



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING June 23, 2009 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Marty Blum called the joint meeting of the Council, Redevelopment Agency and Santa Barbara Financing Authority to order at 2:00 p.m. (The Ordinance Committee met at 12:30 p.m. The Finance Committee, which ordinarily meets at 12:30 p.m., did not meet on this date.)

### PLEDGE OF ALLEGIANCE

Mayor Blum.

### ROLL CALL

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

Councilmembers absent: None.

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

### CEREMONIAL ITEMS

1. Subject: Proclamation Declaring June 23, 2009, as Olympic Day (120.04)

Action: Proclamation presented to Terry Brown, City Youth Activities Supervisor, and Beverley Lewis, representing Club West and Santa Barbara Youth Track Club.

### PUBLIC COMMENT

Speakers: Mavis Thibodeaux; Gert Walter; David Daniel Diaz; Kate Smith; Ken Palley, Surfrider Foundation; Kenneth Loch; Lois Hamilton, Surfrider Foundation.

**ITEM REMOVED FROM CONSENT CALENDAR**

- 11. Subject: State Use Of Local Highway Users Tax Account (HUTA) Funds (670.05)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the City Attorney to Cooperate With the League Of California Cities as Well as Other Cities And Counties In Litigation Challenging The Constitutionality of Any Seizure By State Government of Santa Barbara’s Share of the Street Maintenance Funds Generated by the State Highway Users Tax.

Documents:

- June 23, 2009, report from the City Attorney.
- Proposed Resolution.

The title of the resolution was read.

Motion:

Councilmembers Falcone/Horton to approve the recommendation; Resolution No. 09-039.

Vote:

Majority roll call vote (Noes: Councilmember Williams).

**CONSENT CALENDAR (Item Nos. 2 – 10 and 14)**

Motion:

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

Vote:

Unanimous roll call vote.

- 2. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the special meetings of June 1 and June 2, 2009, the regular meeting of June 2, 2009, and the special meeting of June 4, 2009.

Action: Approved the recommendation.

3. Subject: Agreement For Use Of Coastal Zone Affordable Overnight Accommodation Funds (660.04)

Recommendation: That Council approve and authorize the Community Development Director to negotiate and execute, subject to approval of the City Attorney, a grant agreement between the City of Santa Barbara and Transition House in the amount of \$45,000 for the use of Coastal Zone Affordable Overnight Accommodation Funds for a pilot program to provide emergency hotel vouchers for homeless persons waiting to get into an emergency shelter or transitional shelter/housing.

Speakers:

Member of the Public: Kathleen Baushke, Transition House.

Action: Approved the recommendation; Agreement No. 23,130 (June 23, 2009, report from the Community Development Director).

4. Subject: Community Development And Human Services Committee Revised Funding Recommendations For Fiscal Year 2010 (610.05)

Recommendation: That Council approve the revised funding recommendations of the Community Development and Human Services Committee for Fiscal Year 2010 Community Development Block Grant and Human Services funds.

Speakers:

Staff: Community Development Program Supervisor Sue Gray.

Action: Approved the recommendation (June 23, 2009, report from the Community Development Director).

5. Subject: Renewal Of Agreement For Paratransit Services With Easy Lift Transportation, Incorporated (670.01)

Recommendation: That Council authorize the Public Works Director to execute an agreement with Easy Lift Transportation, Incorporated (Easy Lift), for paratransit services for elderly and mobility-impaired people, in an amount not to exceed \$229,416.73 for Fiscal Year 2010.

Action: Approved the recommendation; Agreement No. 23,131 (June 23, 2009, report from the Public Works Director).

6. Subject: Contract For Environmental Services For The Cabrillo Boulevard Bridge Replacement Project (530.04)

Recommendation: That Council authorize the Public Works Director to execute a contract with Science Applications International Corporation (SAIC) in the amount of \$46,600 for environmental services for the Cabrillo Boulevard Bridge Replacement Project (Project), and authorize the Public Works Director to approve expenditures of up to \$4,660 for extra services of SAIC that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Contract No. 23,132 (June 23, 2009, report from the Public Works Director).

7. Subject: Bureau Of Justice Assistance, Edward Byrne Memorial Grant (520.04)

Recommendation: That Council accept a grant from the U.S. Department of Justice, Office of Justice Programs, totaling \$777,206, and authorize the Chief of Police to execute the grant agreement.

Action: Approved the recommendation; Agreement No. 23,133 (June 23, 2009, report from the Chief of Police).

8. Subject: Santa Barbara Airport Thermal Image Camera Project (560.01)

Recommendation: That Council:

- A. Approve additional Change Order expenditure for Purchase Order 380668 with Taft Electric Company in the amount of \$21,356 for the Santa Barbara Airport Thermal Image Camera Project; and
- B. Authorize use of \$21,356 remaining in a completed capital project in the Airport Capital Fund for the Thermal Image Camera Project.

