



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING June 16, 2009 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Pro Tempore Dale Francisco called the meeting to order at 2:00 p.m. (The Finance Committee and Ordinance Committee, which ordinarily meet at 12:30 p.m., did not meet on this date.)

### PLEDGE OF ALLEGIANCE

Mayor Pro Tempore Francisco.

### ROLL CALL

Councilmembers present: Iya G. Falcone, Roger L. Horton, Grant House, Helene Schneider, Das Williams (2:05), Mayor Pro Tempore Francisco.

Councilmembers absent: Mayor Marty Blum.

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

### PUBLIC COMMENT

Speakers: Elizabeth Anderson; Charles McChesney, Police Officers Association; Monica Jones, Friends of Los Banos; David Homeless; Bob Miles; Bob Hansen; Fred Kuhlmann; Claudia Bratton, Solstice.

### CONSENT CALENDAR (Item Nos. 1 and 3 - 10)

The title of the resolution related to Agenda Item No. 3 was read.

Motion:

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

Vote:

Unanimous roll call vote (Absent: Mayor Blum).

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meetings of May 19, 2009, and May 26, 2009 (cancelled), and the special meeting of May 26, 2009.

Action: Approved the recommendation.

3. Subject: Parking And Business Improvement Area Annual Assessment Report 2010 - Intention To Levy Assessment Rates (550.10)

Recommendation: That Council:

- A. Accept the Fiscal Year 2010 Parking and Business Improvement Area Annual Assessment Report; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring Council's Intention to Levy Parking and Business Improvement Area Assessment Rates for the 2010 Fiscal Year, at a Public Hearing to be Held on June 30, 2009, at 2:00 p.m.

Action: Approved the recommendations; Resolution No. 09-037 (June 16, 2009, report from the Public Works Director; proposed resolution).

4. Subject: Cachuma Conservation Release Board Budget Ratification (540.03)

Recommendation: That Council ratify the Fiscal Year 2010 Cachuma Conservation Release Board budget in the amount of \$2,238,230, with an estimated City share of \$620,757.

Action: Approved the recommendation (June 16, 2009, report from the Public Works Director).

5. Subject: Professional Services Agreement To Implement A Web-Based Geographic Information System (GIS) Mapping Application (170.04)

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 Administrative Services Director to execute a professional services agreement and issue a purchase order with Latitude Geographics in an amount not to exceed \$64,890 to implement a Web-Based GIS Mapping Application; and
- B. Authorize the City's Administrative Services Director to issue required change orders to Latitude Geographics, in a total amount not to exceed \$10,000, to cover contingencies associated with changes to services.

Action: Approved the recommendations; Agreement No. 23,128 (June 16, 2009, report from the Administrative Services Director).

6. Subject: Acceptance And Appropriation Of Federal Aviation Administration, Airport Improvement Program Grant Offer For Santa Barbara Airport (560.04)

Recommendation: That Council:

- A. Accept and authorize the Airport Director to execute, on behalf of the City, FAA Grant Offer of \$2,378,517 in Airport Improvement Program (AIP) funds for Project No. AIP-3-06-0235-040-2009 for Phase II, construction of a new airline terminal building; and
- B. Increase appropriations and estimated revenue in the Airport Grant Fund by \$2,378,517 to be funded from Federal Aviation Administration Airport Improvement Program (AIP) Grant No. 03-06-0235-040-2009, plus the City's 5% match portion of \$125,185 to be funded from Airport reserves above policy, for a total increase of \$2,503,702, for Phase II, construction of a new airline terminal building.

Action: Approved the recommendations; Agreement No. 23,129 (June 16, 2009, report from the Airport Director).

7. Subject: Economic Stimulus Funding - Energy Efficiency And Conservation Block Grant Application (630.06)

Recommendation: That Council authorize the City Administrator to apply for Energy Efficiency and Conservation Block Grant funding in the amount of \$868,200 for energy efficiency projects at City facilities and the development of a Climate Action Plan.

Speakers:

Staff: Assistant to the City Administrator Nina Johnson, Facilities & Energy Manager James Dewey.

Action: Approved the recommendation (June 16, 2009, report from the City Administrator).

8. Subject: Purchase Order With Rincon Broadcasting LLC To Broadcast Clean Creek Messages (540.14)

Recommendation: That Council authorize the General Services Manager to issue a purchase order in the amount of \$27,864 to Rincon Broadcasting LLC to continue a public awareness campaign on water pollution prevention.

Action: Approved the recommendation (June 16, 2009, report from the Parks and Recreation Director).

9. Subject: Set A Date For Public Hearing Regarding Appeal Of Planning Commission Denial Of Appeal Of Staff Hearing Officer Decision For 436 Corona Del Mar (640.07)

Recommendation: That Council:

- A. Set the date of August 4, 2009, at 2:00 p.m. for hearing the appeal filed by Tony Fischer, Attorney representing Friends of Outer State Street of the Planning Commission denial of an appeal of James Kahan of the Staff Hearing Officer's approval of the application for property owned by Larry and Susan Jean Agostino and located at 436 Corona Del Mar, Assessor's Parcel No. 017-321-007, R-4/SD-3 Hotel-Motel Multiple Residence and Coastal Overlay Zones, General Plan Designation: Commercial-Hotel & Residential. The project proposes the demolition of an existing residence and non-conforming garage, and construction of a three-story duplex and a two-car garage on a 6,594 square-foot lot in the non-appealable jurisdiction of the Coastal Zone. The discretionary applications required for this project are a Coastal Development Permit and a Modification; and
- B. Set the date of August 3, 2009, at 1:30 p.m. for a site visit to the property located at 436 Corona Del Mar.

Action: Approved the recommendations (May 26, 2009, letter from the Appellant).

