



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING April 12, 2011 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:02 p.m. (The Finance Committee met at 12:30 p.m. The Ordinance Committee, which ordinarily meets at 12:30 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Dale Francisco, Frank Hotchkiss, Grant House, Randy Rowse, Michael Self, Bendy White, Mayor Schneider.

Councilmembers absent: None.

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

CEREMONIAL ITEMS

1. Subject: Letter Of Recognition Declaring Paul J. Willis Poet Laureate For The City Of Santa Barbara (120.04)

Action: Letter of Recognition presented to Poet Laureate Paul J. Willis.

2. Subject: Employee Recognition - Service Award Pins (410.01)

Recommendation: That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through April 30, 2011.

Documents:

April 12, 2011, report from the Assistant City Administrator/Administrative Services Director.

(Cont'd)

2. (Cont'd)

Speakers:

Staff: Award Recipient Karen Ramsdell, City Administrator James Armstrong.

By consensus, the Council recognized the following employees:

5-Year Pin

Hillary Allen, Administrative Specialist, Finance
Thomas Churpek, Firefighter, Fire
Anthony Lamarca, Firefighter, Fire
Tia Rodriguez, Firefighter, Fire
Moses Romo, Firefighter, Fire
Craig Stuart, Firefighter, Fire
Aaron Vaughn, Firefighter, Fire
Sandra Tinsley, Library Assistant I, Library
George Gonzales, Grounds Maintenance Worker II, Parks and Recreation
Andrew Bermond, Associate Planner, Airport

10-Year Pin

Marcos Mendoza, Grounds Maintenance Worker II, Parks and Recreation

15-Year Pin

Carol Lupo, Executive Assistant, Fire
Cindy Leyva, Administrative Specialist, Parks and Recreation

20-Year Pin

Vidal Gonzalez, Streets Maintenance Worker II, Public Works
Hector Balboa, Streets Maintenance Worker II, Public Works
Jose Medina, Custodian, Public Works
Louis Gutierrez, Wastewater Collection System Lead Operator, Public Works
Kenneth Brown, Parks Supervisor, Parks and Recreation

30-Year Pin

Marko Mendoza, Animal Control Officer, Police

35-Year Pin

Karen Ramsdell, Airport Director, Airport

PUBLIC COMMENT

Speakers: Robert Livernois; Jeanne Kahre; Carl Hightower; Barbara Primeau; Paul Primeau; Gary Richard Arnold; Anthony J. Huder; Wanda Livernois; AIE, the person; Tony Vassallo; Christy Haynes, Youth Violence Prevention & Intervention Committee and Domestic Violence Solutions; Geof Bard, California Public Policy and Citizen Participation; Susan Love; Jacqueline Inda; Erica Cortez; Joe Sanchez; JP Nevada; Miguel Molina; Patty Moreno.

CONSENT CALENDAR (Item Nos. 3 – 13)

The titles of the ordinance and resolutions related to the Consent Calendar were read.

Motion:

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

Vote:

Unanimous roll call vote.

3. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the adjourned regular and regular meetings of March 15, the adjourned regular meeting of March 21, and the regular meetings of March 22, and March 29, 2011.

Action: Approved the recommendation.

4. Subject: Donation Of Firefighting Equipment To The Fire Department By The Santa Ynez Band Of Chumash Indians Foundation (330.05)

Recommendation: That Council accept the donation of rescue and safety equipment from the Santa Ynez Band of Chumash Indians Foundation to the City of Santa Barbara Fire Department, valued at approximately \$50,000.

Documents:

April 12, 2011, report from the Fire Chief.

Speakers:

- Staff: Fire Chief Andrew DiMizio.
- Santa Ynez Band of Chumash Indians: Tribal Chairman Vincent Armenta.

Action: Approved the recommendation.

5. Subject: Adoption Of Sign Ordinance Revisions (640.02)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Sections 22.70.020, 22.70.030, and 22.70.040 of the Santa Barbara Municipal Code Relating to Sign Regulations.

Action: Approved the recommendation; Ordinance No. 5549 (April 4, 2011, email communications from Nancy Ransohoff, Catherine Robson, Sue Sadler-Pare', Anne MacDermott, Jeannette Webber, Arnie Cooper, Deanna and George Gregg, Arlene L. Warynick, Romani Reavley, Mariah Moon, Raylene and Jon Crawford, Cheryl Rogers, Susan Mellor, Mary Zeldis, Caroline Tesiorowski, Barbara S. Lindemann).

6. Subject: Records Destruction For Administrative Services 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 Administrative Services Department in the City Clerk's Office and Human Resources Division.

Documents:

- April 12, 2011, report from the Assistant City Administrator/Administrative Services Director.
- Proposed Resolution.

Speakers:

Members of the Public: Kate Smith.

Action: Approved the recommendation; Resolution No. 11-019.

7. Subject: Records Destruction For Parks And Recreation 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 Parks and Recreation Department in the Administration, Parks, and Recreation Divisions.

Action: Approved the recommendation; Resolution No. 11-020 (April 12, 2011, report from the Parks and Recreation Director; proposed resolution).

8. 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 Administrative Services, Patrol, and Chief's Staff Divisions.

Action: Approved the recommendation; Resolution No. 11-021 (April 12, 2011, report from the Chief of Police; proposed resolution).

9. Subject: Contract For Design For The Firestone Road Drainage Project (530.04)

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Tartaglia Engineering (Tartaglia) in the amount of \$46,430 for design services for the Firestone Road Drainage Project, and authorize the Public Works Director to approve expenditures of up to \$4,600 for extra services of Tartaglia that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Contract No. 23,753 (April 12, 2011, report from the Public Works Director).

