



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING July 21, 2009 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Marty Blum called the joint meeting of the Council and the Redevelopment Agency to order at 2:01 p.m. (The Ordinance Committee met at 12:30 p.m. The Finance Committee, which ordinarily meets at 12:30 p.m., did not meet on this date.)

### PLEDGE OF ALLEGIANCE

Mayor Blum.

### ROLL CALL

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

Councilmembers absent: None.

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

### PUBLIC COMMENT

Speakers: Ruth Wilson; Bob Hansen; Jack Villa, American Postal Workers Union; Daniel Knapp.

### CONSENT CALENDAR (Item Nos. 1 – 10 and 12)

The titles of ordinances and resolutions related to Consent Calendar items were read.

Motion:

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

Vote:

Unanimous roll call vote.

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of June 23, 2009.

Action: Approved the recommendation.

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

Recommendation: That Council approve a license with Web Service Company, L.L.C., and introduce and subsequently 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.

Action: Approved the recommendation (July 21, 2009, report from the Waterfront Director; proposed ordinance).

3. Subject: Adoption Of Ordinance Establishing A Building Safety Assessment Placard System (640.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Title 22 of the Santa Barbara Municipal Code to Add Chapter 22.09 Establishing a Building Safety Assessment Placard System.

Action: Approved the recommendation; Ordinance No. 5495.

4. Subject: Adoption Of Ordinance Approving Grant Of Easements On City Property Near The Moreton Bay Fig Tree For The Lower Mission Creek Project (530.03)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Grant of Easement to Santa Barbara County Flood Control and Water Conservation District for the Lower Mission Creek Project.

Action: Approved the recommendation; Ordinance No. 5496.

5. Subject: Statement Of Investment Policy And Delegation Of Investment Authority For Fiscal Year 2010 (260.01)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the Investment Policy for the City and Rescinding Resolution No. 08-068; and
- B. Authorize the City Administrator/City Clerk/City Treasurer to invest or reinvest funds, or to sell or exchange securities so purchased for the City of Santa Barbara and the Redevelopment Agency of the City of Santa Barbara for Fiscal Year 2010.

Action: Approved the recommendations; Resolution No. 09-063 (July 21, 2009, report from the Finance Director; proposed resolution).

6. Subject: Proposed Minor Amendments To City Fee Resolution (230.05)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 09-043 to Clarify Consent Review Fees for Design Review, Adjust Residential Parking Permit Fees in the Downtown Parking Program, and Add a Convenience Fee for On-Line Payment of Police Department Charges.

Action: Approved the recommendation; Resolution No. 09-064 (July 21, 2009, report from the Finance Director; proposed resolution).

7. Subject: Contract With Jacobs Consultancy For Airport Concessions Program (560.04)

Recommendation: That Council authorize the Airport Director to execute a contract with Jacobs Consultancy for specialized services in the development of a concession and advertising program for the Airline Terminal Improvement Project, in an amount not to exceed \$59,270.

Action: Approved the recommendation; Contract No. 23,156 (July 21, 2009, report from the Airport Director).

8. Subject: Sole Source Yearly Maintenance Agreement With Accela, Inc., For Land Development Team Permit Tracking Software (610.01)

Recommendation: That Council:

- A. Approve and authorize the General Services Manager to execute a maintenance agreement for \$34,288 with Accela, Inc., as the only known source for such services for the City's permit tracking software; and

(Cont'd)

8. (Cont'd)

- B. Authorize the renewal of the maintenance agreement on an annual basis for the next five years, subject to annual budget approval.

Speakers:

Staff: Community Development Director Paul Casey.

Action: Approved the recommendations; Agreement No. 23,157 (July 21, 2009, report from the Community Development Director).

9. Subject: Community Promotion Contract With Old Spanish Days (230.02)

Recommendation: That Council authorize the Finance Director to execute a Community Promotion contract with Old Spanish Days in an amount of \$99,298 covering the period from July 1, 2009, to May 31, 2010.

Action: Approved the recommendation; Contract No. 23,158 (July 21, 2009, report from the Finance Director).

10. Subject: Purchase Order For UCP / Work, Incorporated (320.01)

Recommendation: That Council find it in the City's best interest to waive the formal bid procedure as authorized by Municipal Code Section 4.52.080 (k), and authorize the General Services Manager to issue a purchase order to UCP / Work, Incorporated, for janitorial services at the Waterfront Department for Fiscal Year 2010 in an amount not to exceed \$220,000.

Action: Approved the recommendation (July 21, 2009, report from the Waterfront Director).

Agenda Item No. 11 appears in the Redevelopment Agency minutes.

## NOTICES

12. The City Clerk has on Thursday, July 16, 2009, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

This concluded the Consent Calendar.

## REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Das Williams reported that the Committee met to consider proposed changes to Municipal Code Chapter 8.04 to specify new fire sprinkler requirements for both commercial and residential property. The Committee approved the amendments, which will be submitted to Council for introduction and subsequent adoption.

## REDEVELOPMENT AGENCY REPORTS

### 14. Subject: Loans For Affordable Housing At 416-424 East Cota Street (660.04)

Recommendation: That the Redevelopment Agency Board and the City Council take the following actions regarding the proposed 56-unit "Artisan Court" affordable housing project at 416-424 East Cota Street to be developed by the Housing Authority of the City of Santa Barbara using new City and Agency loans totaling \$3,200,000:

- A. That the Agency Board approve loans of \$2,000,000 to the Housing Authority of the City of Santa Barbara and \$284,583 to Artisan Court L.P., using Redevelopment Agency Housing Setaside funds, appropriate these amounts from the Agency's housing fund unappropriated reserves, approve subordination of the loans to the construction financing and regulatory agreements required under the tax credit program, if required, and authorize the Executive Director or Deputy Director to execute loan agreements and related documents in a form approved by Agency Counsel;
- B. That the Agency Board approve amending the terms of the Agency's 2006 site acquisition loan of \$2,000,000 to the Housing Authority so that the terms of the existing Agency loan are made consistent with the terms of the new Agency loan and to approve subordination of the existing loan to the construction financing and regulatory agreements required by the tax credit program, if required, and authorize the Executive Director or Deputy Director to execute the required documents in a form approved by Agency Counsel;
- C. That Council approve a loan of \$915,417 of federal Home Investment Partnerships Program (HOME) funds to Artisan Court L.P. and authorize the Community Development Director to execute a loan agreement and related documents in a form approved by the City Attorney;
- D. That Council and the Agency Board adopt, by reading of title only, A Joint Resolution of the Council of the City of Santa Barbara and the Redevelopment Agency of the City of Santa Barbara Finding that the Use of Redevelopment Agency Housing Setaside Funds for Development of Affordable Housing Located Outside the Central City Redevelopment Project Area (CCRP) at 416-424 East Cota Street Will Be of Benefit to the CCRP;

(Cont'd)

14. (Cont'd)

- E. That Council and the Agency Board approve the subordination of their affordability control covenant to the lien of the construction lender and to regulatory agreements required under the tax credit program, and make the finding that there is no reasonably available and economically feasible alternative for financing this project without subordination of the affordability control covenant; and
- F. That the Agency and Council take the above actions subject to the condition that Artisan Court L.P. receives approval of a commitment of low income housing tax credits according to their application to the California Tax Credit Allocation Committee dated June 9, 2009.

Documents:

- July 21, 2009, report from the Community Development Director/Agency Deputy Director.
- Proposed Resolution.

The title of the resolution was read.

Speakers:

- Staff: Housing Programs Supervisor Steven Faulstich, Community Development Director/Agency Deputy Director Paul Casey.
- Housing Authority of the City of Santa Barbara: Deputy Executive Director Rob Fredericks.

Motion:

Council/Agency members House/Horton to approve the recommendations; City Council Resolution No. 09-065 and Agreement No. 23,159; Redevelopment Agency Resolution No. 1016 and Agreement Nos. 519 and 520.

