

**CITY OF SANTA BARBARA  
CITY COUNCIL  
FINANCING AUTHORITY**

**Marty Blum**  
*Mayor/Chair*  
**Dale Francisco**  
*Mayor Pro Tempore/Vice Chair*  
**Das Williams**  
*Ordinance Committee Chair*  
**Roger L. Horton**  
*Finance Committee Chair*  
**Iya G. Falcone**  
**Grant House**  
**Helene Schneider**



**James L. Armstrong**  
*City Administrator/  
Executive Director*

**Stephen P. Wiley**  
*City Attorney/Authority Counsel*

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

**July 28, 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 special Financing Authority 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/Financing Authority 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/Financing Authority meeting, and at the beginning of each special Council/Financing Authority meeting, any member of the public may address them concerning any item not on the Council/Financing Authority 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/Financing Authority. Should Council/Financing Authority business continue into the evening session of a regular Council/Financing Authority meeting at 6:00 p.m., the Council/Financing Authority 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/Financing Authority, 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/Financing Authority 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/Financing Authority.

**CONSENT CALENDAR:** The Consent Calendar is comprised of items that will not usually require discussion by the Council/Financing Authority. A Consent Calendar item is open for discussion by the Council/Financing Authority 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/Financing Authority 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](http://www.citytv18.com) for rebroadcasts of Finance and Ordinance Committee meetings, and for any changes to the replay schedule.

## **ORDER OF BUSINESS**

- 12:30 p.m. - Ordinance Committee Meeting, Council Chamber
- 1:00 p.m. - Special Finance Committee Meeting, David Gebhard Public Meeting Room, 630 Garden Street
- 2:00 p.m. - City Council Meeting
- 2:00 p.m. - Special Financing Authority Meeting

### **ORDINANCE COMMITTEE MEETING - 12:30 P.M. IN THE COUNCIL CHAMBER (120.03)**

#### **Subject: Tree Preservation Policy Recommendations - American National Standards Institute (ANSI) Pruning Standards**

Recommendation: That the Ordinance Committee consider proposed amendments to Chapters 15.20 and 15.24 of the Municipal Code pertaining to tree preservation and the integration of the American National Standards Institute (ANSI) pruning standards in the City's tree preservation policies and enforcement procedures.

### **SPECIAL FINANCE COMMITTEE MEETING - 1:00 P.M. IN THE DAVID GEBHARD PUBLIC MEETING ROOM, 630 GARDEN STREET (120.03)**

#### **Subject: June 30, 2009, Investment Report And June 30, 2009, Fiscal Agent Report**

Recommendation: That the Finance Committee recommend that Council:

- A. Accept the June 30, 2009, Investment Report; and
- B. Accept the June 30, 2009, Fiscal Agent Report.  
(See Council Agenda Item No. 2)

**REGULAR CITY COUNCIL MEETING – 2:00 P.M.  
SPECIAL FINANCING AUTHORITY MEETING – 2:00 P.M.**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**CHANGES TO THE AGENDA**

**PUBLIC COMMENT**

**CONSENT CALENDAR**

CITY COUNCIL

**1. Subject: Minutes**

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of June 9, 2009, the special meetings of June 24, 2009, and June 25, 2009 (cancelled), and the regular meetings of June 30, 2009, and July 7, 2009 (cancelled).

**2. Subject: June 30, 2009, Investment Report And June 30, 2009, Fiscal Agent Report (260.02)**

Recommendation: That Council:

- A. Accept the June 30, 2009, Investment Report; and
- B. Accept the June 30, 2009, Fiscal Agent Report.

**3. Subject: Adoption Of Ordinance For Seven-Year License Agreement With Web Laundry Service Company, L.L.C. (330.04)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Seven-Year License Agreement with Web Service Company, L.L.C., Effective August 29, 2009, for a 156 Square-Foot Laundry Room at 307 Shoreline Drive.

## CONSENT CALENDAR (CONT'D)

### CITY COUNCIL (CONT'D)

**4. Subject: Resolution To Dedicate Easements For Street, Bridge, And Public Utilities At 136 West Haley Street (330.03)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Dedicating Easements for Street, Bridge, and Public Utilities, and for All Related Purposes, Said Easements Being Located on Portions of the City-Owned Real Property at 136 West Haley Street, Santa Barbara County Assessor's Parcel Number 037-162-010.

**5. Subject: Contract With Innova Aviation Consulting, LLC, For Air Service Development (560.01)**

Recommendation: That Council authorize the Airport Director to execute a contract with Innova Aviation Consulting, LLC, for specialized air service development support for the Santa Barbara Airport, in an amount not to exceed \$52,000.

**6. Subject: Contract For Construction Of The Marina One Replacement Project - Phase 1 (570.03)**

Recommendation: That Council:

- A. Award and authorize the Public Works Director to execute a contract with AIS Construction Company (AIS) in their low bid amount of \$1,781,840, for construction of the Marina One Replacement Project (Project) - Phase 1, Bid No. 3536, and approve expenditures up to \$178,200 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment, and authorize the Public Works Director to accept the final contract amount, with approved changes, and file all Notices of Completion with the County Clerk-Recorder's Office; and
- B. Authorize the Public Works Director to execute a contract with URS Corporation (URS), in the amount of \$40,000, for construction support services, and approve expenditures of up to \$4,000 for extra services of URS that may result from necessary changes in the scope of work.

**7. Subject: Amendment To The Recreational Vehicle Safe Parking Program Agreement (660.04)**

Recommendation: That Council authorize the City Administrator to execute an Amendment to the Agreement with the New Beginnings Counseling Center (NBCC) increasing the number of permits issued in City-operated parking lots for the Recreational Vehicle (RV) Safe Parking Program (Program) from fourteen to twenty-five spaces, and maintain the current funding.

## **CONSENT CALENDAR (CONT'D)**

### CITY COUNCIL (CONT'D)

**8. Subject: Accept Highway Bridge Program Grant Funding For The Cabrillo Bridge Replacement Project (530.04)**

Recommendation: That Council accept Highway Bridge Program grant funding in the amount of \$734,259, and increase estimated revenue and appropriations in this amount in the Fiscal Year 2010 Streets Fund Budget.

**9. Subject: Police Department/Downtown Organization Hourly Foot Patrol Officer (520.04)**

Recommendation: That Council accept a \$20,000 contribution to the Police Department Tactical Patrol Force Program from the Downtown Organization of Santa Barbara, Inc.

### FINANCING AUTHORITY

**10. Subject: Minutes**

Recommendation: That the Financing Authority Board waive the reading and approve the minutes of the special meeting of June 23, 2009.

### NOTICES

11. The City Clerk has on Thursday, July 23, 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.
12. Cancellation of the site visit and appeal hearing scheduled for July 27, and July 28, 2009, respectively, for the property located at 3750 Meru Lane due to withdrawal of the appeal.
13. A City Council site visit is scheduled for Monday, August 3, 2009, at 1:30 p.m. to the property located at 436 Corona Del Mar, which is the subject of an appeal hearing set for August 4, 2009, at 2:00 p.m.

**This concludes the Consent Calendar.**

## **REPORT FROM THE ORDINANCE COMMITTEE**

## **REPORT FROM THE FINANCE COMMITTEE**

## **MAYOR AND COUNCIL REPORTS**

- 14. Subject: Request From Mayor Blum And Councilmember Francisco Regarding A Discussion Of The Medical Marijuana Permit Ordinance (520.04)**

Recommendation: That Council consider the request of Mayor Blum and Councilmember Francisco to refer the Medical Marijuana Permit Ordinance to the Ordinance Committee.

## **COUNCIL AND STAFF COMMUNICATIONS**

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

## **ADJOURNMENT**

To Monday, August 3, 2009, at 1:30 p.m. at 436 Corona Del Mar. (See Agenda Item No. 13)

CITY OF SANTA BARBARA

**ORDINANCE COMMITTEE**

MEETING AGENDA

DATE: July 28, 2009  
TIME: 12:30 p.m.  
PLACE: Council Chambers

Das Williams, Chair  
Dale Francisco  
Grant House

Office of the City  
Administrator

Office of the City  
Attorney

Nina Johnson  
Assistant to the City Administrator

Stephen P. Wiley  
City Attorney

**ITEM FOR CONSIDERATION**

**Subject: Tree Preservation Policy Recommendations - American National Standards Institute (ANSI) Pruning Standards**

Recommendation: That the Ordinance Committee consider proposed amendments to Chapters 15.20 and 15.24 of the Municipal Code pertaining to tree preservation and integration of the American National Standards Institute (ANSI) pruning standards in the City's tree preservation policies and enforcement procedures.



# CITY OF SANTA BARBARA

## ORDINANCE COMMITTEE AGENDA REPORT

**AGENDA DATE:** July 28, 2009

**TO:** Ordinance Committee

**FROM:** Parks and Recreation Department  
City Attorney's Office

**SUBJECT:** Tree Preservation Policy Recommendations - American National Standards Institute (ANSI) Pruning Standards

### **RECOMMENDATION:**

That the Ordinance Committee consider proposed amendments to Chapters 15.20 and 15.24 of the Municipal Code pertaining to tree preservation and the integration of the American National Standards Institute (ANSI) pruning standards in the City's tree preservation policies and enforcement procedures.

### **EXECUTIVE SUMMARY:**

On April 21, 2009, staff presented the Ordinance Committee with draft revisions to Chapters 15.20 and 15.24 of the Municipal Code related to tree preservation policies and enforcement procedures. At the meeting, some members of the public called on the City to adopt the ANSI pruning standards as the City's standard for the maintenance of City trees and the City's enforcement procedures regarding front setback and parking lot trees on private property. Staff is returning to the Ordinance Committee with recommendations on how the City will incorporate the ANSI pruning standards into the City's maintenance practices. Consistent with the Street Tree Advisory Committee (STAC) and Parks and Commission recommendations, staff does not recommend adopting the ANSI pruning standards for tree preservation enforcement on private property.

### **DISCUSSION:**

In early 2008, in response to several high-profile removals of trees on private property, the City Council directed staff to review the City's tree preservation policies and enforcement procedures and to prepare recommendations for improving the preservation of the urban forest. Staff presented its recommendations to the City Council in December 2008, and the Council referred the recommendations to the Ordinance Committee for further consideration. The Council also requested recommendations from the Street Tree Advisory Committee (STAC) and the Park and Recreation Commission regarding the use of the ANSI pruning standards and best management practices in the regulation of trees within the City.

### **Street Tree Advisory Committee and Park and Recreation Commission**

On March 5, 2009, the STAC considered the role of the ANSI standards and best management practices. Four members of the public participated in this discussion. One member of the public argued against tree preservation enforcement in general as being an intrusion upon private property rights and a suppression of the artistic talent of arborists. The other three members of the public encouraged greater protection of trees, with two individuals encouraging the use of the ANSI standards as the City's enforcement standard. At the conclusion of the discussion, STAC concurred with the staff recommendation to not adopt the ANSI standards as the City's enforcement standard for private trees. However, STAC did recommend a partial integration of the ANSI standards into the City's policies and procedures by: (1) defining a significant alteration as a reduction of the tree crown by more than  $\frac{1}{4}$  within one year, as opposed to the current City standard of a  $\frac{1}{3}$  reduction; (2) requiring permitted work on City trees by private parties to comply with the ANSI standards and best management practices; and (3) requesting the addition of a new section to Chapter 15.24 of the Municipal Code informing property owners of the ANSI standards and best management practices and encouraging their use in the maintenance of trees on private property. On March 25, 2009, the Park and Recreation Commission considered the topic and concurred with the staff recommendations, as modified by STAC.

### **Ordinance Committee Review**

On April 21, 2009, the Ordinance Committee was presented with the proposed amendments to Chapters 15.20 and 15.24 of the Municipal Code pertaining to tree preservation. During that meeting, some members of the public urged the City to adopt the ANSI pruning standards as the City's standard for the maintenance of City Trees and the City's enforcement standard for the preservation of trees on private property. The Ordinance Committee forwarded the proposed ordinance revisions to the City Council with the expectation that the ANSI standards would be incorporated in some fashion into the maintenance practices for City trees before the ordinance was presented to the City Council. The Ordinance Committee did not require the incorporation of the ANSI pruning standards in the City's tree preservation enforcement on private property. Staff is returning to the Ordinance Committee with recommendations regarding the ANSI standards in order to confirm staff's approach before proceeding to the City Council.

### **Maintenance of City Trees**

The Parks and Recreation Department maintains approximately 37,000 City trees, and more than 5,000 City trees are pruned on an annual basis. These trees are located within public rights of way (streets and sidewalks), parks, City facilities, and other public areas.

Following the April 21, 2009, Ordinance Committee meeting, City staff reviewed the City's maintenance practices against the ANSI pruning standards. Staff found the City's current maintenance practices to be very similar to the ANSI standards. Therefore, staff recommends the adoption of the ANSI pruning standards (ANSI A300) as the performance

standards for the maintenance of City trees with two exceptions: first, staff recommends retaining the Parks and Recreation Director's discretion as to when and how maintenance operations are documented; second, staff recommends retaining the Parks and Recreation Director's discretion as to the appropriate amount of pruning based on the tree's species, age, health, site, and other relevant factors.

### **Written Objectives and Specifications**

The Parks and Recreation Department keeps detailed records of its maintenance activities regarding City trees. These records document the location, species size, condition, and other criteria, of every City Street Tree as well as trees planted at City facilities and in developed parks. These records are updated every time a tree is pruned, removed, or planted. Tree pruning information includes the date of pruning, type of pruning, and whether the pruning was completed by a City employee or a tree company under contract to the City. In many ways, the City's recordkeeping complies with the ANSI standards. However, staff is concerned that a strict application of ANSI pruning standard 6.1.2, which recommends written objectives and specifications for each pruning operation, would substantially increase staff paperwork and reduce program efficiency and effectiveness without adding additional benefit to the maintenance of the City's trees. Staff is confident in its ability to maintain the City's trees without preparing detailed specifications for each pruning operation. Written pruning objectives are prepared on an as needed basis. Therefore, staff recommends leaving the documentation of the City's maintenance operations to the discretion of the Parks and Recreation Director.

### **Amount of Pruning During a Growing Season**

The other area where staff recommends the retention of the Director's discretion is in the determination of the appropriate amount of pruning. ANSI standard 6.1.4 recommends that "not more than 25 percent of the foliage should be removed within an annual growing season." This standard goes on to state that the "percentage and distribution of foliage to be removed shall be adjusted according to the plant's species, age, health, and site." Staff concurs with the recommendation and recognizes the flexibility built into the standard. However, there are occasions where legitimate public objectives require City staff to prune more than 25 percent of the foliage of a tree within a growing season. Public objectives that may warrant greater pruning are associated with safety considerations for large trees in small tree wells, required root pruning to repair or build sidewalks and other infrastructure, and height clearance for street sweeping, among others. Some may say such discretion already lies within the existing language of the standard, but staff recommends an explicit retention of the Parks and Recreation Director's discretion to determine the proper balance of the public objectives regarding the City's urban forest.

### **City Enforcement Procedures on Private Property**

In addition to adopting the ANSI pruning standards as the maintenance standard for City trees, the members of the public who attended the April 21, 2009, Ordinance Committee meeting called for the City to require compliance with the ANSI standards for the maintenance of private trees subject to City regulation (designated Historic or Specimen Trees, trees located in front setbacks, or trees required as part of parking lot landscaping under the Zoning Ordinance). The pruning and removal of these trees are currently regulated under Chapter 15.24 of the Municipal Code.

Staff has reviewed how other California cities have incorporated the ANSI standards into their tree preservation enforcement procedures. While the type, size, and location of the trees subject to enforcement vary from jurisdiction to jurisdiction, each ordinance has a common element - a permit is required for any pruning operation that is subject to regulation. It is through the issuance of the permit that the cities get the opportunity to evaluate and approve the scope of the pruning operation before the work begins and to confirm compliance with the permit after completion based on written specifications prepared in compliance with the ANSI pruning standards. The adoption of such a regulatory posture would be a substantial departure from the City's current practices concerning private property, would require a significant dedication of time from staff and could involve a greater commitment of time from the volunteers on the Street Tree Advisory Committee and the Park and Recreation Commission.

Currently, property owners are free to prune their trees without a permit, even trees subject to regulation under Chapter 15.24. A permit is only required if a property owner wants to remove a regulated tree. However, if a property owner prunes too much of a regulated tree or prunes a tree in a manner that alters the natural character of the tree, the property owner is subject to a fine and may have to replace the tree if the damage cannot be reversed. Under this enforcement posture, the vast majority of pruning operations, even on regulated trees, do not involve the City. The implementation of the ANSI pruning standards for the regulation of private trees would require the issuance of a permit for each regulated pruning operation. Staff does not recommend adopting the ANSI standards for enforcement of private tree because the necessary permitting process requires a significant increase in the City's involvement in the maintenance of private property and will require a substantial dedication of staff and volunteer resources that the City simply cannot afford at this time.

Even though staff does not recommend using the ANSI standards for tree preservation enforcement on private property, the proposed revisions to Chapter 15.24 encourage property owners to use the ANSI pruning standards in their maintenance practices and do incorporate some of the concepts from the ANSI pruning standards into the City's enforcement procedures such as: reducing the amount of pruning considered to be a significant alteration from 1/3 of the tree crown to 1/4 of the tree crown and introducing a 12-month period for the measurement of a tree's reduction in order to capture repeated pruning during the same growing cycle.