10. Subject: Berthing Policy-Designated Commercial Fishing Slips (570.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Establishing a Slip Occupancy Policy for Designated Commercial Fishing Slips in Santa Barbara Harbor and Repealing Resolution 07-041.

Action: Approved the recommendation; Resolution No. 11-022 (April 12, 2011, report from the Waterfront Director; proposed resolution).

11. Subject: Adult Softball League Services Agreement With Major League Softball (570.06)

Recommendation: That Council authorize the Parks and Recreation Director to execute a two-year agreement with Major League Softball, Inc. (MLS), to perform adult softball league services.

Action: Approved the recommendation; Agreement No. 23,754 (April 12, 2011, report from the Parks and Recreation Director).

NOTICES

12. The City Clerk has on Thursday, April 7, 2011, 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.
13. Cancellation of the Redevelopment Agency Board meeting of April 12, 2011, due to lack of business.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dale Francisco reported that the Committee met to discuss the Employee Mortgage Loan Assistance Program. He stated that the Committee recommended that the program be discontinued; this recommendation will be submitted to the full Council for consideration in the near future.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

14. Subject: Measure A Five-Year Local Program Of Projects For Fiscal Years 2012-2016 (670.05)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the Measure A Five-Year Local Program of Projects for Fiscal Years 2012 - 2016.

(Cont'd)

14. (Cont'd)

Documents:

- April 12, 2011, report from the Public Works Director.
- Proposed Resolution.
- PowerPoint presentation prepared and made by Staff.
- April 12, 2011, letter from Paula Westbury.

The title of the resolution was read.

Speakers:

Staff: Principal Civil Engineer John Ewasiuk, Transportation Manager Browning Allen.

Motion:

Councilmembers House/Rowse to approve the recommendation; Resolution No. 11-023.

Vote:

Unanimous roll call vote.

15. Subject: State Route 225 Relinquishment Update (680.04)

Recommendation: That Council:

- A. Receive an update on the State Route (SR) 225 Relinquishment; and
- B. Provide direction to staff regarding the SR 225 Relinquishment.

Documents:

- April 12, 2011, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Public Works Director Christine Andersen.
- Members of the Public: E.J. Borah, representing Assemblymember Das Williams; Iya Falcone; Tom Ochsner; Natalie Ochsner; Derrik Eichelberger; Dennis Thompson; Wayne Tustin; John Kelley; Jeff King, Mesa Architects; David Van Hoy; Lesley Wiscomb; Alex Pujo; Michael Conaway; Je Goolsby.

Motion:

Councilmember House/Mayor Schneider to direct staff to:

1. Move forward with the State Route 225 relinquishment;
2. Focus on the liability concerns outlined by the City Attorney in staff's report; and
3. Aggressively pursue other funding sources for and negotiations on the one-time costs upon relinquishment, while continuing to work with Caltrans staff and the City's state legislator in obtaining a more reasonable financial structure.

Vote:

Majority voice vote (Noes: Councilmembers Hotchkiss, Self).

RECESS

5:08 p.m. - 5:24 p.m. City Administrator James Armstrong was absent when the meeting reconvened. Assistant City Administrator Paul Casey was in attendance for the remainder of the meeting.

PUBLIC HEARINGS

16. Subject: Appeal Of The Planning Commission Denial Of A Storefront Collective Dispensary Permit For 2915 De La Vina Street (640.07)

Recommendation: That Council deny the appeal and uphold the decision of the Planning Commission to deny a Storefront Dispensary Permit for the existing dispensary at 2915 De la Vina Street.

Documents:

- April 12, 2011, report from the Assistant City Administrator/Community Development Director.
- Affidavit of Publication.
- PowerPoint presentation prepared and made by Staff.
- April 7, 2011, letter from Attorney Gilbert Gaynor, representing the Appellant.
- April 8, 2011, additional declaration submitted by the Appellant.
- April 12, 2011, supplemental declaration submitted by the Appellant.
- April 12, 2011, letters submitted by H. Darion, Kathleen E. Peterson, and Paula Westbury.

Public Comment Opened:
5:25 p.m.

Speakers:

- Staff: Associate Planner Daniel Gullett, Police Captain Armando Martel, Senior Planner II Danny Kato, City Attorney Steve Wiley.
- Planning Commission: Commissioner Michael Jordan.
- Appellant: Attorney Gilbert Gaynor, Patrick Fourmy.
- Members of the Public: Emma-Jane Huerta, Iyengar Yoga Studio of Santa Barbara; Tony Vassallo; Jane Copelan; Allan Dougherty; Paul Nolan; Lee Carter; Haley Darla; Mona Mansfield-Erhardt; Paul Till.

Public Comment Closed:
6:58 p.m.

Motion:

Councilmembers Rowse/Self to deny the appeal and direct the City Attorney's Office to return to Council in three weeks with a findings resolution.

Vote:

Majority voice vote (Noes: Councilmember House, Mayor Schneider).

CHANGES TO AGENDA

Assistant City Administrator Paul Casey stated that the following item was being removed from the agenda:

17. Subject: Conference With Labor Negotiator (440.05)

Recommendation: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristy Schmidt, Employee Relations Manager, regarding negotiations with General, Treatment and Patrol, and Supervisory bargaining units and regarding discussions with unrepresented management about salaries and fringe benefits.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

ADJOURNMENT

Mayor Schneider adjourned the meeting at 7:48 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST:

CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER