

**CITY OF SANTA BARBARA
CITY COUNCIL
REDEVELOPMENT AGENCY**

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Stephen P. Wiley
City Attorney/Agency Counsel

City Hall
735 Anacapa Street
<http://www.SantaBarbaraCA.gov>

**APRIL 21, 2009
AGENDA**

ORDER OF BUSINESS: Regular meetings of the Finance Committee and the Ordinance Committee begin at 12:30 p.m. The regular City Council and Redevelopment Agency meetings begin at 2:00 p.m. in the Council Chamber at City Hall.

REPORTS: Copies of the reports relating to agenda items are available for review in the City Clerk's Office, at the Central Library, and <http://www.SantaBarbaraCA.gov>. In accordance with state law requirements, this agenda generally contains only a brief general description of each item of business to be transacted or discussed at the meeting. Should you wish more detailed information regarding any particular agenda item, you are encouraged to obtain a copy of the Council Agenda Report (a "CAR") for that item from either the Clerk's Office, the Reference Desk at the City's Main Library, or online at the City's website (<http://www.SantaBarbaraCA.gov>). Materials related to an item on this agenda submitted to the Council/Redevelopment Agency after distribution of the agenda packet are available for public inspection in the City Clerk's Office located at City Hall, 735 Anacapa Street, Santa Barbara, CA 93101, during normal business hours.

PUBLIC COMMENT: At the beginning of the 2:00 p.m. session of each regular Council/Redevelopment Agency meeting, and at the beginning of each special Council/Redevelopment Agency meeting, any member of the public may address them concerning any item not on the Council/Redevelopment Agency agenda. Any person wishing to make such address should first complete and deliver a "Request to Speak" form prior to the time that public comment is taken up by the Council/Redevelopment Agency. Should Council/Redevelopment Agency business continue into the evening session of a regular Council/Redevelopment Agency meeting at 6:00 p.m., the Council/Redevelopment Agency will allow any member of the public who did not address them during the 2:00 p.m. session to do so. The total amount of time for public comments will be 15 minutes, and no individual speaker may speak for more than 1 minute. The Council/Redevelopment Agency, upon majority vote, may decline to hear a speaker on the grounds that the subject matter is beyond their jurisdiction.

REQUEST TO SPEAK: A member of the public may address the Finance or Ordinance Committee or Council/Redevelopment Agency regarding any scheduled agenda item. Any person wishing to make such address should first complete and deliver a "Request to Speak" form prior to the time that the item is taken up by the Finance or Ordinance Committee or Council/Redevelopment Agency.

CONSENT CALENDAR: The Consent Calendar is comprised of items that will not usually require discussion by the Council/ Redevelopment Agency. A Consent Calendar item is open for discussion by the Council/Redevelopment Agency upon request of a Council/Agency Member, City staff, or member of the public. Items on the Consent Calendar may be approved by a single motion. Should you wish to comment on an item listed on the Consent Agenda, after turning in your "Request to Speak" form, you should come forward to speak at the time the Council/Redevelopment Agency considers the Consent Calendar.

AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act, if you need special assistance to gain access to, comment at, or participate in this meeting, please contact the City Administrator's Office at 564-5305 or inquire at the City Clerk's Office on the day of the meeting. If possible, notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements in most cases.

TELEVISION COVERAGE: Each regular Council meeting is broadcast live in English and Spanish on City TV Channel 18, and rebroadcast in English on Wednesdays and Thursdays at 7:00 p.m. and Saturdays at 9:00 a.m., and in Spanish on Sundays at 4:00 p.m. Each televised Council meeting is closed captioned for the hearing impaired. Check the City TV program guide at www.citytv18.com for rebroadcasts of Finance and Ordinance Committee meetings, and for any changes to the replay schedule.

ORDER OF BUSINESS

- 12:00 p.m. - Special Ordinance Committee Meeting, Council Chamber
- 12:30 p.m. - Finance Committee Meeting, David Gebhard Public Meeting Room, 630 Garden Street
- 2:00 p.m. - City Council Meeting
- 2:00 p.m. - Redevelopment Agency Meeting

SPECIAL ORDINANCE COMMITTEE MEETING - 12:00 P.M. IN THE COUNCIL CHAMBER (120.03)

Subject: Tree Preservation Policy Recommendations

Recommendation: That the Ordinance Committee consider proposed amendments to Municipal Code Chapters 15.20 and 15.24 pertaining to tree preservation and forward the ordinance amendments to the City Council for introduction and adoption.