**BUDGET/FINANCIAL INFORMATION:**

As proposed by staff, the City's compliance with ANSI Standard Practices for Pruning will not result in a significant financial impact to City tree pruning operations. However, the implementation of the proposed municipal code changes, higher fine structure; enhanced web site and new educational programs will increase the workload for the Parks Division staff.

**SUSTAINABILITY IMPACT:**

Tree preservation policies are essential tools for the maintenance of a healthy urban forest and provide community aesthetic benefits. Updated policies will provide long-term protection for the City's urban forest which provides community energy conservation, water quality, air quality, and wildlife habitat benefits.

**ATTACHMENT:** Proposed Ordinance Revisions to Municipal Code Chapters 15.20 and 15.24

**PREPARED BY:** Jill E. Zachary, Assistant Parks and Recreation Director  
Scott Vincent, Assistant City Attorney

**SUBMITTED BY:** Nancy L. Rapp, Parks and Recreation Director

**APPROVED BY:** City Administrator's Office

ORDINANCE COMMITTEE DISCUSSION DRAFT 7/28/09  
SHOWING CHANGES FROM EXISTING CODE

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
SANTA BARBARA AMENDING CHAPTERS 15.20 AND 15.24  
OF THE SANTA BARBARA MUNICIPAL CODE RELATING  
TO THE PRESERVATION OF TREES

THE COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS  
FOLLOWS:

**SECTION ONE.** Chapter 15.20 of Title 15 of the Santa Barbara Municipal Code is amended to read as follows:

**15.20.010 Title.**

Recognizing that the urban forest is a valuable asset to the City of Santa Barbara, this chapter shall be known as and may be cited and referred to as the "Street Tree Ordinance of the City of Santa Barbara."

**15.20.020 Definitions.**

For the purpose of this chapter, certain terms and words are hereby defined as follows:

A. **DIRECTOR.** The person having control and management of the Parks and Recreation Department of the City or the Director's designated representative.

B. **GROUND COVER.** Includes grass, turf or perennial plants that normally grow in a prostrate manner so as to conceal, or with the purpose of concealing, the ground surface, and that do not exceed eight inches in height, and that will tolerate light pedestrian traffic.

C. **HISTORIC TREE.** A tree which has been found by the Board of Park Commissioners, the Historic Landmarks Commission, or the City Council to be a tree of notable historic interest and has been designated by resolution of the City Council as an "historic tree".

D. MAINTENANCE or MAINTAIN. Pruning, spraying, bracing, root pruning, staking, fertilizing, watering, treating for disease or injury, and other work performed to promote the health, beauty, or adaptability of trees and shrubs, but shall not include the watering of such trees in residential zones.

E. OFFICIAL TREE. A tree so designated by the Director because of its desirable characteristics of growth and beauty with reference to its crown, root structure, and adaptability to local climatic, soil and street conditions. The Director shall keep a list of official trees.

F. PARKWAY STRIP. Either (i) the area between the curb and sidewalk within a fully improved street right-of-way, or (ii) that area extending six feet from the curb towards the nearest right-of-way line in an area with no sidewalk, or (iii) any area within a street right-of-way in which an official or parkway tree is located.

G. PARKWAY TREE. A tree planted or caused to be planted by the City within a street right-of-way.

H. PUBLIC AREA. Parks, playgrounds, areas around public buildings and all other areas under the supervision and maintenance of the City not including any street right-of-way.

I. SHRUB. Woody vegetation or a woody plant having multiple stems and bearing foliage from the ground level up.

J. SPECIMEN TREE. A tree which has been found by the Board of Park Commissioners to be of high value because of its type and/or age and which has been ~~so~~ designated by resolution of the City Council as a “specimen tree”.

K. STREET. Shall have the meaning set forth in section 28.04.665 of this Code.

L. TREE. A usually tall, woody plant, distinguished from a shrub by having comparatively greater height and, characteristically, a single trunk rather than several stems.

M. TREE WELL. A planting area found in an otherwise paved street right-of-way.

**15.20.030 Master Street Tree Plan.**

All trees within a parkway strip shall be planted and maintained according to the Master Street Tree Plan adopted by the City Council. The Director shall administer the Master Street Tree Plan and, with the approval of the Board of Park Commissioners, shall have the authority to amend or add to the Master Street Tree Plan at any time that circumstances make such amendment or addition advisable.

**15.20.040 Other Plantings or Improvements in Parkway Strips.**

It is unlawful to install or plant in a Parkway Strip any of the following without a written permit from the Director: (i) any tree not designated an official tree in the Master Street Tree Plan; (ii) any other plant whose ultimate growing height is over eight inches; (iii) any other non-living ground cover, ~~without a written permit from the Director.~~ The Parks and Recreation Department shall maintain a list of plant materials which comply with the height requirements of this Title.

**15.20.050 Director Authority and Responsibility.**

The Director is hereby made responsible for inspection, maintenance, removal and replacement of all trees planted in public areas, parkway strips, and tree wells.

The Director shall have authority to remove or replace any tree or other planted improvements within a parkway strip which does not conform to the "Master Street Tree Plan" or this Title.

The Director shall comply with the pruning standards published by the American National Standards Institute [ANSI A300] and the companion best management practices published by the

International Society of Arboriculture in the inspection, maintenance, removal, and replacement of all trees planted in public areas, parkway strips, and tree wells with the following exceptions: (1) the Director has the discretion to prepare written objectives or specifications for pruning activities; and (2) the Director has the discretion to determine the appropriate amount of pruning based on a tree's species, age, health, site, or other factors.

#### **15.20.060 Development Activity - Tree Plans.**

The applicant for any activity for which approval by the Architectural Board of Review, the Historic Landmarks Commission, the Single Family Design Board, or the Planning Commission is required by City law shall, concurrently with processing of such application, submit to the Director and the appropriate review body plans for the planting of official trees within any parkway strip on or adjacent to the lot, parcel or building site. The Director may designate the species, kind, number, spacing, and method of planting of such trees and may require the inclusion of root inhibiting planters.

#### **15.20.070 New Subdivisions - Conformity with Master Street Tree Plan.**

No subdivision shall be approved unless it is found to include planting of official trees within the parkway strips in conformity with the "Master Street Tree Plan" and under the Director's supervision. Any such approval shall assure that the costs of planting and first two years maintenance, including irrigation, for all official trees are borne by the subdivider. ~~Posting of a faithful performance bond may be accepted by the Director as a means of complying with this requirement.~~ The Director may require the posting of a performance bond to secure faithful performance of the planting, maintenance, and irrigation obligations in a manner consistent with the security provisions of the Subdivision Map Act (Government Code section 66499 et seq.).

**15.20.080 Street Improvements - Integration of Plans.**

Any proposed change in the direction or width of a public street right-of-way or any proposed street improvement shall, where feasible, incorporate plans for installation of parkway strips. Plans and specifications for planting such areas shall be integrated into the general plan of improvements and it shall be the duty of the City Engineer to coordinate the design of such improvements with the Parks and Recreation Department prior to completion of final overall plans.

In order to provide for coordinating the multiple use of all street improvements, plans and specifications for street planting proposed by the Parks and Recreation Department shall be submitted to the City Engineer, Traffic Engineer and City Planner for their recommendations.

**15.20.090 Maintenance Responsibility of Property Owner.**

An owner of property adjoining a street right-of-way is responsible for maintaining all trees and other vegetation planted between the edge of the pavement nearest said property and the right of way line separating the property from the street, except those trees to be maintained by the Director pursuant to section 15.20.050. This maintenance obligation shall include keeping such area free from weeds or any obstructions inimical to public safety and or contrary to the Master Street Tree Plan. The placing of tar paper, plastic or other material over the ground, or the use of materials or chemicals intended to permanently sterilize the soil in these areas, is prohibited.

Nothing in this chapter shall be deemed to relieve the owner of any property from the duty to keep the property, including any adjacent sidewalks and parkway strip in front thereof, in a safe condition and so as not to be hazardous to public travel. For purposes hereof, "owner" shall include any occupant of property.

**15.20.100 Abatement of Dangerous Conditions - Authority of Director.**

The Director may remove a limb from any tree, regardless of the location of such tree, if in the Director's opinion such removal is necessary to maintain the safety of the public right of way. In the event such tree is on private property, the Director shall notify the property owner of the intent to remove a limb by written notice at least ten (10) days prior to such removal and, where possible, obtain the owner's consent for entry upon the property, except in the case of manifest public danger and immediate necessity.

**15.20.110 Permit Required for Planting, Maintaining, or Removing any Tree Growing Within a Street Right-of-Way or Public Area.**

A. APPLICATION. Whenever a property owner or occupant desires to plant, prune, trim, perform maintenance on, or remove any tree planted in a parkway strip, tree well, public area or street right of way, an ~~application shall be filed with the Parks and Recreation Department for a permit for such actions.~~ application shall be filed with the Parks and Recreation Department on forms provided for such purpose. The application shall show clearly, by diagram or plot plan and photograph(s), the location and identity of the tree or trees sought to be planted, maintained or removed; the name and address of the applicant; and such other information as indicated on the form provided.

B. PLANTING. When an application proposes the planting of a tree in a parkway strip, tree well, public area or street right of way, the Director shall consider whether the proposed planting conforms to the Master Street Tree Plan. The Director may designate the species, kind, number, spacing, and method of planting of such trees and may require the inclusion of root inhibiting

planters as necessary to conform to the Master Street Tree Plan. The Director may approve, conditionally approve, or deny the application. If the application does not conform to the Master Street Tree Plan or the applicant does not agree to the Director's conditions of approval, the Director shall deny the application.

C. MAINTENANCE. When an application is submitted for maintenance of a tree planted in a parkway strip, tree well, public area or street right of way, the Director shall consider whether the proposed maintenance will benefit the state of the urban forest and may approve, conditionally approve, or deny the application on the basis of that consideration in the sole discretion of the Director. The Director may require written specifications for the work proposed as part of the permit application.

D. REMOVAL. When an application is submitted for the removal of a tree planted in a parkway strip, tree well, public area or street right of way, the application shall be processed in accordance with the following procedures:

1. Notice. Any tree for which a removal permit has been requested must be posted with notice of the permit request by the Parks and Recreation Department for at least ten (10) days prior to issuing a permit for removal.

2. Administrative Review. The application shall first be reviewed by the Director to consider whether the removal would benefit the state of the urban forest considering the factors specified in paragraphs 3 and 4 below. If the Director finds that the removal is either: (i) beneficial to the state of the urban forest, or (ii) necessary for public safety, the Director may issue the permit. If the Director finds that the removal will not benefit the state of the urban forest and is not necessary for safety, the Director may deny the application. The Director may also refer the application to the Street Tree Advisory Committee for further review consistent

with this Section. Except in cases of where the Director finds that removal is necessary for public safety, the applicant or any interested person may request review of the application by the Street Tree Advisory Committee and the Board of Park Commissioners as provided in this Section.

3. Street Tree Advisory Committee. If the application is referred to the Street Tree Advisory Committee by the Director or at the request of the applicant or any interested person, the application shall be presented to the Street Tree Advisory Committee at the next available meeting of the Committee. The Street Tree Advisory Committee shall consider the application and make a recommendation to the Board of Park Commissioners to approve, conditionally approve, or deny the application. When making its recommendation, the Street Tree Advisory Committee shall consider the following factors:

a. Whether such tree is designated as an historic or specimen tree;

b. Whether the tree species and placement conforms to the “Master Street Tree Plan;”

c. The condition and structure of the tree and the potential for proper tree growth and development of the tree canopy;

d. The number and location of adjacent trees on City property and the possibility of maintaining desirable tree density in the area through additional planting on City property; and

e. Any beneficial effects upon adjacent trees to be expected from the proposed removal.

4. Board of Park Commissioners. Once the Street Tree Advisory Committee has made its recommendation, the application and the Street Tree Advisory Committee’s recommendation shall be presented to the Board of Park Commissioners at the next available meeting of the

Commission. After receiving the recommendation of the Street Tree Advisory Committee and a recommendation from the Director, the Board of Park Commissioners shall approve, conditionally approve, or deny the application. When making its decision, the Board of Park Commissioners shall consider the following factors:

- a. Whether such tree is designated as an historic or specimen tree;
- b. Whether the tree species and placement conforms to the “Master Street Tree Plan;”
- c. The condition and structure of the tree and the potential for proper tree growth and development of the tree canopy;
- d. The number and location of adjacent trees on City property and the possibility of maintaining desirable tree density in the area through additional planting on City property; and
- e. Any beneficial effects upon adjacent trees to be expected from the proposed removal.

~~If the Director finds that such maintenance is to the advantage of the tree, or that removal is imperative due to safety considerations, then a permit may be issued. The Director may waive the permit requirement for minor pruning activities such as the removal of palm fronds.~~

~~—B.— All costs incurred in maintaining or removing a tree as permitted by the Director shall be borne by the permittee. Where a tree is removed under permit, the Director may require a replacement tree to be planted, and all costs related to the replacement tree shall be borne by the permittee.~~

**15.20.115 Work Without a Permit - Unlawful Acts.**

It is unlawful for any person, except a person acting at the direction of the Director, to plant, prune, trim, perform maintenance on, or remove any tree planted in a parkway strip, tree well, public area or street right of way without the permit required pursuant to Section 15.20.110 of this Code.

**15.20.120 Permit for Maintenance or Removal - Time Limit.**

Any tree for which a removal permit has been requested must be posted with notice of the permit request by the Parks and Recreation Department for at least ten (10) days prior to issuing a permit for removal. Any work authorized by a permit shall be done within sixty (60) days of issuance thereof, under the general supervision of the Director, and in accordance with rules established by the Director. A permit shall be void after the expiration of the sixty day period.

All costs incurred in maintaining or removing a tree as permitted pursuant to this Chapter 15.20 shall be borne by the permittee. Where a tree is removed under permit, the Director or Board of Park Commissioners may require a replacement tree to be planted, and all costs related to the replacement tree shall be borne by the permittee.

**15.20.130 ~~Liability Insurance Required for Tree Removal Businesses~~ Conditions of Maintenance or Removal.**

Any person, ~~firm~~business, or corporation ~~engaged in the business of pruning or removing trees and which engages in such activity as to~~who receives a permit to maintain or remove an official or parkway trees shall comply with the following conditions:

A. ~~e~~ Carry public liability and property damage insurance in an amount to be determined by the City Council and maintain a current certificate of such insurance ~~shall be~~ on file with the City Clerk.

B. Conduct all maintenance activities in compliance with the current pruning standards published by the American National Standards Institute [ANSI A300] and the companion best management practices published by the International Society of Arboriculture. The Director or the Board of Park Commissioners may require written specifications for the work proposed as a condition of the permit.

C. ~~The Director may require the posting of Post~~ a performance bond in the amount equal to the cost of a proposed job, if required by the Director.

#### **15.20.140 Interference with Work Prohibited.**

No person shall interfere, or cause any person to interfere with, any work being done under provisions of this chapter by any employee of the City or any person or firm doing work for the City on bid, hire or assignment.

#### **15.20.150 Injuring Trees - Unlawful Acts.**

It is unlawful for any person to injure or destroy any tree growing within a City street right-of-way or in public areas by any means, including, but not limited to the following:

A. Constructing a concrete, asphalt, brick or gravel sidewalk or otherwise filling up the ground area around any tree so as to substantially shut off air, light or water from its roots;

B. Piling building equipment, material or any other substance around any tree so as to cause injury;

C. Pouring any deleterious matter on or around any tree or on the surrounding ground, lawn or sidewalk;

D. Posting any sign, poster, notice or otherwise on any tree, tree stake or guard, or fastening any guy wire, cable, rope, nails, screws or other device to any tree, tree stake or guard without having first obtained a permit from the Director;

E. Causing any wire charged with electricity to come in contact with any tree without having first obtained a permit from the Director;

F. Causing any fire or burning near or around any tree.

#### **15.20.160 Appeals to Park Commission.**

Any ~~resident of the City~~ applicant or interested person may appeal a decision of the Director regarding a permit required for ~~the planting, or maintaining or removal of~~ a tree in a street right-of-way or public area by filing a written notice thereof with the Parks and Recreation Department within ten days after such decision is made. Implementation of the decision shall be stayed during the pendency of the appeal. The notice shall clearly specify the reasons for the appeal. The appeal shall be placed on the agenda of the Board of Park Commissioners at its next ~~regularly scheduled~~ available meeting. The Board of Park Commissioners shall make a ruling based on the evidence presented, and may sustain, modify or reverse the decision of the Director.

#### **15.20.170 Appeals to City Council.**

~~—An appeal to the City Council from any ruling of the Board of Park Commissioners may be made pursuant to the provisions of Section 1.30.050 of this Code.~~ Any action of the Board of Park Commissioners made pursuant to this Chapter 15.20 may be appealed to the City Council pursuant to the provisions of Section 1.30.050 of this Code.

### **15.20.180 Designation of "Specimen" and "Historic" Trees.**

Any recommendation by the Board of Park Commissioners or the Historic Landmarks Commission to City Council for the designation of a "Specimen" or "Historic" tree shall be preceded by two public hearings, which shall be at least 30 days apart.

**SECTION TWO.** Chapter 15.24 of Title 15 of the Santa Barbara Municipal Code is amended to read as follows:

#### **15.20.001 Title.**

Recognizing that trees on private property can make valuable contributions to the urban forest of the City of Santa Barbara, this chapter shall be known as and may be cited and referred to as the "Tree Preservation Ordinance of the City of Santa Barbara."

#### **15.24.002 Use of American National Standards Institute Pruning Standards.**

The City follows the pruning standards published by the American National Standards Institute [ANSI A300] and the companion best management practices published by the International Society of Arboriculture in the care and maintenance of City trees. The City encourages residents to utilize and follow the current standards and best management practices in the management of their trees.

#### **15.24.010 Definitions.**

For the purpose of this Chapter, certain terms and words are hereby defined as follows:

A. TREE. A usually tall, woody plant, distinguished from a shrub by having comparatively greater height and, characteristically, a single trunk rather than several stems;

B. PALM TREE. Any tree from the Palmae plant family;

C. SPECIMEN TREE. Any tree which has been found by the Board of Park Commissioners to be of high value because of its type and/or age and which has been designated by resolution of the City Council as a "specimen tree";

D. HISTORIC TREE. A tree which has been found by the Board of Park Commissioners, the Historic Landmarks Commission or the City Council to be a tree of notable historic interest and has been designated by resolution of the City Council as an "historic tree";

~~E. CUT DOWN OR OTHERWISE DESTROY. To cut a tree down or to prune a tree in such a way that its natural character is significantly altered or its overall size is reduced by more than one-third.~~

~~E. DIRECTOR. The Director of the City's Parks and Recreation Department or the Director's designated representative.~~

~~F. REMOVE A TREE. To cut a tree down or to otherwise remove a tree from its location by any means.~~

~~G. SETBACK TREE. A tree located in the front setback of any lot as the term front setback is defined and specified in Title 28 of this Code, the Zoning Ordinance. A tree is a setback tree if more than 50% of the tree trunk, measured at the highest natural grade adjacent to the trunk, is within the front setback.~~

~~H. PARKING LOT TREE. A tree located in the area of any lot required to be landscaped pursuant to Section 28.90.050 of this Code.~~

~~I. SIGNIFICANTLY ALTER A TREE. To prune a tree in such a way that either (i) its natural character is significantly altered, or (ii) the height and/or spread of the tree crown is reduced by more than one-quarter within any twelve month period.~~

J. TREE CROWN. The leaves and branches of a tree measured from the lowest branch on the trunk to the top of the tree.

**15.24.020 Prohibition.**

~~Except as provided in Sections 15.24.030 and 15.24.035, it is unlawful to cut down or otherwise destroy, remove or significantly alter~~ or to authorize or allow the ~~destruction or cutting down, removal or significant alteration~~ of any tree without a permit if the tree is:

A. ~~A setback tree or a parking lot tree, or Situated in the front setback of any lot or situated in the area of any lot required to be landscaped pursuant to Section 28.90.050 of this Code, except as provided in Sections 15.24.030 and 15.24.035 of this chapter, without the express permission of the Board of Park Commissioners, or City Council, on appeal;~~

B. ~~That has been d~~Designated as an historic or specimen tree by the City Council ~~as defined herein, anywhere it may occur on a lot, parcel or building site.~~

**15.24.030 Lawful Removal of Trees Without a Permit Application.**

~~Trees coming within the following exceptions may be removed lawfully without application to or permission from the Board of Park Commissioners or City Council~~ A tree that is subject to the prohibition specified in Section 15.24.020 may be lawfully removed without a permit if the tree satisfies any one of the following definitions:

A. ~~Trees whose~~ The tree's main trunk is less than four inches (4") in diameter at a point twelve inches (12") above the ground ~~or palm trees with a trunk less than three feet (3') in height~~ four feet six inches (4'6") above the highest natural grade adjacent to the trunk;

B. ~~Diseased trees whose~~The tree is diseased and the tree's condition is a source of present danger to healthy trees in the immediate vicinity; provided~~ed,ing~~ a certificate attesting such condition has been filed with the ~~Parks and Recreation~~ Director by a member of the American Society of Consulting Arborists, an arborist certified by the International Society of Arboriculture, or by an authorized employee of the City Parks and Recreation Department at least forty-eight (48) hours prior to the removal of the tree;

C. ~~Trees~~The tree is so weakened by age, disease, storm, fire, or any injury so as to cause imminent danger to persons or property; provided~~ed,ing~~ prior written notice of such condition has been given to the ~~Parks and Recreation~~ Director at least forty-eight (48) hours prior to the removal of the tree or shorter period if approved by the ~~Parks and Recreation~~ Director;

D. ~~Dead trees~~The tree is dead, provided prior written notice of such condition has been given to the Director at least forty-eight (48) hours prior to the removal of the tree or shorter period if approved by the Director; or

E. The Fire Department has ordered the tree removed in order to maintain required defensible space on the lot or to comply with the City's Wildland Fire Plan.

**15.24.035 Lawful ~~Reduction~~Significant Alteration of Trees Without a Application Permit.**

A tree that is subject to the prohibition specified in Section 15.24.020 may be significantly altered without a permit if the tree satisfies either of the following definitions:

A. Any~~The~~ tree posing a potential danger to persons or property due to age, disease, storm, fire, or other injury; ~~provided: may be lawfully pruned in such a way that the natural character of the tree is significantly altered or the overall size of the tree is reduced by more than one third without application to or permission from the Board of Park Commissioners or City Council if:~~

~~A1.~~ A written report prepared by a member of the American Society of Consulting Arborists or an arborist certified by the International Society of Arboriculture specifying the reason(s) for the reduction and the extent of the proposed work is filed with the ~~Parks and Recreation~~ Director; and

~~2.B.~~ An authorized employee of the City Parks and Recreation Department assesses the condition of the tree and approves the proposed work as comporting with sound arboricultural practices as specified in the American National Standards Institute tree pruning standards [ANSI A300].

B. The City Fire Department has ordered the pruning of the tree in order to maintain required defensible space or to comply with the City's Wildland Fire Plan; provided, the scope of the pruning allowed pursuant to this section is limited to extent of the pruning specified in the Fire Department order that is filed with the Director.

#### **15.24.040 Application to Remove a Tree.**

~~An application for authority to remove a tree when permission is required shall be~~When a permit is required for the removal of a tree pursuant to this Chapter 15.24, the application for such permit shall be processed as follows:

A. APPLICATION. An application shall be filed with the Parks and Recreation Department on forms provided for such purpose. The application shall show ~~clearly by diagram, plot plan or photograph,~~ the location and identity of the tree or trees sought to be removed by diagram or plot plan and photograph(s), the name and address of the owner, and such other information as indicated on the form provided.

B. STREET TREE ADVISORY COMMITTEE RECOMMENDATION. The application shall be presented to the Street Tree Advisory Committee at the first available meeting of the Committee following receipt of the application. The Street Tree Advisory Committee may receive a report from the Director regarding the application and the Committee shall make a recommendation to the Board of Park Commissioners to approve, conditionally approve, or deny the application based on the considerations specified in Section 15.24.060.

C. DECISION ON APPLICATION. The application shall be presented to the Board of Park Commissioners at the first available meeting of the Board of Park Commissioners after the Street Tree Advisory Committee has made its recommendation. After receiving the recommendation of the Street Tree Advisory Committee and a report from the Director, the Board of Park Commissioners shall approve, conditionally approve, or deny the application. When making its decision, the Board of Park Commissioners shall consider the factors listed in Section 15.24.060 and make one or more of the findings specified in Section 15.24.070.

#### **15.24.050 Board of Park Commissioners Action.**

The Board of Park Commissioners shall vote upon the application within sixty (60) days after it is filed. A majority vote of the members present shall be required to approve a tree removal. Failure of the Board of Park Commissioners to vote upon the application within sixty (60) days shall be deemed approval thereof. The Parks and Recreation Department shall notify the applicant in writing of the decision of the Board of Park Commissioners.

#### **15.24.060 Considerations for Removal.**

The following considerations shall be taken into account by the Board of Park Commissioners in acting upon a tree removal request made pursuant to this chapter:

- A. Whether such tree is designated as an historic or specimen tree;
- B. The potential size of the tree in relation to the size of the lot or building site and the size of the proposed or existing improvements;
- C. The number and size of other trees which would remain upon the building site after the requested removal;
- D. The number and location of adjacent trees on City property and the possibility of maintaining desirable tree density in the area through additional planting on City property;
- E. Any beneficial effects upon adjacent trees to be expected from the proposed removal;
- F. Whether the tree sought to be removed was planted by or with the permission of the applicant or the applicant's co-tenant at the time such tree was planted.
- G. The condition and structure of the tree and the potential for proper tree growth and development of the tree canopy.

#### **15.24.070 Findings for Removal.**

~~As a prerequisite to granting a tree removal request, the Board of Park Commissioners may impose conditions and~~ Before approving or conditionally approving an application for the removal of a tree pursuant to this Chapter 15.24, the Board of Park Commissioners shall make

one (1) or more of the following findings:

- A. That principles of good forest management will best be served by the proposed removal;
- B. That a reasonable and practical development of the property on which the tree is located requires removal of the tree or trees whose removal is sought;

C. That the character of the immediate neighborhood with respect to forestation will not be materially affected by the proposed removal;

D. That topography of the building site renders removal desirable;

E. That regard for the safety of persons or property dictates the removal.

**15.24.080 Appeals to City Council.**

~~An appeal of the action of the Board of Park Commissioners may be filed by the applicant or any interested person pursuant to the provisions of Section 1.30.050 of this Code. Any action of the Board of Park Commissioners made pursuant to this Chapter 15.24 may be appealed to the City Council pursuant to the provisions of Section 1.30.050 of this Code.~~

**15.24.090 Other City Regulations Related to Trees and Landscaping.**

~~For purposes of reference, the following provisions of this Code also concern the maintenance of trees and plants within the City of Santa Barbara:~~

~~A. Section 8.04.020.G.5 & 6 Fire Code Vegetation Management and Defensible Space Requirements~~

~~B. Chapter 8.20 “Vegetation Obstructing Public Places”~~

~~C. Chapter 15.20 “Tree Planting and Maintenance”~~

~~D. Chapter 22.10 “Vegetation Removal”~~

~~E. Section 22.22.130 “Approval for Construction, Demolition, Moving or Exterior Alteration” (El Pueblo Viejo Landmark District & Brinkerhoff Avenue Landmark District)~~

~~F. Chapter 22.68 “Architectural Board of Review” (Landscape Plans)~~

~~G. Chapter 22.69 “Single Family Design Board” (Landscape Plans)~~

H. Chapter 22.76 “View Dispute Resolution Process”

I. Section 28.87.170 “Fences, Walls, Screens and Hedges”

J. Section 28.87.200 “Landscape or Planting Plan Approvals - Standards”

CITY OF SANTA BARBARA  
**FINANCE COMMITTEE**  
SPECIAL MEETING AGENDA

DATE: July 28, 2009

TIME: 1:00 p.m.

PLACE: David Gebhard Public Meeting Room  
630 Garden Street

Roger L. Horton, Chair

Helene Schneider

Iya Falcone

James L. Armstrong  
City Administrator

Robert D. Peirson  
Finance Director

**ITEM TO BE CONSIDERED:**

**Subject: June 30, 2009, Investment Report And June 30, 2009, Fiscal Agent Report**

Recommendation: That the Finance Committee recommend that Council:

- A. Accept the June 30, 2009, Investment Report; and
- B. Accept the June 30, 2009, Fiscal Agent Report.

(See Council Agenda Item No. 2)



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING June 9, 2009 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:01 p.m. (The Finance and Ordinance Committees, which ordinarily meet 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 (2:04 p.m.), Mayor Blum.

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, City Clerk Services Manager Cynthia M. Rodriguez.

### PUBLIC COMMENT

Speakers: Ruth Wilson, Kenneth Loch.

### 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 proximity of her residence to the area.

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

Recommendation: That Council introduce and subsequently 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

(Cont'd)

2. (Cont'd)

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 Micheltoarena 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.

Documents:

- June 9, 2009, report from the Public Works Director.
- Proposed Ordinance.

The title of the Ordinance was read.

Motion:

Councilmembers Horton/Williams to approve the recommendation.

Vote:

Unanimous voice vote (Abstentions: Councilmember Schneider).

**CONSENT CALENDAR (Item Nos. 1 and 3 - 5)**

The title of the Ordinance related to the Consent Calendar was read.

Motion:

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

Vote:

Unanimous roll call vote.

1. Subject: Adoption Of An Ordinance Allowing The Temporary Occupancy Of Trailers While Rebuilding Homes Severely Damaged Or Destroyed In The Jesusita Fire (640.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Ordinance No. 5473 that Temporarily Amended Section 28.87.180 of Title 28 of the Santa Barbara Municipal Code in Order to Allow the Use of Trailer Coaches, Recreational Vehicles, and Mobile Homes as Temporary Dwellings for Those Homes Damaged in the November 2008 Tea Fire.

Action: Approved the recommendation; Ordinance No. 5490.

3. Subject: National Emergency Grant For The Rehabilitation Of Parma Park And Rattlesnake Trail (570.05)

Recommendation: That Council:

- A. Authorize the Parks and Recreation Director to enter into a contractual agreement with the County of Santa Barbara Workforce Investment Board for implementation of a National Emergency Grant (NEG) for the Rehabilitation of Parma Park and Rattlesnake Trail; and
- B. Increase revenues and appropriations in the amount of \$186,190 in the Parks and Recreation Department Miscellaneous Grants Fund.

Action: Approved the recommendations; Agreement No. 23,123 (June 9, 2009, report from the Parks and Recreation Director).

4. Subject: Set A Date For Public Hearing Regarding Appeal Of Planning Commission Denial For 1642 And 1654 Calle Canon And 2418 Calle Montilla (640.07)

Recommendation: That Council:

- A. Set the date of July 14, 2009, at 2:00 p.m. for hearing the appeal filed by Joseph and Carolyn Maguire of the Planning Commission denial of an application for property located at 1642 and 1654 Calle Canon and 2418 Calle Montilla, Assessor's Parcel Nos. 041-140-006, -008, and -009, A-2 and E-1 One-Family Residence Zones, General Plan Designation: Major Hillside. The proposal is for the subdivision of two lots into six lots. Due to slope density requirements, each lot must provide more than the minimum lot area for the zone. Three existing single-family residences are proposed to remain. The discretionary applications required for the project are a Lot Area Modification, Street Frontage Modifications, a Wall Height Modification, a Tentative Subdivision Map, and Public Street Waivers; and
- B. Set the date of July 13, 2009, at 1:30 p.m. for a site visit to the property located at 1642 and 1654 Calle Canon and 2418 Calle Montilla.

Action: Approved the recommendations.

## NOTICES

5. The City Clerk has on Thursday, June 4, 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.

## CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

### ADMINISTRATIVE SERVICES DEPARTMENT

6. Subject: Agreements With Martin & Chapman Company And Donna M. Grindey, CMC, For Election Services Related To The November 3, 2009, General Municipal Election (110.03)

Recommendation: That Council:

- A. Find it in the City's best interest to waive the formal bid process, as authorized by Municipal Code Section 4.52.080(k);
- B. Authorize the Administrative Services Director to execute a \$95,000 professional services agreement with Martin & Chapman Company for election services, and to approve expenditures of up to \$14,250 for extra services that may result from necessary changes in the scope of work; and
- C. Authorize the Administrative Services Director to execute a \$48,000 professional services agreement with Donna M. Grindey, CMC, for election services, and to approve expenditures of up to \$7,100 for extra services that may result from necessary changes in the scope of work.

Documents:

June 9, 2009, report from the Administrative Services Director.

Speakers:

Staff: Administrative Services Director Marcelo A. López, City Clerk Services Manager Cynthia M. Rodriguez.

Motion:

Councilmembers Francisco/House to approve the recommendations; Agreement Nos. 23,124 and 23,125.

Vote:

Unanimous voice vote.

### PUBLIC WORKS DEPARTMENT

7. Subject: Public Hearing Regarding Proposed Utility Rate Increases (230.05)

Recommendation: That Council hold a public hearing, as required by State law, regarding proposed utility rate increases for water, wastewater, and solid waste collection services for Fiscal Year 2010.

(Cont'd)

7. (Cont'd)

Documents:

- June 9, 2009, report from the Public Works Director.
- June 9, 2009, PowerPoint presentation prepared and made by staff.
- April 3, 2009, letter from Jill Dore Kent.
- April 6, 2009, written communication by unknown author.
- April 10, 2009, letter from Shirley Tauber.
- April 15, 2009, letter from Christine Vanderbilt.
- April 16, 2009, letter from Anna Matan.
- April 16, 2009, letter from Larry Thompson.
- April 18, 2009, letter from Karen Malinowski.
- April 19, 2009, email communication from Mary Ferris.
- April 19, 2009, letter from Mary Elina Ferris.
- April 19, 2009, letter from John D. Wrench.
- April 24, 2009, letter from Cathy Garcia.
- April 30, 2009, letter from Dolores Rosales.
- May 1, 2009, letter from S. Tomlinson.
- May 22, 2009, letter from Richard H. Warren.
- May 24, 2009, letter from Louis Wooldridge.
- June 1, 2009, letter from President Steven M. Little, Westwood Hills Avocado Alliance.
- June 8, 2009, letter from Joan L. Petronis.