Speakers:

Staff: Airport Operations Manager Tracy Lincoln.

Action: Approved the recommendation (June 23, 2009, report from the Airport Director).

9. Subject: Set A Date For Public Hearing Regarding Appeal Of Single Family Design Board Approval For 3750 Meru Lane (640.07)

Recommendation: That Council:

- A. Set the date of July 28, 2009, at 2:00 p.m. for hearing the appeal filed by Larry and Gerrie Fausett of the Single Family Design Board Preliminary Approval of an application for property owned by Terence and Susan Quinlan and located at 3750 Meru Lane, Assessor's Parcel No. 057-262-011, E-3 One-Family Residence and SD-2 Special District Zones, General Plan Designation: Residential, 5 Units per Acre.

(Cont'd)

9. (Cont'd)

A. (Cont'd)

The project proposes the demolition of an existing 2,279 square-foot single-family residence and 400 square-foot garage, and the construction of a new 4,268 square-foot two-story single-family residence with attached 446 square-foot garage; and

B. Set the date of July 27, 2009, at 1:30 p.m. for a site visit to the property located at 3750 Meru Lane.

Action: Approved the recommendations (June 5, 2009, letter of appeal).

10. Subject: Set A Date For Public Hearing Regarding Appeal Of Fire And Police Commission Decision For Q's Sushi A Go-Go, 409 State Street (520.01)

Recommendation: That Council:

A. Set the date of August 11, 2009, at 2:00 p.m. for hearing the appeal filed by David Houston, Owner, Q's Sushi a Go-Go located at 409 State Street, of the Fire and Police Commission decision to place conditions on the renewal of a nightclub dance permit; and

B. Set the date of August 10, 2009, at 1:30 p.m. for a site visit to the property located at 409 State Street.

Action: Approved the recommendations (letter of appeal received June 8, 2009).

Agenda Item No. 12 appears in the Redevelopment Agency minutes.

Agenda Item No. 13 appears in the Santa Barbara Financing Authority minutes.

## NOTICES

14. The City Clerk has on Friday, June 19, 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.

## **REPORT FROM THE ORDINANCE COMMITTEE**

Ordinance Committee Chair Das Williams reported that the Committee met to review proposed amendments to the Municipal Code to establish a Building Safety Assessment Placard System and to regulate abusive panhandling within the City. The Committee approved both ordinances for submittal to the full Council for introduction and subsequent adoption.

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

### **COMMUNITY DEVELOPMENT DEPARTMENT**

15. Subject: South Coast 101 High Occupancy Vehicle Lane Project (670.07)

Recommendation: That Council receive a presentation from the Santa Barbara County Association of Governments and Caltrans regarding the South Coast 101 High Occupancy Vehicle (HOV) Project.

Documents:

June 23, 2009, report from the Community Development Director.

Speakers:

- Staff: Supervising Transportation Planner Rob Dayton.
- Santa Barbara County Association of Governments: Public Information and Government Affairs Coordinator Gregg Hart.

Discussion:

Mr. Hart explained the project in detail, including its phases and construction costs. Councilmembers' questions were answered.

### **ADMINISTRATIVE SERVICES DEPARTMENT**

16. Subject: Proposed Charter Amendments Affecting The Architectural Board Of Review, Harbor Commission, Park Commission And Recreation Commission, And Residency Requirements (110.01)

Recommendation: That Council review the draft charter amendment language and provide direction to staff concerning any needed revisions.

Documents:

June 23, 2009, report from the City Attorney and the Administrative Services Director.

Speakers:

Staff: Administrative Services Director Marcelo López, Parks and Recreation Director Nancy Rapp, City Attorney Stephen Wiley, Waterfront Director John Bridley.

(Cont'd)

16. (Cont'd)

Motion:

Councilmembers Schneider/Horton to approve the proposed amendments to Charter Sections 809 (Board of Park Commissioners) and 810 (Recreation Commission), with a further amendment to the first paragraph of Section 809 to read ". . .one member of the Parks and Recreation Commission may be an individual residing within the City of Santa Barbara of age sixteen (16) years or older. . ."

Vote:

Majority voice vote (Noes: Councilmember Francisco, Mayor Blum).

Motion:

Councilmembers House/Schneider to approve the proposed amendments to Charter Section 814 (Architectural Board of Review), as presented.

Vote:

Unanimous voice vote.

Motion:

Councilmembers House/Falcone to approve the proposed amendments to Charter Section 811 (Board of Harbor Commissioners), as presented.

Vote:

Unanimous voice vote.