FINANCE COMMITTEE MEETING - 12:30 P.M. IN THE DAVID GEBHARD PUBLIC MEETING ROOM (120.03)

Subject: Proposed Finance Committee Review Schedule For Fiscal Year 2010 Recommended Budget

Recommendation: That the Finance Committee consider and approve the proposed Finance Committee review schedule and topics related to the Fiscal Year 2010 Recommended Budget.

**REGULAR CITY COUNCIL MEETING – 2:00 P.M.
REGULAR REDEVELOPMENT AGENCY MEETING – 2:00 P.M.**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL ITEMS

- 1. Subject: Proclamation Declaring The Week Of April 19-26, 2009, As Days Of Remembrance In Memory Of The Victims Of The Holocaust (120.04)**

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

CITY COUNCIL

- 2. Subject: City Of Santa Barbara 2009 Legislative Platform (160.02)**

Recommendation: That Council:

- Adopt the proposed City of Santa Barbara 2009 Legislative Platform; and
- Authorize the Mayor, her designee in her absence, and staff, acting on behalf of the City of Santa Barbara, to contact state and federal representatives and send letters to advocate positions consistent with the goals of the City's Legislative Platform.

- 3. Subject: Lease Agreement For Primo Boxing Club/Say Yes To Kids (330.04)**

Recommendation: That Council authorize the Parks and Recreation Director to execute a five-year lease agreement for the Haley Street Youth Sports Center with Primo Boxing Club/Say Yes to Kids.

CONSENT CALENDAR (CONT'D)

CITY COUNCIL (CONT'D)

4. Subject: Contract For Design Services For The Carrillo/Anacapa Intersection Traffic Safety Improvements Project (530.05)

Recommendation: That Council authorize the Public Works Director to execute a contract with Penfield & Smith (P&S) in the amount of \$29,750 for design services for the Carrillo/Anacapa Intersection Traffic Safety Improvements Project (Project), and authorize the Public Works Director to approve expenditures of up to \$2,975 for extra services of P&S that may result from necessary changes in the scope of work.

5. Subject: Adoption Of Ordinance For Amendments To The 2007 Fire Code (520.03)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Subsection E of Section 8.04.020 and Subsections C and D of Section 22.04.020 of the Santa Barbara Municipal Code Concerning Local Requirements for the Installation of Automatic Fire Sprinklers.

6. Subject: Introduction Of Ordinance For Attornment Agreement With H. Oliver Dixon, Inc., And Business First Bank (330.04)

Recommendation: That Council:

- A. Approve and authorize the Airport Director to execute an attornment agreement between the City of Santa Barbara, as Lessor, H. Oliver Dixon, Inc., as Lessee, and Business First Bank, a Division of Heritage Oaks Bank, as Lender, pertaining to Lease Agreement No. 21,810, dated November 1, 2005; and
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving an Attornment Agreement Between the City of Santa Barbara, as Lessor, H. Oliver Dixon, Inc., as Lessee, and Business First Bank, a Division of Heritage Oaks Bank, as Lender, Pertaining to Lease Agreement No. 21,810 dated November 1, 2005.

7. Subject: Easements At The Airport (330.03)

Recommendation: That Council:

- A. Approve and authorize the City Administrator to execute the Second Amendment of Avigation, Noise, and Runway Protection and Navigational Aids Easement between the City, as Grantee, and Santa Barbara Realty Holding Company, LLC, a Delaware limited liability company, as Grantor, substituting a Revised Exhibit 6 to the 2001 Easement, at the Airport;

(Cont'd)

CONSENT CALENDAR (CONT'D)

CITY COUNCIL (CONT'D)

7. (Cont'd)

- B. Approve and authorize the City Administrator to execute the Grant of Access Easements between the City, as Grantee, and Santa Barbara Realty Holding Company, LLC, a Delaware limited liability company, as Grantor, to provide access to the westerly-most Federal Aviation Administration navigational aid; and
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting the Grant of Access Easements on Real Property Known as Coromar Drive and Discovery Drive (Assessor's Parcel No. 073-450-005).