Vote:

Unanimous roll call vote.

15. Subject: Loan For Mom's Place Affordable Housing Project Sponsored by Transition House At 421 East Cota Street (660.04)

Recommendation: That the City Council and Redevelopment Agency Board take the following actions regarding the proposed "Mom's Place" affordable housing project at 421 East Cota Street to be developed by Mom's L.P. using a new City loan of \$680,000:

- A. That Council approve a loan of \$680,000 of federal Home Investment Partnerships Program (HOME) funds to Mom's L.P. and authorize the City Administrator or Community Development Director to execute a loan agreement and related documents in a form approved by the City Attorney;

(Cont'd)

15. (Cont'd)

- B. That Council approve funding the proposed new HOME loan subject to the condition that Mom's L.P. receives low income housing tax credits and state loan funds, or other comparable financing as approved by staff and the City Attorney;
- C. That the Agency Board approve amending the Agency's 1999 acquisition loan and 2009 predevelopment loan to Transition House so that the terms of the existing loans are consistent with the proposed new HOME loan, approve assigning the two existing Agency loans to Mom's L.P., and authorize the Executive Director or Deputy Director to execute the required documents in a form approved by Agency Counsel;
- D. That the Agency Board approve subordination of the Agency loans to a new bridge loan, to a new permanent loan from the State of California, and to the regulatory agreements and covenants required under the Low Income Housing Tax Credit Program and the state's Supportive Housing Program, and authorize the Executive Director or Deputy Director to execute required documents in a form approved by Agency Counsel; and
- E. That Council and the Agency Board approve a new replacement affordability control covenant with Mom's L.P. covering all 16 units and approve subordination of the covenant to the liens of the bridge loan and the state's loan and to regulatory agreements and covenants required under the Low Income Housing Tax Credit Program and the state's Supportive Housing Program, make the finding that there is no reasonably available and economically feasible alternative for financing this project without subordination of the affordability control covenant, and authorize the City Administrator or Community Development Director to execute required documents in a form approved by the City Attorney.

Documents:

July 21, 2009, report from the Community Development Director/Agency Deputy Director.

Speakers:

- Staff: Project Planner Simon Kiefer.
- Transition House: Executive Director Kathleen Baushke.

Motion:

Council/Agency members Falcone/House to approve the recommendations; City Council Agreement No. 23,160.

Vote:

Unanimous voice vote.

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

### **FINANCE DEPARTMENT**

16. Subject: Proposed New Business Sector Trash And Recycling Rates (630.01)

Recommendation: That Council:

- A. Receive a report on the outreach provided to the business sector on the new proposed rates for trash, recycling, greenwaste and foodscraps collection services; and
- B. Direct staff to initiate the noticing process per Proposition 218 requirements and schedule a public hearing at City Council in October 2009 regarding new Business Trash and Recycling Rates.

Documents:

- July 21, 2009, report from the Finance Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Assistant Finance Director Robert Samario, Environmental Services Supervisor Stephen MacIntosh.
- Member of the Public: Steve Hyslop, Greater Santa Barbara Lodging and Restaurant Association.

Councilmember Francisco left the meeting at 3:29 p.m. and returned at 3:37 p.m.

Motion:

Councilmembers Horton/Williams to approve recommendation B.

Vote:

Unanimous voice vote.

## **COUNCIL AND STAFF COMMUNICATIONS**

Information:

Councilmember Falcone reported on her attendance at a summit sponsored by the League of California Cities regarding the issues of California state governance and fiscal reform.

**CHANGES TO THE AGENDA**

Item Removed From Agenda

The following item was removed from the agenda due to withdrawal of the related appeal:

- 13. A City Council site visit is scheduled for Monday, July 27, 2008, at 1:30 p.m. to the property located at 3750 Meru Lane, which is the subject of an appeal hearing set for July 28, 2009, at 2:00 p.m.

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 4:11 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

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

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