerPoint presentation prepared and made by staff.
- April 24, 2005, letter from American Civil Liberties Union, Santa Barbara Chapter.
- May 11, 2005, letter from Local 535 Service Employees International Union.
- May 12, 2005, letter from Community Action Commission of Santa Barbara County.
- May 18, 2005, letter from Industrial Workers of the World, Santa Barbara General Membership Branch.
- May 25, 2005, letter from PUEBLO.
- May 26, 2005, letter from Patricia Sandall.
- May 26, 2005, letter from Laura Ardry.
- May 28, 2005, letter from Carol D. Parkus.
- May 31, 2005, letter from the Archdiocese of Los Angeles.
- June 1, 2005, letter from National Conference for Community and Justice.
- June 8, 2005, letter from George and Eva N. Taborsky.
- June 17, 2005, letter from unnamed person.
- June 21, 2005, "Statement From an Interview With Economist Mark D. Brenner", submitted by Shawn Tallant.

(Cont'd)

18. (Cont'd)

Councilmember Falcone entered the meeting at 6:05 p.m.

Speakers:

- Staff: Employee Relations Manager Kristy Schmidt.
- Members of the Public: Fran Forman, Community Action Commission; Sharon Hoshida, Santa Barbara for a Living Wage; Judith Evered, WILPF; Santa Barbara Zoo: Rich Brock, Fred Clough; Peter Jordano; Bill Batty, Family Service Agency; Andrew McGregor; Steve Cushman, Santa Barbara Chamber of Commerce; Geoff Green, Fund for Santa Barbara; Dr. Marisela Marquez, La Casa de la Raza and Santa Barbara for a Living Wage; Mark Schniepp, California Economic Forecast; Walt Hamilton, SEIU, Local 620; John Buttny, Committee to End Chronic Homelessness; Mickey Flacks; Tim Allison, Gray Panthers; Dorothy Semmel, League of Women Voters of Santa Barbara; Larry Lee, Brotherhood of Santa Barbara; Mark Asman, CLUE; Cesar Hernandez, CAUSE; Alana Walzac, Environmental Defense Center; Ana Reza, PUEBLO; David Wass, Green Party; Peter Conn, Health Care For All; Hillary Blackerby, Democratic Women; Carol Parkus, Santa Barbara Parish Pastoral Council; Dick Flacks, SB CAN; Narda Rosales, El Congreso, UCSB; Helen Conly, NCCJ; Carmela Lazaro, PUEBLO; Norma Kutzer; Shawn Tallant; Susan Sarnoff, PUEBLO; Robert Rothbard; Daraka Larimore-Hall; Dionicio Ortiz Ortega, PUEBLO; Mario Borgatello, MarBorg Industries; Selma Rubin; George Solinas.

RECESS

8:08 p.m. – 8:22 p.m. Councilmembers Barnwell and Falcone were absent when the Council reconvened.

18. (Cont'd)

Speakers (Cont'd):

Staff: City Attorney Stephen P. Wiley, City Administrator James L. Armstrong.

Councilmember Falcone entered the meeting at 8:25 p.m.

Motion:

Councilmembers Falcone/Schneider to pursue a living wage ordinance.

Vote:

Majority voice vote (Noes: Councilmember Secord; Absent: Councilmember Barnwell).

(Cont'd)

18. (Cont'd)

Councilmember Barnwell entered the meeting at 8:31 p.m.

Motion:

Councilmembers Schneider/Barnwell to forward this item to the Ordinance Committee and to hold the meeting at the David Gebhard meeting room.

Vote:

Majority voice vote (Noes: Councilmember Secord).

Motion:

Councilmembers Barnwell/Williams to include service contractors.

Vote:

Majority voice vote (Noes: Councilmember Secord).

Motion:

Councilmember Horton/Barnwell to not include the non-profits but to explore possible incentives for non-profits.

Vote:

Majority voice vote (Noes: Councilmember Secord).

Motion:

Councilmembers Schneider/Williams to include in the discussion a minimum percentage of time on a City project for employee coverage.

Vote:

Majority voice vote (Noes: Councilmember Secord).

Motion:

Councilmembers Barnwell/Horton to not include City employees.

Vote:

Majority voice vote (Noes: Councilmembers Secord, Williams)

Motion:

Councilmembers Barnwell/Schneider to include minimum compensation in the discussion.

Vote:

Majority voice vote (Noes: Councilmember Secord).

Motion:

Councilmembers Schneider/Horton to forward the draft ordinance to the Ordinance Committee by the end of September.

Amendment Motion:

Councilmembers Schneider/Horton to forward the ordinance to the Finance Committee for review by the end of September.

Vote On Amendment Motion:

Majority voice vote (Absention: Councilmember Secord).

ADJOURNMENT

Mayor Blum adjourned the meeting at 9:35 p.m.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER

ATTEST:

MARTY BLUM
MAYOR

BRENDA ALCAZAR, CMC
DEPUTY CITY CLERK