Public Comment Opened:

2:15 p.m.

Speakers:

- Staff: Water Resources Supervisor Bill Ferguson, Assistant Finance Director Bob Samario, Water Resources Manager Rebecca Bjork.
- Members of the Public: Steve Little, Lola Rosales, Maurya Murphy.

Public Comment Closed:

2:47 p.m.

FINANCE DEPARTMENT

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

Recommendation: That Council provide direction to staff regarding the recommended Fiscal Year 2010 budget.

(Cont'd)

8. (Cont'd)

Documents:

- June 9, 2009, report from the Finance Director.
- June 9, 2009, PowerPoint presentation prepared and made by staff.
- June 9, 2009, overhead presentation prepared and made by staff.

Speakers:

- Staff: City Administrator James Armstrong, Finance Director Bob Peirson, Employee Relations Manager Kristy Schmidt, Assistant Finance Director Bob Samario, Public Works Director Christine Andersen, Deputy Police Chief Frank Mannix, Recreation Programs Manager Sarah Hanna, City Attorney Steve Wiley, Parks and Recreation Director Nancy Rapp.
- Members of the Public: Monica Jones, Friends of Los Banos; Anthony Borgatello, El Presidente Fiesta; Kathy Janega-Dykes, Santa Barbara Conference & Visitors Bureau; Maurya Murphy; Randy Rowse, Downtown Organization; Dr. Gary Linker, New Beginnings.

Recess: 3:52 p.m. - 3:59 p.m.

The Council continued their discussion of the Fiscal Year 2010 Recommended Operating and Capital Budget. By consensus, the Council recessed this item at 6:19 p.m. in order to conduct interviews of applicants for City Advisory Groups, Agenda Item No. 9.

**RECESS**

6:19 p.m. - 6:24 p.m.

**MAYOR AND COUNCIL REPORTS**

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

Recommendation: That Council:

- A. Interview applicants to City Advisory Groups; and
- B. Continue interviews to June 16, 2009, at 4:00 p.m.  
(Continued from June 2, 2009, Item No. 21)

Documents:

June 9, 2009, report from the Administrative Services Director.

(Cont'd)

9. (Cont'd)

Speakers:

The following applicants were interviewed:

Rental Housing Mediation Task Force:

Roger Simpson

Community Development and Human Services Committee:

Yesenia Curiel

Maria Belen Seara

Transportation and Circulation Committee:

Hillary Blackerby

Roger Perry

**RECESS**

6:40 p.m. – 7:07 p.m.

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

FINANCE DEPARTMENT (CONT'D)

8. Subject: Fiscal Year 2010 Recommended Operating And Capital Budget (Cont'd)

Motion:

Councilmember House/Mayor Blum to direct staff to:

1) Place the following additional cost items back into the recommended budget:

- Cost of avoiding layoffs (\$589,503);
- Reduce scope of Waterfront cost shift (\$62,000);
- Increase appropriated reserves due to uncertainty (\$300,000);
- Restore proposed 8.4% cut to New Beginnings (\$3,654);
- Restore proposed Conference & Visitor's Bureau funding cut (\$125,957); and

2) Include the following additional revenues or cost shifts into the recommended budget:

- Additional reductions to Employee Development Program (\$21,722);
- Phase out Zoo water purchase (\$52,774);
- Reduce General Fund contributions to Vehicle Replacement Fund (\$372,424);
- Delay specified Capital Projects for one year (\$445,000);

(Cont'd)

8. (Cont'd)

- Shift an additional \$112,621 of Downtown Organization's contract to Downtown Parking for a total of 50% (\$312,621);
- Savings from restoring Library full-time staff (\$14,573); and
- Charge interest on Waterfront loan in the amount of \$62,000.

Vote:

Unanimous voice vote.

## **ADJOURNMENT**

Mayor Blum adjourned the meeting at 7:37 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

ATTEST:

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

\_\_\_\_\_  
CYNTHIA M. RODRIGUEZ, CMC  
CITY CLERK SERVICES MANAGER



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**SPECIAL MEETING**  
June 24, 2009

**MAIN LIBRARY, FAULKNER GALLERY, 40 E. ANAPAMU STREET**

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## **CALL TO ORDER**

Mayor Marty Blum called the meeting to order at 7:05 p.m.

## **ROLL CALL**

Councilmembers present: Roger L. Horton, Grant House, Helene Schneider, Mayor Blum.

Councilmembers absent: Iya G. Falcone, Dale Francisco, Das Williams.

Note: This was a community workshop held in connection with the *Plan Santa Barbara* process. Since a quorum of the Council could be in attendance, the meeting was noticed as a meeting of the City Council to comply with the Brown Act.

## **PUBLIC COMMENT**

No one wished to speak.

## **NOTICES**

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.

## **COMMUNITY WORKSHOP**

**Subject: Plan Santa Barbara - Tying Residential Unit Sizes To Density Restrictions In Commercial And Multifamily Zones**

Discussion:

Economic consultants and City staff made PowerPoint presentations and discussed as a panel the linking of density requirements to smaller unit size in an effort to increase the amount of affordable housing while maintaining Santa Barbara's character.





**CITY OF SANTA BARBARA  
CITY COUNCIL MINUTES**

**SPECIAL MEETING  
June 25, 2009**

**MAIN LIBRARY, FAULKNER GALLERY, 40 E. ANAPAMU STREET**

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The special meeting of the City Council, scheduled for 6:00 p.m. on June 25, 2009, was cancelled by the Council due to lack of a quorum.

This was a community workshop held in connection with the Plan Santa Barbara process. Since a quorum of the Council could have been in attendance, the meeting was noticed as a meeting of the City Council to comply with the Brown Act.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

ATTEST:

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

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



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

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

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### 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



**CITY OF SANTA BARBARA  
CITY COUNCIL MINUTES**

**REGULAR MEETING  
July 7, 2009  
COUNCIL CHAMBER, 735 ANACAPA STREET**

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The regular meeting of the City Council, scheduled for 2:00 p.m. on July 7, 2009, was cancelled by the Council on November 18, 2008.

The next regular meeting of the City Council is scheduled for July 14, 2009, at 2:00 p.m. in the Council Chamber.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

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

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



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** July 28, 2009

**TO:** Mayor and Councilmembers

**FROM:** Treasury Division, Finance Department

**SUBJECT:** June 30, 2009, Investment Report And June 30, 2009, Fiscal Agent Report

**RECOMMENDATION:** That Council:

- A. Accept the June 30, 2009, Investment Report; and
- B. Accept the June 30, 2009, Fiscal Agent Report.

### DISCUSSION:

The City's investment reporting schedule requires staff to submit a comprehensive report on the City portfolio on a quarterly basis. This report covers investment activity for April through June, 2009.

According to estimates released by the Bureau of Economic Analysis, real gross domestic product (GDP), the broadest measure of the health of the U.S. economy, decreased at an annual rate of 5.5 percent during the first calendar quarter of 2009 after a 6.3 percent annual decrease for fourth quarter of 2008. The negative GDP indicated declines in exports, consumer spending, and business investments and indicates continued contraction of the U.S. economy. Unemployment rose to 9.5 percent during the second quarter up from 8.5 percent in March, which marked the highest level in nearly twenty-six years.

Financial markets exhibited continued volatility throughout the second calendar quarter of 2009. Housing starts rose unexpectedly by 3.6 percent in June, the highest in any month since November 2008 and up from a 17-year low in April, indicating improvement in the overall housing market due to lower mortgage interest rates and federal tax credits for homebuyers.

Personal income rose in June at a seasonally adjusted rate of 1.4 percent compared to the previous month, attributed largely to reduced taxes and increased social benefits programs under the stimulus plan. Consumer spending excluding gasoline was up slightly by 0.3 percent, the first increase in three months, while the savings rate rose to 6.9 percent, the highest in 15 years. Economists believe the increase in the savings rates indicates a fundamental shift in consumer behavior fueled by market instability, investment losses, a contracting labor market, and tight credit markets, and will continue for an extended period of time.

As shown in the table on the next page, Treasury yields generally moved higher during the second quarter as the U.S. government continued its myriad of fiscal programs and

spending initiatives to promote economic recovery and stabilize financial markets. Investor concerns about the large amount of Treasury debt coming to market to fund the massive bailout programs and stimulus packages were a major factor behind the rising yields. Increased supply

U.S. Treasury Market					
	3/31/2009	4/30/2009	5/31/2009	6/30/2009	Cumulative Change
3 Month	0.21%	0.13%	0.13%	0.19%	-0.02%
6 Month	0.41%	0.28%	0.28%	0.34%	-0.07%
1 Year	0.54%	0.46%	0.44%	0.48%	-0.06%
2 Year	0.80%	0.91%	0.91%	1.11%	0.31%
3 Year	1.12%	1.36%	1.40%	1.62%	0.50%
4 Year	1.39%	1.69%	1.87%	2.09%	0.70%
5 Year	1.65%	2.01%	2.34%	2.55%	0.90%
10 Year	2.67%	3.12%	3.46%	3.53%	0.86%
30 Year	3.54%	4.03%	4.34%	4.33%	0.79%
LAIF	1.82%	1.61%	1.53%	1.40%	-0.43%

of Treasuries in the market act to push prices down and yields up. Investor worries over inflation also helped push the Treasury yields higher.

The Consumer Price Index (CPI) is a general measure of inflation showing the average change in prices over time of goods and services purchased by households. The CPI-U for all items increased 0.7 percent in June after rising 0.1 percent in May, driven by increases in gasoline and energy. The CPI category of all items less food and energy rose 0.2 percent in June following a 0.1 percent increase in May.

During the second quarter, the federal funds rate remained unchanged at a target range of 0-1/4 percent. At its June meeting in Washington, the Federal Reserve Bank's Open Market Committee said that "inflation will remain subdued for some time," and reiterated comments from last quarter that the rate will continue to stay at "exceptionally low levels" for an "extended period."

### Investment Activity

As shown in the table on the next page, the City invested \$20.0 million during the quarter. The purchases consisted of "AAA" rated Federal Agency securities, of which \$14.0 million are callable, and \$6.0 million are bullets. \$8.0 million of "AAA" rated Federal Agency securities were called during the quarter, and maturities for the quarter totaled \$10.45 million. The weighted average yield to maturity on the quarter's purchases totaled 2.253 percent, compared to that of 4.692 percent on the quarter's called and matured investments. The rate at which the City earned interest at LAIF was 1.51percent for the quarter ended June 30, 2009. Staff expects to reinvest a portion of the City's LAIF balances in short-term securities during the next quarter.

Council Agenda Report  
 June 30, 2009, Investment Report And June 30, 2009, Fiscal Agent Report  
 July 28, 2009  
 Page 3

Issuer	Face Amount	Purchase Date	Final Maturity	Call Date	Yield To Call	Yield To Maturity
<i>Purchases:</i>						
Federal Home Loan Mortgage Corp. (FHLMC)	\$ 2,000,000	04/08/09	04/08/13	04/08/11	2.552%	2.526%
Federal Home Loan Mortgage Corp. (FHLMC)	2,000,000	04/29/09	10/29/12	10/29/10	2.250%	2.250%
Federal National Mortgage Assn. (FNMA)	2,000,000	05/04/09	05/04/12	05/04/10	2.252%	2.185%
Federal Farm Credit Bank (FFCB)	2,000,000	05/08/09	04/08/13	-	-	2.200%
Federal Home Loan Mortgage Corp. (FHLMC)	2,000,000	05/13/09	05/13/13	05/13/11	2.400%	2.400%
Federal National Mortgage Assn. (FNMA)	2,000,000	05/20/09	11/20/12	05/20/10	2.250%	2.250%
Federal Home Loan Mortgage Corp. (FHLMC)	2,000,000	05/19/09	11/19/12	05/19/11	2.170%	2.170%
Federal Home Loan Mortgage Corp. (FHLMC)	2,000,000	06/09/09	08/17/12	-	-	2.420%
Federal Farm Credit Bank (FFCB)	2,000,000	06/19/09	06/18/12	-	-	2.125%
Federal Home Loan Bank (FHLB)	2,000,000	06/30/09	06/30/14	06/30/11	2.000%	2.000%
<i>Total Purchases</i>	<b>\$ 20,000,000</b>					
<i>Calls:</i>						
Federal Home Loan Mortgage Corp. (FHLMC)	\$ 2,000,000	04/02/08	04/02/12	04/02/09	3.375%	3.375%
Federal Home Loan Mortgage Corp. (FHLMC)	2,000,000	04/20/07	04/20/12	04/20/09	5.250%	5.250%
Federal Home Loan Bank (FHLB)	2,000,000	04/22/08	04/22/13	04/22/09	4.517%	4.112%
Federal Home Loan Bank (FHLB)	2,000,000	05/22/08	05/22/13	05/22/09	4.350%	4.350%
<i>Total Calls</i>	<b>\$ 8,000,000</b>					
<i>Maturities:</i>						
Federal Farm Credit Bank (FFCB)	\$ 2,000,000	03/07/06	04/15/09	-	-	5.002%
United States Treasury Note (USTN)	2,000,000	05/19/06	05/15/09	-	-	5.000%
Federal Home Loan Bank (FHLB)	1,450,000	05/21/07	05/15/09	-	-	5.005%
Federal Home Loan Bank (FHLB)	2,000,000	05/21/07	06/12/09	-	-	5.005%
General Electric Capital Corp. (GECC)	1,000,000	02/10/06	06/15/09	-	-	5.000%
General Electric Capital Corp. (GECC)	2,000,000	04/17/07	06/15/09	-	-	5.060%
<i>Total Maturities</i>	<b>\$ 10,450,000</b>					

### Summary of Cash and Investments

During the quarter, the City's book rate of return decreased by 48 basis points from 3.581 percent at March 31, 2009 to 3.101 percent at June 30, 2009. The portfolio yield continues to decline through the attrition of higher-yielding securities, and reinvestment at considerably lower market rates. The portfolio's average days to maturity increased by 19 days from 446 to 465 days.

Mo. Ended	Yield	Days to Maturity
3/31/2009	3.581%	446
4/30/2009	3.272%	386
5/31/2009	3.148%	416
6/30/2009	3.101%	465

### Credit Quality on Corporate Notes

The table on the next page summarizes the credit ratings on corporate securities held in the City's portfolio. Over the course of the quarter ended June 30, 2009, there were credit quality changes to three corporate issuers as discussed below. All three ratings remain within the City's Investment Policy guidelines of "A" or better.

Council Agenda Report

June 30, 2009, Investment Report And June 30, 2009, Fiscal Agent Report

July 28, 2009

Page 4

ISSUER	PURCHASE DATE	MATURITY DATE	QUALITY RATING at PURCHASE		QUALITY RATING AS OF 3/31/09		QUALITY RATING AS OF 6/30/09	
			MOODY'S	S & P	MOODY'S	S & P	MOODY'S	S & P
			BERKSHIRE HATHAWAY FIN	01/15/08	01/15/10	Aaa	AAA	Aaa
GENERAL ELECTRIC CAPITAL CORP	08/15/06	09/15/09	Aaa	AAA	Aa2	AA+	Aa2	AA+
GENERAL ELECTRIC CAPITAL CORP	01/10/07	02/22/11	Aaa	AAA	Aa2	AA+	Aa2	AA+
TOYOTA MOTOR CREDIT	10/19/06	03/15/10	Aaa	AAA	Aa1	AA+	Aa1	AA
WELLS FARGO & CO.	10/10/06	08/09/10	Aa1	AA	A1	AA	A1	AA-
WELLS FARGO & CO.	05/30/07	01/12/11	Aa1	AA+	A1	AA	A1	AA-

On April 9, 2009, Moody's Investors Service (Moody's) downgraded Berkshire Hathaway by two notches from Aaa to Aa2. Moody's said that the downgrade reflected "the impact on Berkshire's key businesses [in construction, retailing and consumer finance] of the severe decline in equity markets over the past year as well as the protracted recession". As of June 30, 2009, the City held a single \$2 million Berkshire Hathaway note, representing 1.18 percent of the portfolio.