## **RECESS**

4:20 p.m. - 4:34 p.m.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)**

### CITY ADMINISTRATOR

17. Subject: Fiscal Year 2010 Unpaid Furlough And Related Labor Agreement Updates (Managers, Supervisors, and General Employees) (440.03)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring a Mandatory Unpaid Furlough for City Employees During Fiscal Year 2009-2010 and Approving a General Furlough Closure Schedule for Certain City Offices; and
- B. Introduce and subsequently 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.

(Cont'd)

17. (Cont'd)

Documents:

- June 23, 2009, report from the Assistant City Administrator.
- Proposed Resolution and Ordinance.
- PowerPoint presentation prepared and made by Staff.

The titles of the resolution and ordinance were read.

Speakers:

- Staff: Employee Relations Manager Kristine Schmidt.
- Service Employees International Union, Local 620: Field Representative George Green.

Motion:

Councilmembers Horton/Falcone to approve the recommendations;  
Resolution No. 09-040.

Vote:

Unanimous roll call vote.

FINANCE DEPARTMENT

18. Subject: Adoption Of The Operating And Capital Budget For Fiscal Year 2010  
(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 2010 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 Establishing the City's Appropriation Limitation for Fiscal Year 2010;
- C. A Resolution of the Council of the City of Santa Barbara Establishing Certain City Fees, Including Water and Wastewater Rates, and Rescinding Resolution Nos. 08-060, 08-097, 08-111, 08-112, 09-007, 09-016, and Section 2 of Resolution No. 85-066;
- D. A Resolution of the Council of the City of Santa Barbara Authorizing Classified and Unclassified Positions in the City's Service Effective July 1, 2009, and Providing a Schedule of Classifications and Salaries for the Same in Accordance with the Operating Budget for the 2010 Fiscal Year;
- E. A Resolution of the Council of the City of Santa Barbara Authorizing the Continuation of Capital and Special Project Appropriations to Fiscal Year 2010;

(Cont'd)



18. (Cont'd)

- F. A Resolution of the Council of the City of Santa Barbara for Paying and Reporting the Value of Employer-Paid Member Contributions (EPMC) for Regular Miscellaneous Employees Effective June 20, 2009; and
- G. A Resolution of the Council of the City of Santa Barbara for Employer-Paid Member Contributions for Hourly Employees Effective June 20, 2009.

Documents:

- June 23, 2009, report from the Finance Director.
- Proposed Resolutions.
- E-mail from Staff and amended page from the proposed resolution establishing certain City fees, including water and wastewater rates.
- PowerPoint presentation prepared and made by Staff.

The titles of the resolutions were read.

Speakers:

- Staff: Finance Director Robert Peirson, City Administrator James Armstrong, Water Resources Supervisor Bill Ferguson, Library Director Irene Macias, Public Works Director Christine Andersen.
- Members of the Public: Monica Jones, Friends of Los Baños Pool; Mitchell Sjerven and Tom Patton, Santa Barbara Conference and Visitors Bureau and Film Commission.

Motion:

Councilmembers Horton/House to approve the recommendations, adopting Resolution Nos. 09-041 - 09-047, including the Staff-recommended revisions to the resolution establishing certain City fees, including water and wastewater rates (recommendation C, Resolution No. 09-043).

Vote:

Unanimous roll call vote.

## REDEVELOPMENT AGENCY REPORTS

19. Subject: Redevelopment Agency Operating Budget For Fiscal Year 2010 And Associated Documents (620.03)

Recommendation:

- A. 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 Granada Garage Complex, 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 2010;

(Cont'd)

19. (Cont'd)

- B. That the 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 Granada Garage Complex, 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 2010;
- C. That the Agency Board amend the proposed Redevelopment Agency Budget to include \$192,000 to be used for various Parking Infrastructure Improvements in the Redevelopment Project Area; and
- D. That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving the Budget of the Redevelopment Agency of the City of Santa Barbara for Fiscal Year 2010.

Documents:

- June 23, 2009, report from the Community Development Director/Agency Deputy Director.
- Proposed Resolutions.
- Proposed Parking Operations Agreement.
- PowerPoint presentation prepared and made by Staff.

The titles of the resolutions were read.

Speakers:

Staff: Finance Director/Fiscal Officer Robert Peirson, City Administrator/ Executive Director James Armstrong.

Motion:

Council/Agency members House/Falcone to approve the recommendations; City Council Resolution Nos. 09-048 and 09-049 and Agreement No. 23,134; Redevelopment Agency Resolution No. 1015 and Agreement No. 517.

Vote:

Unanimous roll call vote.

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 6:14 p.m. in memory of City Public Works employee John Schoof.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

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

ATTEST: \_\_\_\_\_  
SUSAN TSCHECH, CMC  
DEPUTY CITY CLERK