NOTICES

- 8. The City Clerk has on Thursday, April 16, 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.
- 9. Recruitment for City Advisory Groups:
 - A. The City Clerk's Office will accept applications through Friday, May 22, 2009, at 5:00 p.m. to fill current vacancies on various City Advisory Groups, scheduled vacancies on the Central Coast Commission for Senior Citizens, Living Wage Advisory Committee, Single Family Design Board, and Housing Authority Commission, and the unscheduled vacancies resulting from resignations received in the City Clerk's Office through Wednesday, May 6, 2009;
 - B. The City Council will conduct interviews of applicants for vacancies on various City Advisory Groups on Tuesday, June 2, 2009, at 4:00 p.m. (Estimated Time), Tuesday, June 9, 2009, at 6:00 p.m., and Tuesday, June 16, 2009, at 4:00 p.m. (Estimated Time);
 - C. The City Council Subcommittee will conduct interviews of applicants for vacancies on the Lower Westside and Westside Center Advisory Committees on Wednesday, June 17, 2009, at 7:00 p.m. at the Franklin Neighborhood Center, 1136 E. Montecito Street; and
 - D. The City Council will make appointments to fill the vacancies on various City Advisory Groups on Tuesday, June 30, 2009.
- 10. A City Council site visit is scheduled for Monday, April 27, 2009, at 1:30 p.m. to the property located at 1900 Lasuen Road, El Encanto Hotel and Garden Villas, which is the subject of an appeal hearing set for April 28, 2009, at 2:00 p.m.

This concludes the Consent Calendar.

REPORT FROM THE ORDINANCE COMMITTEE

REPORT FROM THE FINANCE COMMITTEE

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

ADMINISTRATIVE SERVICES DEPARTMENT

11. Subject: Set A Date For Public Hearing Regarding Appeals Of Architectural Board Of Review Preliminary Approval For 1298 Coast Village Road (640.07)

Recommendation: That Council set the date for hearing the appeals filed by 1) Save Coast Village Road and 2) Anthony Fischer, Attorney, representing Protect Our Village, of the Architectural Board of Review Preliminary Approval of an application for property owned by Olive Oil & Gas, LP, and located at 1298 Coast Village Road.

(Continued from April 14, 2009, Item No. 13)

FINANCE DEPARTMENT

12. Subject: Fiscal Year 2010 Recommended Operating And Capital Budget (230.05)

Recommendation: That Council:

- A. Accept the Fiscal Year 2010 recommended Operating and Capital Budget;
- B. Hear a report from staff in connection with the filing of the Fiscal Year 2010 recommended budget; and
- C. Approve the proposed public hearing schedule and review schedule for the presentation of the recommended budget.

REDEVELOPMENT AGENCY REPORTS

13. Subject: Report On The Vacant Storefront Art Program

Recommendation: That the Redevelopment Agency Board receive a report on the Agency-funded Vacant Storefront Art Program.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

14. Subject: Conference With Real Property Negotiator (330.03)

Recommendation: That Council hold a closed session pursuant to the authority of section 54956.8 of the Government Code to consider instructions to City staff and the City Attorney regarding potential lease negotiations with Cushman & Wakefield and Hayes Commercial Group for a four-acre parcel of real property located at 6100 Hollister Avenue at the Airport, bounded by Hollister Avenue, Frederic Lopez Road, Francis Botello Road and David Love Place, owned by the City of Santa Barbara (Parcel 22 of the Airport Specific Plan Map [City Parcel Map No. 20,608]). City Negotiators are: Karen Ramsdell, Airport Director; Paul Casey, Community Development Director; Sarah Knecht, Assistant City Attorney.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

15. Subject: Conference With Legal Counsel - Pending Litigation (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is Landslide Repair Foundation v. City of Santa Barbara, SBSC Number 1304297.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

16. Subject: Conference With Legal Counsel - Pending Litigation (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. Pending litigation considered is: Robert Markmann v. City of Santa Barbara, WCAB, Case Number ADJ 1863783.

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

17. Subject: Conference With Legal Counsel - Pending Litigation (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. Pending litigation considered is: Rudolph Moreno v. City of Santa Barbara, WCAB, Case Numbers ADJ 3706676 and ADJ 4345221.

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

ADJOURNMENT

To Monday, April 27, 2009, at 1:30 p.m. at the property located at 1900 Lasuen Road.
(See Agenda Item No. 10)