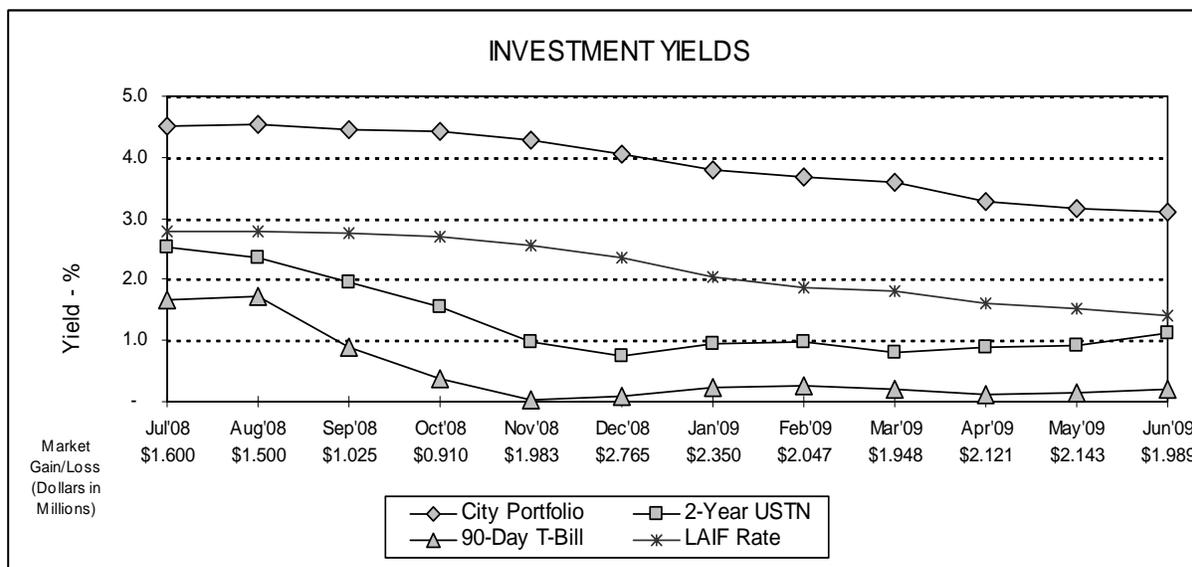
On May 9, 2009, Standard & Poor's (S&P) lowered Toyota Motor Corp's rating by a single notch from AA+ to AA following Toyota's announcement of weak earnings guidance for the next fiscal year. The downgrade reflected S&P's concern that there will be continued pressure on Toyota's profitability and cash flow and that a recovery may be delayed due to challenges in global auto markets. As of June 30, 2009, the City held a single \$2 million Toyota note, representing 1.18 percent of the portfolio.

On June 17, 2009, Standard & Poor's (S&P) downgraded an entire sector by reducing the ratings of 18 U.S. banks on its CreditWatch list, including Wells Fargo and Co. (WFC). Wells was downgraded by a single notch from AA to AA-. The move was attributed to tighter regulation and increased market volatility. As of June 30, 2009, the City held two \$2 million Wells notes, representing 2.37 percent of the portfolio.

Per the City's Investment Policy, Section VII.A.5, investments in any one "AA" rated corporate issuer is limited to no more than 5 percent of the portfolio, and investments in any one "A" rated issuer is limited to 3% of the portfolio. Also per the Policy, if the quality rating of the issuer is downgraded, subsequent to purchase, below "A," or its equivalent, it shall be reported to Finance Committee and City Council with a recommendation, and ongoing information shall be provided if the bond is not sold. Staff will continue to monitor for any further changes to quality ratings.

**Portfolio Market Gains/Losses**

As shown on the Investment Yields below, the City's portfolio continued to reflect unrealized market gains during the quarter due to the low interest rate environment. At June 30, the portfolio had an unrealized market gain of \$1.893 million.



The table below reflects the five securities with the largest percentage of unrealized losses at June 30, 2009. There were no securities with market decline of greater than 1 percent compared to the prior month.

Issuer	Face Amount	Maturity	\$ Mkt Loss	% Mkt Loss
Federal Farm Credit Bank	\$ 2,000,000	04/08/13	\$7,500	0.38%
Federal National Mortgage Assn.	\$ 2,000,000	11/20/12	\$7,500	0.38%
Federal Home Loan Mortgage Corp.	\$ 2,000,000	11/19/12	\$4,220	0.21%
Federal Home Loan Mortgage Corp.	\$ 2,000,000	04/08/13	\$3,491	0.17%
Federal Home Loan Bank	\$ 1,700,000	06/08/12	\$2,941	0.16%

### Additional Reporting Requirements

The following confirmations are made pursuant to California Code Sections 53600 et seq.: (1) the City's portfolio as of June 30, 2009 is in compliance with the City's Statement of Investment Policy; and (2) there are sufficient funds available to meet the City's expenditure requirements for the next six months.

### Fiscal Agent Investments

In addition to reporting requirements for public agency portfolios, a description of any of the agency's investments under the management of contracted parties is also required on a quarterly basis. Attachment 2 includes bond funds and the police and fire service retirement fund as of June 30, 2009.

**ATTACHMENTS:** 1. June 30, 2009, Investment Report  
2. June 30, 2009, Fiscal Agent Report

**PREPARED BY:** Jill Taura, Treasury Manager

**SUBMITTED BY:** Robert Peirson, Finance Director

**APPROVED BY:** **City Administrator's Office**

**CITY OF SANTA BARBARA**  
**Activity and Interest Report**  
**June 30, 2009**

**INVESTMENT ACTIVITY**

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**PURCHASES OR DEPOSITS**

06/09	Federal Home Loan Mortgage Corp. (FHLMC)	\$ 2,000,000
06/15	LAIF Deposit/City	5,500,000
06/19	Federal Farm Credit Bank (FFCB)	2,000,000
06/23	LAIF Deposit/City	2,000,000
06/26	LAIF Deposit/City	1,000,000
06/30	Federal Home Loan Bank (FHLB)	2,000,000
	<b>Total</b>	<b>\$ 14,500,000</b>

**SALES, MATURITIES, CALLS OR WITHDRAWALS**

06/01	LAIF Withdrawal/City	\$ (2,500,000)
06/04	LAIF Withdrawal/City	(4,000,000)
06/09	LAIF Withdrawal/City	(1,000,000)
06/12	Federal Home Loan Bank (FHLB) Maturity	(2,000,000)
06/15	General Electric Capital Corp. (GECC) Maturity	(1,000,000)
06/15	General Electric Capital Corp. (GECC) Maturity	(2,000,000)
06/18	LAIF Withdrawal/City	(4,000,000)
06/19	LAIF Withdrawal/City	(1,500,000)
06/24	LAIF Withdrawal/City	(1,500,000)
06/30	LAIF Withdrawal/City	(1,000,000)
06/30	LAIF Withdrawal/RDA	(2,000,000)
	<b>Total</b>	<b>\$ (22,500,000)</b>

**ACTIVITY TOTAL** **\$ (8,000,000)**

**INTEREST REVENUE**

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**POOLED INVESTMENTS**

Interest Earned on Investments	\$ 398,356
Amortization	12,624
SBB&T Sweep Account Interest	123
SBB&T Trust Account M/M Interest	4
<b>Total</b>	<b>\$ 411,107</b>

**RDA INVESTMENTS**

Interest Earned on Investments (LAIF) **\$ 29,871**

**TOTAL INTEREST EARNED** **\$ 440,978**



**CITY OF SANTA BARBARA**  
**Investment Portfolio**  
**June 30, 2009**

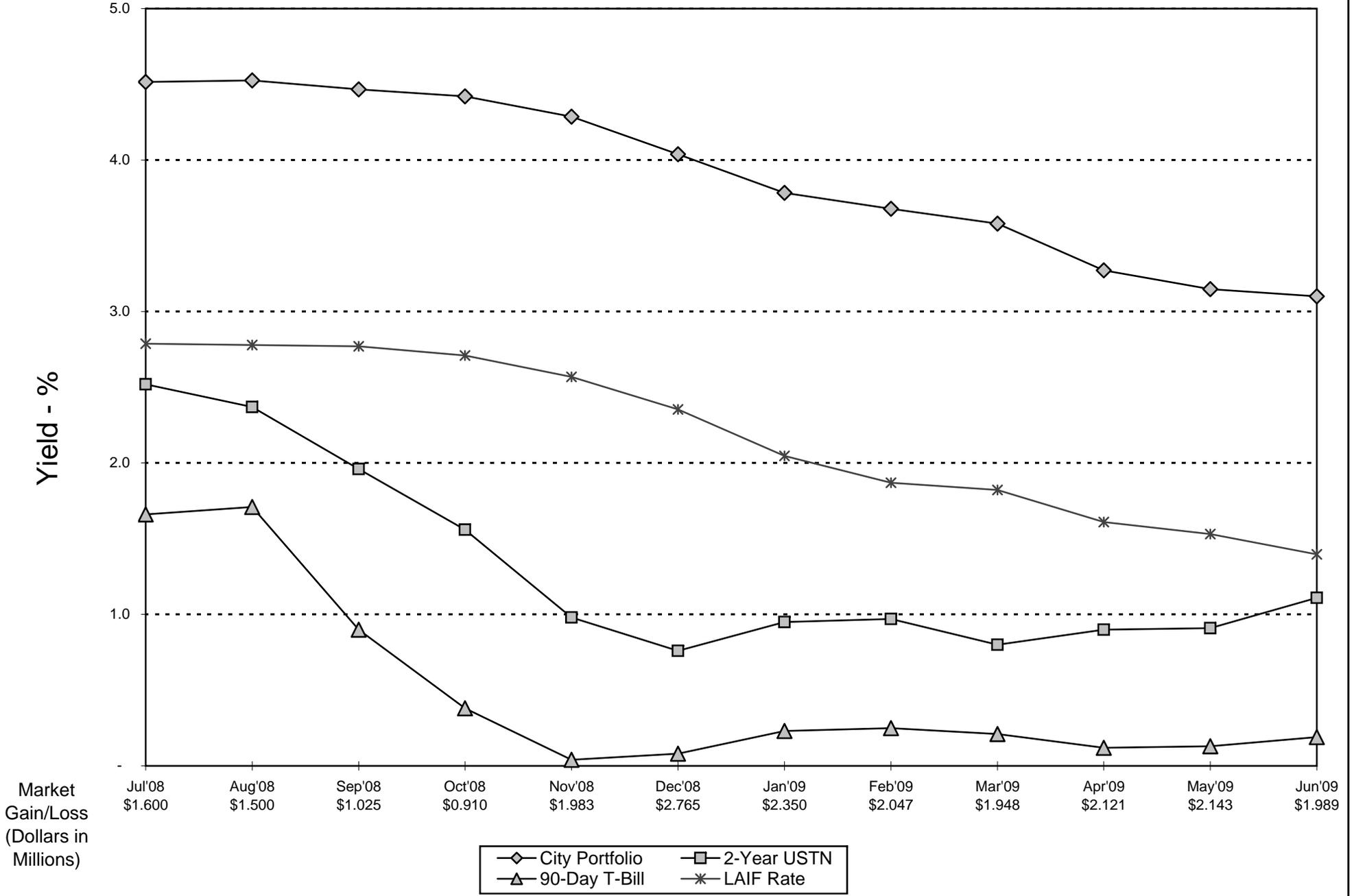
DESCRIPTION	PURCHASE DATE	MATURITY DATE	QUALITY RATING MOODY'S	QUALITY RATING S & P	STATED RATE	YIELD AT 365	FACE VALUE	BOOK VALUE	MARKET VALUE	BOOK GAIN/(LOSS)	COMMENTS
<b>LOCAL AGENCY INVESTMENT FUNDS</b>											
LOCAL AGENCY INVESTMENT FUND	-	-	-	-	1.396	1.396	32,000,000.00	32,000,000.00	32,000,000.00	0.00	
LOCAL AGENCY INV FUND/RDA	-	-	-	-	1.396	1.396	24,100,000.00	24,100,000.00	24,100,000.00	0.00	
<b>Subtotal, LAIF</b>							56,100,000.00	56,100,000.00	56,100,000.00	0.00	
<b>CERTIFICATES OF DEPOSIT</b>											
MONTECITO BANK & TRUST	11/18/08	11/18/09	-	-	2.500	2.500	2,000,000.00	2,000,000.00	2,000,000.00	0.00	
<b>Subtotal, Certificates of deposit</b>							2,000,000.00	2,000,000.00	2,000,000.00	0.00	
<b>FEDERAL AGENCY ISSUES - COUPON</b>											
FEDERAL FARM CREDIT BANK	03/06/09	04/24/12	Aaa	AAA	2.250	2.120	2,000,000.00	2,007,058.67	2,023,750.00	16,691.33	
FEDERAL FARM CREDIT BANK	08/17/06	08/17/09	Aaa	AAA	5.125	5.150	2,000,000.00	1,999,941.22	2,012,500.00	12,558.78	
FEDERAL FARM CREDIT BANK	11/07/06	01/18/11	Aaa	AAA	5.750	5.000	2,000,000.00	2,020,635.91	2,148,440.00	127,804.09	
FEDERAL FARM CREDIT BANK	01/29/07	08/25/10	Aaa	AAA	4.750	5.111	2,000,000.00	1,992,473.31	2,094,070.00	101,596.69	
FEDERAL FARM CREDIT BANK	02/01/08	02/01/13	Aaa	AAA	3.790	3.790	2,000,000.00	2,000,000.00	2,036,570.00	36,570.00	Callable 2/01/10, then cont.
FEDERAL FARM CREDIT BANK	03/04/09	03/02/12	Aaa	AAA	2.370	2.370	2,000,000.00	2,000,000.00	2,014,070.00	14,070.00	Callable 3/02/10, then cont.
FEDERAL FARM CREDIT BANK	03/04/09	01/17/12	Aaa	AAA	2.000	2.000	2,000,000.00	2,000,000.00	2,017,510.00	17,510.00	
FEDERAL FARM CREDIT BANK	03/05/09	03/04/13	Aaa	AAA	2.600	2.600	2,000,000.00	2,000,000.00	2,024,380.00	24,380.00	
FEDERAL FARM CREDIT BANK	05/08/09	04/08/13	Aaa	AAA	2.200	2.200	2,000,000.00	2,000,000.00	1,992,500.00	(7,500.00)	
FEDERAL FARM CREDIT BANK	06/19/09	06/18/12	Aaa	AAA	2.125	2.125	2,000,000.00	2,000,000.00	2,008,130.00	8,130.00	
FEDERAL HOME LOAN BANK	10/25/06	02/12/10	Aaa	AAA	3.875	5.117	1,000,000.00	993,055.35	1,021,405.00	28,349.65	
FEDERAL HOME LOAN BANK	12/18/06	11/03/09	Aaa	AAA	3.500	4.834	2,000,000.00	1,991,642.71	2,021,570.00	29,927.29	
FEDERAL HOME LOAN BANK	05/22/07	06/10/11	Aaa	AAA	5.250	5.005	2,000,000.00	2,008,485.80	2,146,250.00	137,764.20	
FEDERAL HOME LOAN BANK	07/09/07	02/15/11	Aaa	AAA	4.000	5.308	2,000,000.00	1,961,787.65	2,096,880.00	135,092.35	
FEDERAL HOME LOAN BANK	07/09/07	03/12/10	Aaa	AAA	5.000	5.268	1,000,000.00	998,245.87	1,032,035.00	33,789.13	
FEDERAL HOME LOAN BANK	02/26/09	02/24/14	Aaa	AAA	3.250	3.261	2,000,000.00	1,999,349.16	2,003,440.00	4,090.84	Callable 2/24/10, then qtrly
FEDERAL HOME LOAN BANK	03/04/09	06/08/12	Aaa	AAA	4.375	2.110	1,700,000.00	1,808,655.82	1,805,714.50	(2,941.32)	
FEDERAL HOME LOAN BANK	06/30/09	06/30/14	Aaa	AAA	2.000	2.000	2,000,000.00	2,000,000.00	1,998,440.00	(1,560.00)	StrNt, Callable 6/30/11, once
FEDERAL HOME LOAN BANK	09/14/06	09/29/10	Aaa	AAA	5.125	5.070	1,000,000.00	1,000,578.86	1,053,440.00	52,861.14	
FEDERAL HOME LOAN BANK	04/21/08	10/21/11	Aaa	AAA	3.125	3.125	2,000,000.00	2,000,000.00	2,003,120.00	3,120.00	Callable 7/21/09, once
FEDERAL HOME LOAN BANK	05/23/08	06/10/11	Aaa	AAA	3.125	3.520	2,000,000.00	1,985,510.25	2,061,560.00	76,049.75	
FEDERAL HOME LOAN BANK	09/25/08	08/18/09	Aaa	AAA	3.750	3.231	2,000,000.00	2,001,318.33	2,009,380.00	8,061.67	
FEDERAL HOME LOAN BANK	10/18/06	09/11/09	Aaa	AAA	5.250	5.060	1,000,000.00	1,000,329.53	1,009,535.00	9,205.47	
FEDERAL HOME LOAN BANK	11/07/06	10/26/09	Aaa	AAA	5.000	5.000	2,345,000.00	2,344,994.95	2,380,901.95	35,907.00	
FEDERAL HOME LOAN BANK	11/08/06	07/30/10	Aaa	AAA	5.000	5.010	2,000,000.00	1,999,756.51	2,095,630.00	95,873.49	
FEDERAL HOME LOAN BANK	12/18/06	06/22/10	Aaa	AAA	4.500	4.825	2,000,000.00	1,994,229.60	2,078,130.00	83,900.40	
FEDERAL HOME LOAN BANK	06/18/07	03/12/10	Aaa	AAA	4.875	5.382	2,000,000.00	1,993,469.92	2,062,190.00	68,720.08	
FEDERAL HOME LOAN BANK	06/16/08	12/10/10	Aaa	AAA	3.250	3.800	2,000,000.00	1,984,952.48	2,067,500.00	82,547.52	