## NOTICES

10. The City Clerk has on Thursday, June 11, 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.

This concluded the Consent Calendar.

## **ITEM REMOVED FROM CONSENT CALENDAR**

Councilmember Schneider stated that she would abstain from voting on the following item due to a conflict of interest related to the location of her residence being in proximity to one of the intersections listed on the Council Agenda Report.

2. Subject: Adoption Of Ordinance Establishing Prima Facie Speed Limits (530.05)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Section 10.60.015 of the Municipal Code, Establishing the Prima Facie Speed Limit on Alamar Avenue from State Street to Foothill Road at the Current Speed Limit of 35 Miles Per Hour, Reducing the Prima Facie Speed Limit on Micheltorena Street from San Andres Street to California Street from 30 to 25 Miles Per Hour, and Reducing the Prima Facie Speed Limit on Mission Street from Robbins Street to Anacapa Street from 30 to 25 Miles Per Hour.

The title of the ordinance was read.

Motion:

Councilmembers Falcone/Horton to approve the recommendation;  
Ordinance No. 5491.

Vote:

Unanimous roll call vote (Abstentions: Councilmember Schneider;  
Absent: Mayor Blum).

Councilmember Williams left the meeting at 2:28 p.m.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### **FIRE DEPARTMENT**

11. Subject: Renewal Of Levy For Fiscal Year 2009-2010 For The Wildland Fire Suppression Assessment District (290.00)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring Its Intention to Continue Vegetation Road Clearance, Implementation of a Defensible Space Inspection and Assistance Program, and Implementation of a Vegetation Management Program Within the Foothill and Extreme Foothill Zones; Declaring the Work to be of More Than General or Ordinary Benefit and Describing the District to be Assessed to Pay the Costs and Expenses Thereof; Approving the Engineer's Report, Confirming Diagram and Assessment, and Ordering Levy of the Wildland Fire Suppression Assessment District for Fiscal Year 2009-2010.

(Cont'd)

11. (Cont'd)

Councilmembers Horton and House stated they would not participate in the discussion of this item due to conflicts of interest related to their ownership of or residence at property located within the subject assessment district and left the meeting at 2:29 p.m.

Recess: 2:29 p.m. - 2:30 p.m. Councilmembers Horton and House were absent when the Council reconvened.

Documents:

- June 16, 2009, report from the Interim Fire Chief.
- June 2009, City of Santa Barbara Wildland Fire Suppression Assessment Final Engineer's Report.
- Affidavit of Publication.

The title of the resolution was read.

Public Comment Opened:

2:30 p.m.

Speakers:

Staff: Fire Marshal Joe Poiré, Fire Services Specialist Amber Anderson.

Public Comment Closed:

2:46 p.m.

Motion:

Councilmembers Schneider/Williams to approve the recommendation;  
Resolution No. 09-038.

Vote:

Unanimous roll call vote (Absent: Councilmembers Horton, House, Mayor Blum).

**RECESS**

Mayor Pro Tempore Francisco recessed the meeting at 2:47 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 13. No reportable action is anticipated.

## **CLOSED SESSIONS**

13. Subject: Conference With Real Property Negotiators - Cabrillo Bridge Replacement Project (330.03)

Recommendation: That Council hold a closed session to consider instructions to City Staff regarding real property negotiations regarding the real properties located at 6 and 10 State Street and 13 East Cabrillo Boulevard, Santa Barbara, California, pursuant to the authority of Government Code Section 54956.8.

Instructions to negotiator concern the terms of a possible acquisition of a City interest in the real properties. Property: 6 State Street (APN 033-111-011); 10 State Street (APN 033-111-006); and 13 East Cabrillo Boulevard (APN 033-111-012). City Negotiator: Negotiations will be conducted by City Attorney Stephen P. Wiley. Negotiating Parties: Virginia Castagnola Hunter, Scott Hollister, George Hollister, Catherine Wallenfels, Francesca Hunter, Alexis Chernow, Above Mission Creek, LLC, and Lighthouse & Corner, LLC.

Under Negotiation: Price, terms of payment, possible exchange terms.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

Documents:

June 16, 2009, report from the City Attorney.

Time:

2:50 p.m. - 3:30 p.m. Mayor Blum was absent.

No report made.

## **RECESS**

3:30 p.m. - 4:00 p.m. Councilmember Falcone was absent when the Council reconvened.

## **MAYOR AND COUNCIL REPORTS**

12. Subject: Interviews For City Advisory Groups (140.05)

Recommendation: That Council interview applicants to City Advisory Groups.

(Continued from June 9, 2009, Item No. 9)

(Estimated Time: 4:00 p.m.)

Documents:

June 16, 2009, report from the Administrative Services Director.

(Cont'd)

12. (Cont'd)

Speakers:

- Member of the Public: Terry Bolden.
- Staff: Deputy City Clerk Brenda Alcazar.
- The following applicants were interviewed:  
Building and Fire Code Board of Appeals:  
Meg West

Councilmember Falcone returned to the meeting at 4:03 p.m.

Speakers (Cont'd):

- The following applicants were interviewed (Cont'd):  
Community Development & Human Services Committee:  
Daniel Ramirez  
Single Family Design Board:  
Denise Woolery  
Housing Authority Commission:  
Catherine Woodford  
Transportation & Circulation Committee and Water Commission:  
Jennifer Christensen  
Creeks Advisory Committee:  
Paul Bullock  
Living Wage Advisory Committee:  
Richard Flacks

Appointments are scheduled to take place on June 30, 2009.

**ADJOURNMENT**

Mayor Pro Tempore Francisco adjourned the meeting at 4:35 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

\_\_\_\_\_  
DALE FRANCISCO  
MAYOR PRO TEMPORE

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