**CITY OF SANTA BARBARA**  
**Investment Portfolio**  
**June 30, 2009**

DESCRIPTION	PURCHASE	MATURITY	QUALITY RATING		STATED	YIELD AT	FACE	BOOK	MARKET	BOOK	COMMENTS
	DATE	DATE	MOODY'S	S & P	RATE	365	VALUE	VALUE	VALUE	GAIN/(LOSS)	
FEDERAL HOME LOAN BANK	09/25/08	09/25/09	Aaa	AAA	3.250	3.250	2,000,000.00	2,000,000.00	2,014,070.00	14,070.00	
FEDERAL HOME LOAN BANK	10/15/08	07/15/11	Aaa	AAA	4.000	4.002	2,000,000.00	2,000,000.00	2,001,880.00	1,880.00	Callable 7/15/09, once
FEDERAL HOME LOAN MTG CORP	04/08/09	04/08/13	Aaa	AAA	2.500	2.526	2,000,000.00	1,998,230.56	1,994,740.00	(3,490.56)	Callable 4/08/11, once
FEDERAL HOME LOAN MTG CORP	05/19/09	11/19/12	Aaa	AAA	2.170	2.170	2,000,000.00	2,000,000.00	1,995,780.00	(4,220.00)	Callable 5/19/11, once
FEDERAL HOME LOAN MTG CORP	03/24/09	03/24/14	Aaa	AAA	3.500	3.500	2,000,000.00	2,000,000.00	1,999,980.00	(20.00)	Callable quarterly
FEDERAL HOME LOAN MTG CORP	05/13/09	05/13/13	Aaa	AAA	2.400	2.400	2,000,000.00	2,000,000.00	1,997,160.00	(2,840.00)	Callable 5/13/11, once
FEDERAL HOME LOAN MTG CORP	09/14/06	09/01/09	Aaa	AAA	4.125	5.070	1,000,000.00	998,553.14	1,006,130.00	7,576.86	
FEDERAL HOME LOAN MTG CORP	05/29/07	07/06/10	Aaa	AAA	4.500	5.070	2,000,000.00	1,989,393.11	2,077,840.00	88,446.89	
FEDERAL HOME LOAN MTG CORP	10/15/07	10/15/12	Aaa	AAA	5.050	5.050	2,000,000.00	2,000,000.00	2,025,740.00	25,740.00	Callable 10/15/09, once
FEDERAL HOME LOAN MTG CORP	06/09/09	08/17/12	Aaa	AAA	1.000	2.420	2,000,000.00	1,914,981.11	1,934,680.00	19,698.89	
FEDERAL HOME LOAN MTG CORP	01/29/07	01/25/10	Aaa	AAA	4.375	5.122	2,000,000.00	1,992,241.93	2,043,840.00	51,598.07	
FEDERAL HOME LOAN MTG CORP	05/22/07	09/17/10	Aaa	AAA	3.880	5.015	2,000,000.00	1,974,919.97	2,075,120.00	100,200.03	
FEDERAL HOME LOAN MTG CORP	04/29/09	10/29/12	Aaa	AAA	2.250	2.250	2,000,000.00	2,000,000.00	2,007,100.00	7,100.00	Callable 10/29/10, once
FEDERAL NATL MORTGAGE ASSN	03/18/09	09/18/12	Aaa	AAA	2.500	2.500	2,000,000.00	2,000,000.00	2,010,630.00	10,630.00	Callable 3/18/11, once
FEDERAL NATL MORTGAGE ASSN	03/23/09	03/23/12	Aaa	AAA	2.000	2.000	2,000,000.00	2,000,000.00	2,011,250.00	11,250.00	StrNt, Callable 9/23/10, once
FEDERAL NATL MORTGAGE ASSN	05/04/09	05/04/12	Aaa	AAA	2.150	2.185	2,000,000.00	1,998,316.67	2,000,630.00	2,313.33	Callable 5/04/10, once
FEDERAL NATL MORTGAGE ASSN	04/27/06	04/20/10	Aaa	AAA	4.750	5.270	2,000,000.00	1,992,550.13	2,066,570.00	74,019.87	
FEDERAL NATL MORTGAGE ASSN	02/27/09	02/24/12	Aaa	AAA	2.250	2.250	2,000,000.00	2,000,000.00	2,018,440.00	18,440.00	Callable 2/24/11, once
FEDERAL NATL MORTGAGE ASSN	05/20/09	11/20/12	Aaa	AAA	2.250	2.250	2,000,000.00	2,000,000.00	1,992,500.00	(7,500.00)	Callable 5/20/10, once
FEDERAL NATL MORTGAGE ASSN	03/05/08	03/05/13	Aaa	AAA	4.100	4.100	2,000,000.00	2,000,000.00	2,048,440.00	48,440.00	Callable 3/05/10, once
<b>Subtotal, Federal Agencies</b>							<u>91,045,000.00</u>	<u>90,945,658.52</u>	<u>92,641,561.45</u>	<u>1,695,902.93</u>	
<b>CORPORATE/MEDIUM TERM NOTES</b>											
BERKSHIRE HATHAWAY FIN	01/15/08	01/15/10	Aa2	AAA	4.125	3.630	2,250,000.00	2,255,735.12	2,290,320.00	34,584.88	
GENERAL ELECTRIC CAPITAL CORP	01/10/07	02/22/11	Aa2	AA+	6.125	5.100	2,000,000.00	2,029,956.76	2,096,220.00	66,263.24	
GENERAL ELECTRIC CAPITAL CORP	08/15/06	09/15/09	Aa2	AA+	4.625	5.300	2,000,000.00	1,997,465.33	2,012,840.00	15,374.67	
TOYOTA MOTOR CREDIT	10/19/06	03/15/10	Aa1	AA	4.250	5.140	2,000,000.00	1,988,592.79	2,037,280.00	48,687.21	
WELLS FARGO & CO.	05/30/07	01/12/11	A1	AA-	4.875	5.260	2,000,000.00	1,989,343.95	2,059,140.00	69,796.05	
WELLS FARGO & CO.	10/10/06	08/09/10	A1	AA-	4.625	5.000	2,000,000.00	1,992,501.43	2,051,100.00	58,598.57	
<b>Subtotal, Corporate Securities</b>							<u>12,250,000.00</u>	<u>12,253,595.38</u>	<u>12,546,900.00</u>	<u>293,304.62</u>	
<b>SB AIRPORT PROMISSORY NOTE</b>											
SANTA BARBARA AIRPORT	07/01/08	07/14/09	-	-	6.500	6.500	7,800,000.00	7,800,000.00	7,800,000.00	0.00	
<b>Subtotal, SBA Note</b>							<u>7,800,000.00</u>	<u>7,800,000.00</u>	<u>7,800,000.00</u>	<u>0.00</u>	
<b>TOTALS</b>							169,195,000.00	169,099,253.90	171,088,461.45	1,989,207.55	

Market values have been obtained from the City's safekeeping agent, Santa Barbara Bank and Trust (SBB&T). SBB&T uses Interactive Data Pricing Service, Bloomberg and DTC.

# INVESTMENT YIELDS



**CITY OF SANTA BARBARA**  
**Fiscal Agent Investments**  
**June 30, 2009**

	CASH & CASH EQUIVALENTS Book & Market	Guaranteed Investment Contracts (GIC) Book & Market	STOCKS		BONDS		US GOVT & AGENCIES		TOTALS		
			Book	Market	Book	Market	Book	Market	Book	Market	
<b>BOND FUNDS</b>											
<i>RESERVE FUNDS</i>											
2004 RDA - Housing Bonds	557,628.11	-	-	-	-	-	-	-	-	557,628.11	557,628.11
2002 Municipal Improvement - Refunding COPs	13,773.78	547,530.00	-	-	-	-	-	-	-	561,303.78	561,303.78
2002 Water - Refunding COPs	23,300.64	1,088,268.76	-	-	-	-	-	-	-	1,111,569.40	1,111,569.40
1994 Water - Revenue Bonds	19,800.86	757,680.00	-	-	-	-	-	-	-	777,480.86	777,480.86
2002 Waterfront - Reference COPs	9,663.44	1,393,262.50	-	-	-	-	-	-	-	1,402,925.94	1,402,925.94
1992 Seismic - Safety Bonds	87,465.15	-	-	-	-	-	-	-	-	87,465.15	87,465.15
Subtotal, Reserve Funds	711,631.98	3,786,741.26	-	-	-	-	-	-	-	4,498,373.24	4,498,373.24
<i>PROJECT FUNDS</i>											
2001 RDA Bonds	3,512,558.73	-	-	-	-	-	-	-	-	3,512,558.73	3,512,558.73
2003 RDA Bonds	22,550,548.08	-	-	-	-	-	-	-	-	22,550,548.08	22,550,548.08
2004 Sewer Revenue Bonds	3,738,640.35	1,357,140.00	-	-	-	-	-	-	-	5,095,780.35	5,095,780.35
2009 Airport Bonds	42,826,133.33	-	-	-	-	-	3,100,000.00	3,092,188.00		45,926,133.33	45,918,321.33
Subtotal, Project Funds	72,627,880.49	1,357,140.00	-	-	-	-	3,100,000.00	3,092,188.00		77,085,020.49	77,077,208.49
Subtotal Bond Funds	73,339,512.47	5,143,881.26	-	-	-	-	3,100,000.00	3,092,188.00		81,583,393.73	81,575,581.73
<b>POLICE/FIRE - SVC RETIREMENT FUND</b>											
Police/Fire Funds	107,252.32	-	198,208.61	214,296.95	-	-	-	-	-	305,460.93	321,549.27
	107,252.32	-	198,208.61	214,296.95	-	-	-	-	-	305,460.93	321,549.27
<b>TOTAL FISCAL AGENT INVESTMENTS</b>	<u>73,446,764.79</u>	<u>5,143,881.26</u>	<u>198,208.61</u>	<u>214,296.95</u>	<u>-</u>	<u>-</u>	<u>3,100,000.00</u>	<u>3,092,188.00</u>		<u>81,888,854.66</u>	<u>81,897,131.00</u>

Notes:

- (1) Cash & cash equivalents include money market funds.
- (2) Market values have been obtained from the following trustees: U S Bank, Bank of New York and Santa Barbara Bank & Trust

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING A SEVEN-YEAR LICENSE AGREEMENT WITH WEB SERVICE COMPANY L.L.C., EFFECTIVE AUGUST 29, 2009, FOR A 156 SQUARE FOOT LAUNDRY ROOM AT 307 SHORELINE DRIVE

THE COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION 1. In accordance with the provisions of Section 521 of the Charter of the City of Santa Barbara, An Ordinance of the Council of the City of Santa Barbara Approving a Seven-Year License Agreement With Web Service Company L.L.C., Effective August 29, 2009, for a 156 Square Foot Laundry Room at 307 Shoreline Drive, is hereby approved.



Agenda Item No. \_\_\_\_\_

File Code No. 330.03

# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** July 28, 2009

**TO:** Mayor and Councilmembers

**FROM:** Engineering Division, Public Works Department

**SUBJECT:** Resolution To Dedicate Easements For Street, Bridge, And Public Utilities At 136 West Haley Street

### **RECOMMENDATION:**

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara, Dedicating Easements for Street, Bridge, and Public Utilities, and for All Related Purposes, Said Easements Being Located on Portions of the City-Owned Real Property at 136 West Haley Street, Santa Barbara County Assessor's Parcel Number 037-162-010.

### **DISCUSSION:**

Various properties and certain easements have been acquired by the City for the upcoming proposed Haley/De La Vina Street Bridge Replacement Project (Project), including the property known as 136 West Haley Street (Attachment).

Based on the final approved design of the Project, it is necessary for certain new easements to be dedicated at the southerly corner of the subject property for any required new public facilities that must be placed between De La Vina and Haley Streets, adjacent to the new bridge. The required new easements on the City's property will allow placement of street and bridge improvements, placement of public utilities such as water and sewer mains, communication facilities, telephone conduits, and electrical conduits and gas pipelines.

The proposed Resolution will establish all required easements.

### **BUDGET/FINANCIAL INFORMATION:**

There are no additional costs directly anticipated in connection with the City's establishment of the necessary new public easements at this location. However, for information purposes only, the City's eligible Project costs are overseen by the State of California Department of Transportation, with 88.53% reimbursed by the Federal Highway Administration. The City will be responsible for 11.47% of the eligible Project costs.

Council Agenda Report  
Resolution To Dedicate Easements For Street, Bridge, And Public Utilities At 136 West  
Haley Street  
July 28, 2009  
Page 2

**ATTACHMENT:** Site Location Aerial Photograph

**PREPARED BY:** Pat Kelly, Assistant Public Works Director/City Engineer/DI/kts

**SUBMITTED BY:** Christine F. Andersen, Public Works Director

**APPROVED BY:** City Administrator's Office

**ATTACHMENT**



**General Corner Location  
Street & Utilities Easements  
Haley/De La Vina Bridge Project**

RECORDING REQUESTED BY )  
AND WHEN RECORDED MAIL TO: )  
 )  
City of Santa Barbara )  
City Clerk )  
P.O. Box 1990 )  
Santa Barbara, CA 93102-1990 )  
 )  
 )

No fee per GOVT CODE 6103  
Space above line for Recorder's Use

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA, DEDICATING EASEMENTS FOR STREET, BRIDGE, AND PUBLIC UTILITIES, AND FOR ALL RELATED PURPOSES, SAID EASEMENTS BEING LOCATED ON PORTIONS OF THE CITY-OWNED REAL PROPERTY AT 136 WEST HALEY STREET, SANTA BARBARA COUNTY ASSESSOR'S PARCEL NUMBER 037-162-010

WHEREAS, the City of Santa Barbara owns the real property in the City of Santa Barbara, County of Santa Barbara, State of California, commonly known as 136 West Haley Street, located within Block 231 according to the Official Map thereof, as more particularly described and set forth in the Grant Deed to the City of Santa Barbara recorded on April 10, 2008, as Instrument No. 2008-0020508 of Official Records in the Office of the County Recorder of said County, which was acquired by the City for the Haley/De La Vina Streets Bridge Replacement Project.

WHEREAS, the City also owns the real property underlying Haley Street and De La Vina Street, adjacent to said Block 231, according to the Official Map thereof.

WHEREAS, in connection with the bridge replacement project at Haley Street and De La Vina Street, it is necessary for the City to dedicate certain easements located on portions of the real property at 136 West Haley Street, namely an easement for public street and bridge improvements, and an easement for various public and private utilities.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

SECTION 1. The City of Santa Barbara hereby dedicates an exclusive public easement on that portion of the real property known as 136 West Haley Street, as particularly described in Exhibit A and shown on Exhibit C attached hereto and incorporated herein by this reference, for all purposes relating to the construction, operation, use, maintenance, repair, replacement and reconstruction of surface and subsurface improvements required for public street, public utilities,

bridge, creek flow, flood control and appurtenant facilities associated with Mission Creek and public street improvements located on and near the intersection of Haley Street and De La Vina Street, including the unrestricted right of ingress and egress at all times, and including any required removal of vegetation, improvements, materials and other topographic features that may exist within said exclusive easement.

SECTION 2. The City of Santa Barbara hereby dedicates a non-exclusive public utility easement on a certain portion of the real property known as 136 West Haley Street, as particularly described in Exhibit B and shown on Exhibit C attached hereto and incorporated herein by this reference, said non-exclusive public utility easement being reserved as follows:

a. On behalf of the City of Santa Barbara, a municipal corporation, for all purposes relating to the installation, use, maintenance, repair and replacement of public water mains, public sewer mains and all necessary appurtenant facilities;

b. On behalf of Cox Communications, Inc., a corporation, its successors and assigns, for the purpose of constructing, using, maintaining, operating, altering, adding to, repairing, replacing, reconstructing, inspecting and/or removing its facilities consisting of but not limited to underground conduits, manholes, hand holes, amplifiers, pedestals, cables, wires, above and below ground vaults and enclosures, concrete pads, markers and other appurtenances, fixtures and/or facilities necessary or useful for the transmission of electric energy for communications, telecommunications, video, intelligence by electrical means and/or other purposes;

c. On behalf of Verizon California, Inc., a corporation, its successors and assigns, for the purpose of constructing, using, maintaining, operating, altering, adding to, repairing, replacing, reconstructing, inspecting and/or removing its facilities consisting of but not limited to underground conduits, manholes, hand holes, amplifiers, pedestals, cables, wires, above and below ground vaults and enclosures, concrete pads, markers and other appurtenances, fixtures and/or facilities necessary or useful for the transmission of electric energy for communications, telecommunications, video, intelligence by electrical means and/or other purposes;

d. On behalf of Southern California Edison Company, a California corporation, for the installation, maintenance, repair and replacement of pole lines, electrical transmission and communication lines and appurtenances; and

e. On behalf of The Southern California Gas Company, a California corporation, its successors and assigns, to construct, maintain, operate, add to, extend, one or more pipelines, together with metering, and other appurtenances (all hereinafter referred to as the "Facilities") for the distribution of natural gas, with the reasonable right of ingress and egress to the Facilities.

SECTION 3. That the City Clerk shall record a certified copy of this resolution in the Official Records, in the Office of the County Recorder of the County of Santa Barbara.

**DESCRIPTION**

An exclusive easement for public street, bridge and all related purposes on a portion of Block 231, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, being a portion of Lot 19 as shown on the map of Harper's and Tallant's Subdivision of said Block, recorded in Book "E" of Miscellaneous Records, at Page(s) 501, Records of said County, and being a portion of that certain tract of land described in the Grant Deed to the City of Santa Barbara recorded on April 10, 2008, as Instrument No. 2008-0020508, of Official Records, more particularly described as follows:

Beginning at the Southerly corner of said Block 231, being the intersection of the Northeasterly line of De La Vina Street with the Northwesterly line of Haley Street, thence as follows:

- 1<sup>st</sup>, Northwesterly, along the Northeasterly line of De La Vina Street, a distance of 17.30 feet;
- 2<sup>nd</sup>, Easterly, leaving the Northeasterly line of De La Vina Street, a distance of 27.67 feet to a point on the Northwesterly line of Haley Street, said point being a distance of 21.60 feet from the Southerly corner of said Block 231, measured along said Northwesterly line of Haley Street;
- 3<sup>rd</sup>, Southwesterly, along the Northwesterly line of Haley Street, a distance of 21.60 feet to Southerly corner of said Block 231 and the point of beginning.

For convenient reference purposes only, the above described easement for street and all related purposes includes that certain easement to the City of Santa Barbara for public sewer purposes described in the document recorded on November 14, 1952, as Instrument No. 17824, in Book 1109 at Page 255 of Official Records in the Office of the County Recorder of said County.

**DESCRIPTION**

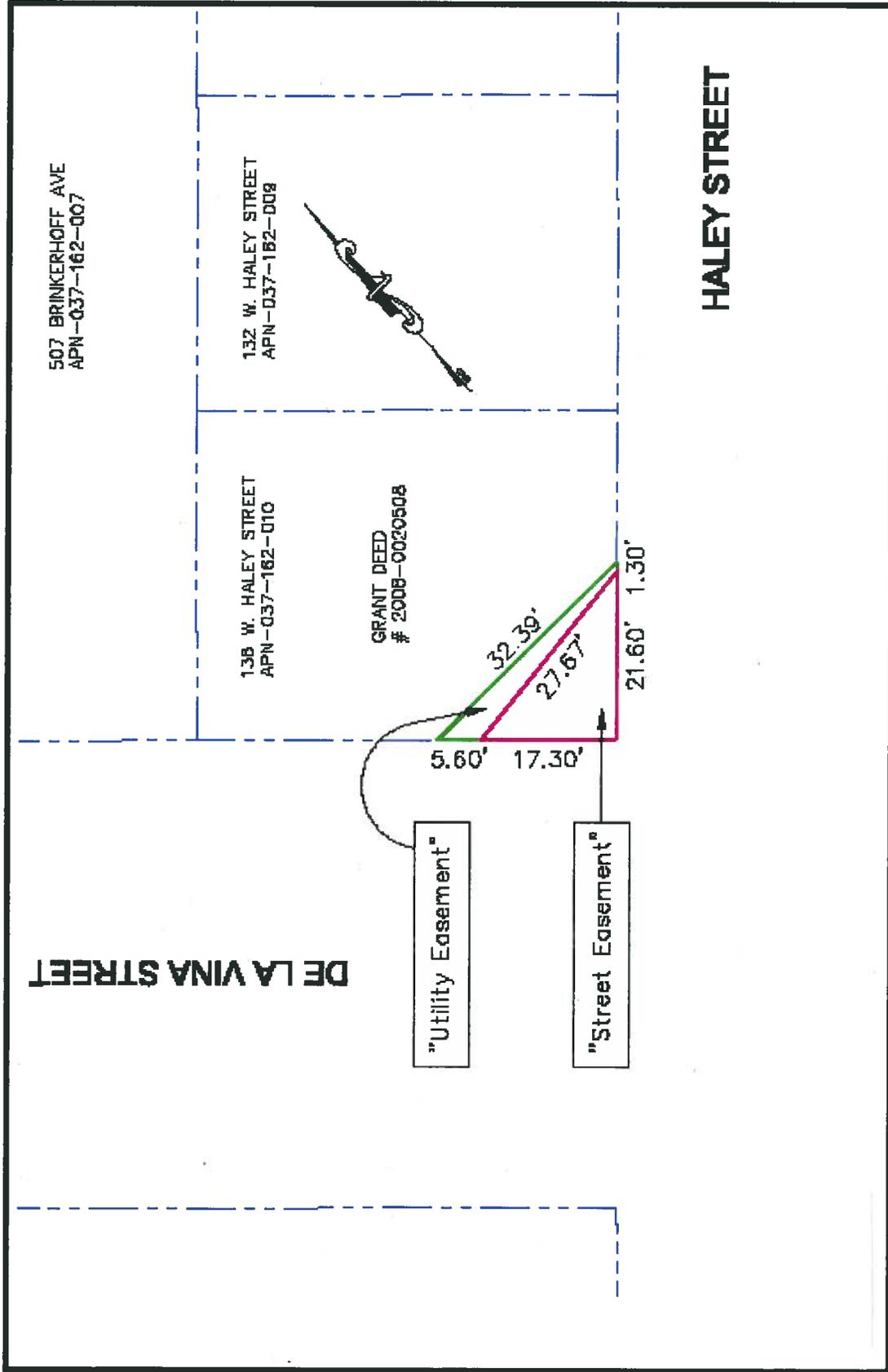
A non-exclusive easement for public utilities and all related purposes on a portion of Block 231, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, being a portion of Lot 19 of a map of Harper's and Tallant's Subdivision of said Block, recorded in Book "E" of Miscellaneous Records, at Page(s) 501, Records of said County, and being a portion of that certain tract of land described in the Grant Deed to the City of Santa Barbara recorded on April 10, 2008, as Instrument No. 2008-0020508, of Official Records, more particularly described as follows:

Beginning at the Southerly corner of said Block 231, being the intersection of the Northeasterly line of De La Vina Street with the Northwesterly line of Haley Street; thence Northwesterly, along the Northeasterly line of De La Vina Street, a distance of 17.30 feet to the True Point of Beginning;

Thence as follows:

- 1<sup>st</sup>, Northwesterly, continuing along said Northeasterly line of De La Vina Street, a distance of 5.60 feet;
- 2<sup>nd</sup>, Easterly, leaving the Northeasterly line of De La Vina Street, a distance of 32.39 feet to a point on the Northwesterly line of Haley Street, said point being a distance of 22.90 feet from the Southerly corner of said Block 231, measured along said Northwesterly line of Haley Street;
- 3<sup>rd</sup>, Southwesterly, along the Northwesterly line of Haley Street, a distance of 1.30 feet to a point, said point being a distance of 21.60 feet from the Southerly corner of said Block 231, measured along said Northwesterly line of Haley Street;
- 4<sup>th</sup>, Westerly, leaving the Northwesterly line of Haley Street, a distance of 27.67 feet to the True Point of Beginning.

Exhibit C





# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** July 28, 2009

**TO:** Mayor and Councilmembers

**FROM:** Airport Administration, Airport Department

**SUBJECT:** Contract With Innova Aviation Consulting, LLC For Air Service Development

### **RECOMMENDATION:**

That Council authorize the Airport Director to execute a contract with Innova Aviation Consulting, LLC for specialized air service development support for the Santa Barbara Airport, in an amount not to exceed \$52,000.

### **DISCUSSION:**

Since 1979 the Airport has contracted with three firms for specialized air carrier development services to assist the Airport in meeting its strategic goals of maintaining existing service and attracting new domestic service. In FY 2007, the Airport conducted an extensive Request for Proposal process to select an air service development firm and project manager. The RFP was distributed to 13 firms and announcements were placed in industry trade newsletters. Of the seven submittals, the Airport interviewed five firms and after contacting references, Kevin Schorr, (previously with TranSystems/Campbell-Hill), Innova Aviation Consulting, LLC, was selected based on his experience and strong airline contacts.

Mr. Schorr has extensive airline experience. He was the former Director of Domestic Strategies and Alliances with TWA, and has been involved with air service development with over 25 different airports, including: Mineta-San Jose, Kansas City, Milwaukee, Port of Portland, Bradley-Hartford, Reno, Austin, Stewart-Newburgh, New York, Stockton, Oklahoma City and San Diego. Most recently, Mr. Schorr assisted the Airport in working with Horizon Airlines to provide Sacramento service once Express Jet ceased operations. He works closely with airline corporate executives and keeps pace with trends in the airline industry.

Under this contract, the following services will be provided:

- Interview local stakeholders and community groups to identify strategies for use in air service pursuits;
- Schedule and meet with current airlines to discuss service improvements, fare pricing, routing, and equipment;

- Develop and present business cases to new airlines; and
- Provide air service support and strategic advice to Airport staff as needed.

**BUDGET/FINANCIAL INFORMATION:**

This contract is at the direction of the Airport Director and is charged on a time and materials basis. Funding for the contract was established in the Airport Department's FY 2010 operating budget.

**PREPARED BY:** Hazel Johns, Assistant Airport Director

**SUBMITTED BY:** Karen Ramsdell, Airport Director

**APPROVED BY:** City Administrator's Office



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** July 28, 2009

**TO:** Mayor and Councilmembers

**FROM:** Public Works Department, Engineering Division  
Waterfront Department, Facilities Division

**SUBJECT:** Contract For Construction Of The Marina One Replacement Project –  
Phase 1

**RECOMMENDATION:** That Council:

- A. Award and authorize the Public Works Director to execute a contract with AIS Construction Company (AIS) in their low bid amount of \$1,781,840, for construction of the Marina One Replacement Project (Project) – Phase 1, Bid No. 3536, and approve expenditures up to \$178,200 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment, and authorize the Public Works Director to accept the final contract amount, with approved changes, and file all Notices of Completion with the County Clerk-Recorder's Office; and
- B. Authorize the Public Works Director to execute a contract with URS Corporation (URS), in the amount of \$40,000, for construction support services, and approve expenditures of up to \$4,000 for extra services of URS that may result from necessary changes in the scope of work.

### **DISCUSSION:**

#### PROJECT DESCRIPTION

Marina One, containing 592 slips, is the largest of four marinas in the Santa Barbara Harbor (Attachment). The majority of Marina One, A - P Fingers, was constructed in the mid-1970s. A 2005 engineering analysis of Marina One concluded that the concrete docking system on A - P Fingers was nearing the end of its useful life. The assessment recommended replacing A - P Fingers in 10 phases over a 10 -15 year period.

Through a Request for Proposals (RFP) process, URS was selected to provide the design for Phase 1 of the Project, and Council authorized funds for this work in December 2006. Phase 1 includes the replacement of the main headwalk, gangway, and upgrading/replacing the utilities serving Marina One. During the design of Phase 1,

URS identified the need to construct significant shoreside utility improvements and Council authorized additional design funds in September 2007. Design was completed in August 2008. The Department of Boating and Waterways (DBAW), however, only approved a \$720,000 loan, which was insufficient to build Phase 1, thus delaying construction. On May 19, 2009, DBAW approved an additional loan of \$4.8 million for Phases 1 – 4, allowing the construction of Phase 1 to move forward this year. The authority to sign the loan documents by the City Administrator, Waterfront Director, or Finance Director and City Attorney was approved by Council Resolution on March 27, 2007.

The Harbor Commission has reviewed the Project and concurs with staff's recommendations.

#### CONTRACT BIDS

A total of five bids were received for the subject work, ranging as follows:

	<b>BIDDER</b>	<b>BID AMOUNT</b>
1.	AIS Construction Company Carpinteria, CA	\$1,781,840
2.	Bellingham Marine Dixon, CA	\$1,834,052
3.	Hanley General Engineering Corporation Santa Ynez, CA	\$1,880,830
4.	Schock Contracting Corporation Santa Barbara, CA	\$1,883,205
5.	Cushman Contracting Corporation Goleta, CA	\$2,520,800

The low bid of \$1,781,840, submitted by AIS, is an acceptable bid that is responsive to and meets the requirements of the bid specifications.

The change order funding recommendation of \$178,200, or 10%, is typical for projects of this size and complexity.

**CONSTRUCTION PHASE CONTRACT SERVICES**

Staff recommends that Council authorize the Public Works Director to execute a contract with URS in the amount of \$44,000 for design support services during construction. URS was selected as the design firm for the Project by an RFP process and is experienced in this type of work.

**FUNDING**

This Project is funded by a loan from the State Department of Boating and Waterways (DBAW). On May 19, 2009, the DBAW approved a loan of \$4.8 million for 30 years at 4.5% in addition to a loan of \$720,000 that was approved in 2008 for construction of Phases 1 – 4. Funds from this loan will be used to construct Phase 1 along with future phases of the Project. There is an existing \$2.5 million appropriation in the Waterfront Capital Fund for the DBAW Phase 1 grant.

The following summarizes the expenditures recommended in this report:

**CONSTRUCTION CONTRACT FUNDING SUMMARY**

	<b>Basic Contract</b>	<b>Change Funds</b>	<b>Total</b>
AIS	\$1,781,840	\$178,200	\$1,960,040
URS	\$40,000	\$4,000	\$44,000
<b>TOTAL RECOMMENDED AUTHORIZATION</b>			<b>\$2,004,040</b>

The following summarizes all project design costs, construction contract funding, and other project costs:

**ESTIMATED TOTAL PROJECT COST**

Design (by Contract)	\$195,800
Design Costs - City staff (including environmental review, etc.)	\$46,277
Other Design Costs (testing, etc.)	\$10,000
<b>Subtotal</b>	<b>\$252,077</b>
Construction Contract	\$1,781,840
Construction Change Order Allowance	\$178,200
Design Support Services (by Contract)	\$44,000
<b>Subtotal</b>	<b>\$2,004,040</b>

Construction Management/Inspection (by City Staff)	\$110,000
Other Construction Costs (testing, etc.)	\$21,000
<b>Subtotal</b>	<b>\$131,000</b>
<b>TOTAL PROJECT COST</b>	<b>\$2,387,117</b>

**SUSTAINABILITY IMPACT:**

The demolition and construction materials generated by this Project will be recycled locally. The Project will use recycled plastic instead of timber, where appropriate. The Waterfront Department will monitor practices and enforce construction-related best management practices to ensure water quality is not adversely impacted by the Project.

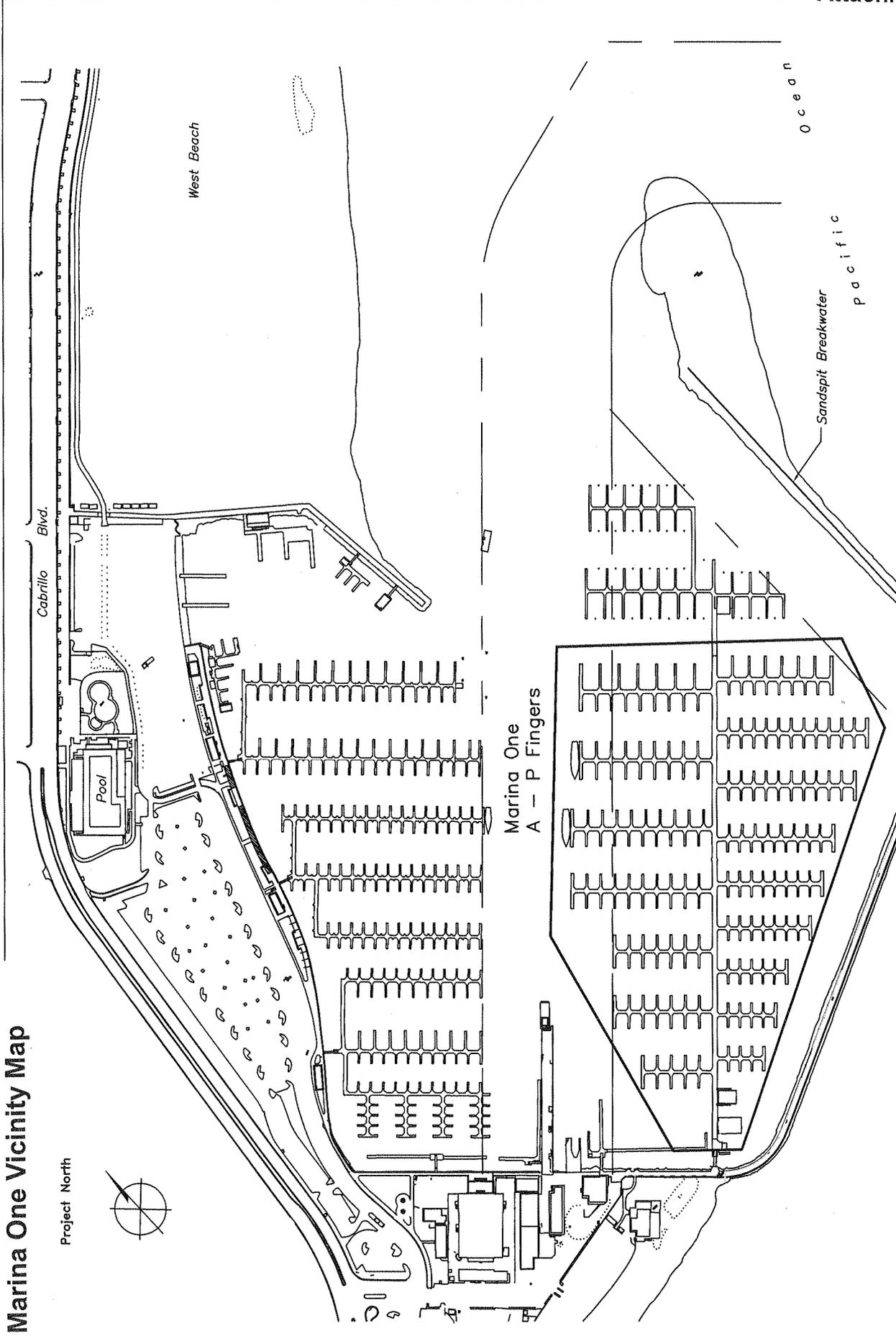
**ATTACHMENT:** Marina One Vicinity Map

**PREPARED BY:** Joshua Haggmark, Principal Civil Engineer/LS/mj  
Karl Treiberg, Waterfront Facilities Manager

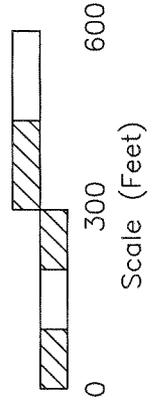
**SUBMITTED BY:** John Bridley, Waterfront Director  
Christine F. Andersen, Public Works Director

**APPROVED BY:** City Administrator's Office

Marina One Vicinity Map



REVISIONS	Marina One Replacement Project Phase 1 A - P Fingers		
	DATE	APPROVED BY	DRAWN BY
	3/7/01	T. Remeika	1040-006
		Santa Barbara Harbor	
		City of Santa Barbara	
		Waterfront Department	





# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** July 28, 2009

**TO:** Mayor and Councilmembers

**FROM:** Transportation Division, Public Works Department

**SUBJECT:** Amendment To The Recreational Vehicle Safe Parking Program Agreement

### **RECOMMENDATION:**

That Council authorize the City Administrator to execute an Amendment to the Agreement with the New Beginnings Counseling Center (NBCC) increasing the number of permits issued in City-operated parking lots for the Recreational Vehicle (RV) Safe Parking Program (Program) from fourteen to twenty-five spaces, and maintain the current funding.

### **DISCUSSION:**

#### Background

The Program was started in 2003 as a part of NBCC's Homeless Outreach Program, to take people off the streets at night and onto safe locations for overnight parking on church and non-profit agency lots, with the goal of eventually transitioning them into permanent housing.

In August 2005, the City entered into an agreement with NBCC to provide five parking spaces at the City's Carrillo Street Commuter Lot. In 2007, the program was expanded. Three additional spaces, each, at the Carrillo Lot, the Garden Street Visitor Center Lot (Garden Street Lot), and the Cota Commuter Lot, were added to the program. On August 21, 2007, Council approved the allocation of \$36,420 from the General Fund to NBCC to hire additional staff to monitor the Program and provide outreach services to the clients. On August 21, 2007, funding was increased to \$43,500 to cover higher monitoring costs.

#### Current Status

NBCC has successfully abided by the terms of the agreement; minimizing impacts to parking lot operations. During the first year of the Program, except for one resident, staff has not received any complaints from the public or any reports from the Police Department regarding non-compliance with any terms of the agreement.

Recently, NBCC's applicant waiting list has exceeded the number of available parking spaces. Therefore, NBCC has requested additional spaces in the City-operated parking lots; two additional spaces in the Garden Street Lot, two additional spaces in the Carrillo Commuter Lot, and seven additional spaces in the Cota Commuter Lot. These additional parking spaces bring the total number of parking spaces to the maximum that these three parking lots can safely accommodate without adversely impacting parking operations and public safety.

The Harbor Commission and the Downtown Parking Committee have agreed with staff's recommendation to increase the number of parking spaces available for the Program.

#### Recommendation

Staff recommends amending the existing agreement with NBCC to increase the number of permits issued in the City-operated parking lots to a total of 25 spaces.

#### **FISCAL/BUDGET IMPACT**

Funding for the Program is in the Council approved Fiscal Year 2010 Downtown Parking budget.

**PREPARED BY:** Browning Allen, Transportation Manager/VEG/kts

**SUBMITTED BY:** Christine F. Andersen, Public Works Director

**APPROVED BY:** City Administrator's Office



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** July 28, 2009

**TO:** Mayor and Councilmembers

**FROM:** Engineering Division, Public Works Department

**SUBJECT:** Accept Highway Bridge Program Grant Funding For The Cabrillo Bridge Replacement Project

### RECOMMENDATION:

That Council accept Highway Bridge Program grant funding in the amount of \$734,259, and increase estimated revenue and appropriations in this amount in the Fiscal Year 2010 Streets Fund Budget.

### BACKGROUND:

The Cabrillo Boulevard Bridge Replacement Project (Project) will replace the existing structurally deficient bridge over Mission Creek, located in the Santa Barbara Waterfront, at the intersection of State and Cabrillo Streets, directly adjacent to Stearns Wharf.

The Project is part of the Highway Bridge Program (HBP) administered and funded by the State via the Federal Highway Administration (FHWA). The Project includes the improvement of the hydraulic conveyance and restoration and rehabilitation of the deteriorated retaining walls and creek banks of Mission Creek, from State Street to approximately 160 feet downstream from Cabrillo Boulevard. The work is in compliance with the Lower Mission Creek Feasibility Report from September 2000 and the accompanying Environmental Impact Study/Environmental Impact Report done by the Army Corp of Engineers and approved by Council on November 30, 2001. The Project is currently in final design and the right of way acquisition stage.

### DISCUSSION:

On February 18, 2009, FHWA authorized an additional \$800,000 in grant funds for the Preliminary Engineering phase of the Project. To date, the total grant funds authorized for the Project is \$2,484,259. However, prior grant fund appropriations by City Council action for the Project total only \$1,750,000. The recommended additional \$734,259 appropriation will increase the total grant appropriation to match the total federal authorization.

City funds that are already budgeted will provide the matching funds required to complete this phase of the Project.

**BUDGET/FINANCIAL INFORMATION:**

A summary of previous Federal Highway Administration grant fund authorizations and City grant appropriations is presented in the table below:

<b>FHWA Authorizations</b>		<b>City Appropriations</b>	
<b>Date</b>	<b>Amount</b>	<b>Date</b>	<b>Amount</b>
8/10/04	\$776,000	6/22/03	\$500,000
2/09/07	\$424,000	6/22/05	\$500,000
9/15/08	\$484,259	6/25/07	\$750,000
2/18/09	\$800,000		
<b>Total:</b>	<b>\$2,484,259</b>	<b>Total:</b>	<b>\$1,750,000</b>
<b>Difference between FHWA Authorization and City Appropriations (amount of this Appropriation Request)</b>			<b>\$734,259</b>

**PREPARED BY:** John Ewasiuk, Principal Civil Engineer/BD/mj

**SUBMITTED BY:** Christine F. Andersen, Public Works Director

**APPROVED BY:** City Administrator's Office



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** July 28, 2009

**TO:** Mayor and Councilmembers

**FROM:** Patrol Division, Police Department

**SUBJECT:** Police Department/Downtown Organization Hourly Foot Patrol Officer

**RECOMMENDATION:**

That Council accept a \$20,000 contribution to the Police Department Tactical Patrol Force Program from the Downtown Organization of Santa Barbara, Inc.

**DISCUSSION:**

On June 17, 2008, the Santa Barbara City Council established a three member Council Subcommittee, Chair Iya Falcone, Dale Francisco and Helene Schneider, to study issues related to homeless services and neighborhood impacts. This committee was charged with making recommendations to the full Council, with input from community members, on strategies to provide a more efficient coordination of services for the homeless and to mitigate the effects homeless criminal activity.

On February 24, 2009, the City Council adopted a twelve point plan recommended by the City Subcommittee. Recommendation #3, in part, was to continue to utilize Police Department deployment strategies to best meet the immediate demands of the community, and specifically to explore the possibility with the Downtown Organization of their funding half of a part-time retired police officer to patrol State Street.

The Santa Barbara Police Department and the Downtown Organization of Santa Barbara, Inc. have agreed to fund the deployment of an increased police patrol in the State Street downtown business district. The geographical coverage area consists of an 18 city block area from Gutierrez Street to Victoria Street and from Chapala Street to Anacapa Street. (See attached map marked exhibit A.) The assigned officer will be responsible for visible foot patrol and enforcement efforts in the prescribed downtown zone. The assigned officer will work a schedule that meets the needs of the City and which would also meet the needs of the downtown business district. In the case of an emergency situation or to conduct an investigation that would impact the downtown business district the assigned officer would be able to occasionally respond outside the pre-designated geographical area. The assigned officer would be supervised by the

Police Department and would work a maximum of 960 hours in a fiscal year. Although the position will be funded mutually through a contribution from the downtown parking fund and a contribution from the Downtown Organization, the deployment and supervisory control of the Officer(s) shall rest exclusively with the Santa Barbara Police Department.

**BUDGET/FINANCIAL INFORMATION:**

The Downtown Organization of Santa Barbara, Inc. will provide \$20,000, reimbursed to the Police Department on a monthly basis and the Downtown Parking Fund will provide a matching amount of \$20,000 for a total of \$40,000 to fund the position for the 2010 fiscal year.

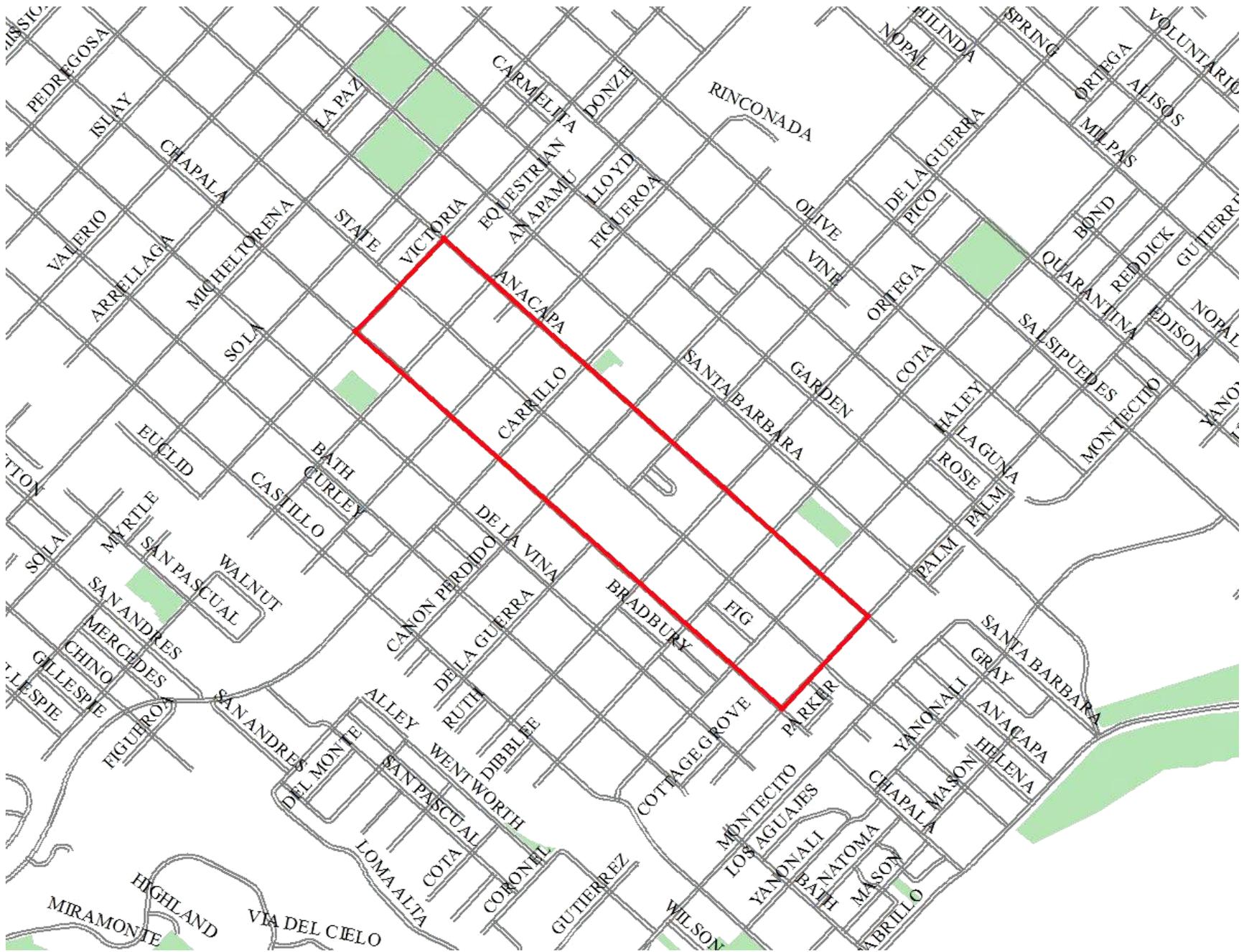
**ATTACHMENT:     MAP**

**PREPARED BY:**    Alex Altavilla, Police Captain

**SUBMITTED BY:**  Camerino Sanchez, Chief of Police

**APPROVED BY:**    City Administrator's Office

ATTACHMENT  
EXHIBIT A



# **SANTA BARBARA FINANCING AUTHORITY MINUTES**

**Special Meeting**

**June 23, 2009**

**Council Chamber, 735 Anacapa Street**

## **CALL TO ORDER**

Chair Marty Blum called the joint meeting of the Authority, City Council, and Redevelopment Agency to order at 2:00 p.m.

## **ROLL CALL**

Board members present: Iya G. Falcone, Dale Francisco, Roger L. Horton, Grant House, Helene Schneider, Das Williams, Chair Blum.

Agency members absent: None.

Staff present: Executive Director/Secretary James L. Armstrong, Authority Counsel Stephen P. Wiley, Deputy City Clerk Susan Tschech.

## **PUBLIC COMMENT**

No one wished to speak.

## **CONSENT CALENDAR**

The title of the resolution related to Item No. 1 was read.

Motion:

Board members Falcone/Schneider to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

1. Subject: Investment Of Airport Bond Proceeds In The State Of California Local Agency Investment Fund (210.05/13)

Recommendation: That the Board adopt, by reading of title only, A Resolution of the Board of Directors of the Santa Barbara Financing Authority Authorizing the Establishment of an Account with the Local Agency Investment Fund of the Treasurer's Office of the State of California.

Action: Approved the recommendation; Resolution No. FA-007 (June 23, 2009, report from the Financing Authority Treasurer; proposed resolution).

## **ADJOURNMENT**

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

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MARTY BLUM  
CHAIR

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JAMES L. ARMSTRONG  
SECRETARY



Agenda Item No. \_\_\_\_\_

File Code No. 520.04

# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** July 28, 2009

**TO:** Mayor and Councilmembers

**FROM:** City Administrator's Office

**SUBJECT:** Request From Mayor Blum And Councilmember Francisco Regarding A Discussion Of The Medical Marijuana Permit Ordinance

**RECOMMENDATION:**

That Council consider the request of Mayor Blum and Councilmember Francisco to Refer the Medical Marijuana Permit Ordinance to the Ordinance Committee.

**DISCUSSION:**

Attached is a Memorandum received in the City Administrator's Office from Mayor Blum and Councilmember Francisco requesting that the Medical Marijuana Permit Ordinance be placed on the Council Agenda for discussion.

**ATTACHMENT:** Memorandum Dated July 17, 2009 From Mayor Blum and Councilmember Francisco

**PREPARED BY:** Linda Gunther, Administrator's Office Supervisor

**SUBMITTED BY:** Joan Kent, Assistant City Administrator

**APPROVED BY:** City Administrator's Office



**City of Santa Barbara**  
Mayor and Council Office

## **Memorandum**

**DATE:** July 17, 2009

**TO:** Jim Armstrong, City Administrator

**FROM:** Mayor Marty Blum  
Councilmember Dale Francisco

**SUBJECT:** Medical Marijuana Permit Ordinance

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Pursuant to Council Resolution 05-073 regarding the Conduct of City Council Meetings, we request that an item be placed on the Santa Barbara City Council Agenda regarding a revision of the Medical Marijuana Permit Ordinance.

- Summary of Information to be Presented and Background Information:

The Medical Marijuana Permit Ordinance was adopted on March 25, 2008, and took effect on April 24, 2008. This ordinance established regulations and procedures, and imposed a conditional use requirement on siting a dispensary.

Since that time, four dispensaries have gone through or are going through the City process: 331 North Milpas Street, 500 North Milpas Street (on appeal to the Planning Commission), 629 Olive Street, and 2 West Mission Street.

There are four other dispensaries which existed during the adoption of this ordinance and have been deemed non-conforming, and therefore, must be relocated by April 24, 2011.

There are reports of other possible dispensaries, but as far as the City is concerned, any others are not legal.

Many complaints have been received about the proliferation of the dispensaries near the other dispensaries.

- Statement of Specific Action:

We would like the Council to send the Medical Marijuana Permit Ordinance to the Ordinance Committee, with the direction to make recommendations to the Council regarding a revision of the ordinance and to address the concerns of the residents, including alternatives to limit proliferation of dispensaries, as well as re-examining siting requirements.

- Statement of the Reasons Why it is Appropriate and Within the Jurisdiction of the Council to Consider this Subject Matter and to Take the Requested Action:

This is appropriate and within the jurisdiction of the Council because the City adopted a Medical Marijuana Permit Ordinance on March 25, 2008. We are asking that this be a discussion item only, with the recommendation that the Council forward the Medical Marijuana Permit Ordinance to the Ordinance Committee for possible revisions.

cc: Mayor and Council  
City Attorney  
Community Development Director