



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING October 2, 2012 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:00 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 Schneider.

### ROLL CALL

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

Councilmembers absent: None.

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

### CEREMONIAL ITEMS

- 1. Subject: Proclamation Declaring October 5, 2012, As California Arts Day And October 2012 As National Arts And Humanities Month (120.04)**

Action: Proclamation presented to Ginny Brush, Santa Barbara County Arts Commission Executive Director.

- 2. Subject: 2012 Annual Charitable Giving Campaign (170.01)**

Recommendation: That Council receive a report from the Chairperson on the City's 2012 Annual Charitable Giving Campaign.

Documents:

October 2, 2012, joint report from the Fire Chief and Waterfront Director.

(Cont'd)

**2. (Cont'd)**

Speakers:

- Staff: Fire Chief Andy DiMizio, Waterfront Director Scott Riedman.
- United Way of Santa Barbara County: Courtney Tarnow, Fun in the Sun Coordinator.

By consensus, the Council received the report.

**3. 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 October 31, 2012.

Documents:

October 2, 2012, report from the Assistant City Administrator/  
Administrative Services Director.

Speakers:

Staff: City Administrator James Armstrong.

By consensus, the Council approved the recommendation, and the following employees were recognized:

5-Year Pin

John Forner, Finance  
Betsy Teeter, Community Development  
John Ingram, Police  
Tomas Alferez, Public Works  
Gillian Casso, Library  
Lynn Houston, Airport

10-Year Pin

Katharina Carls, Administrative Services  
Andrew Allen, Library

15-Year Pin

Paul Casey, City Administrator's Office  
Linda Dunn, Community Development  
Ann Marx, Fire  
Winther Martinez, Public Works

Ricardo Venegas, Parks and Recreation

20-Year Pin

Monica Broumand, Waterfront

25-Year Pin

Steven Robles, Police  
Juanita Smith, Police  
Robert Tait, Public Works  
Gregory Lowe, Waterfront

## **CHANGES TO THE AGENDA**

### Item Removed from Agenda

City Administrator James Armstrong stated that the following item was being removed from the agenda:

#### **12. 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 the Police Management Association and the Fire Management Association, and regarding discussions with certain unrepresented managers about salaries and fringe benefits.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

## **PUBLIC COMMENT**

Speakers: Kenneth Loch, Karl Wagner, Steve Price, K8 Longstory.

## **RECESS**

2:30 p.m. – 3:01 p.m.

## **PUBLIC COMMENT (CONT'D)**

Speakers: Richard Robinson.

## **CONSENT CALENDAR (Item Nos. 4 – 9)**

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

Motion:

Councilmembers Murillo/Hotchkiss to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

**4. Subject: Adoption Of City Reserve Policies (210.01)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Establishing Policies for Reserves for the City's General Fund, Enterprise Funds and Internal Service Funds, and Rescinding Resolution Nos. 95-157 and 99-066.

Action: Approved the recommendation; Resolution No. 12-066 (October 2, 2012, report from the Finance Director; proposed resolution).

**5. Subject: Adoption Of Ordinance For A Lease Agreement With Accurate Aviation Group, Inc. (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 Lease Agreement with Accurate Aviation Group, Inc., at a Monthly Rental of \$6,066 for Two Maintenance Hangars of 3,000 and 3,522 Square Feet, Respectively, 51,548 Square Feet of Ramp Space, and Associated Parking at 101 Cyril Hartley Place, at the Santa Barbara Airport, for Operation of a General Aviation Maintenance Shop.

Action: Approved the recommendation; Ordinance No. 5599; Agreement No. 24,268.

**6. Subject: Authorization Of El Estero Wastewater Treatment Plant Biosolids Conveyor Belt Repair Expenditures (540.13)**

Recommendation: That Council approve emergency Purchase Order No. 77895 in the total amount of \$225,000, which includes a base amount of \$187,000 plus a 20% contingency of \$38,000, for the repair of the El Estero Wastewater Treatment Plant Biosolids Conveyor Belt.

Action: Approved the recommendation (October 2, 2012, report from the Public Works Director).

**7. Subject: Approval Of Benefit Plans Effective January 1, 2013 (430.06)**

Recommendation: That Council:

- A. Approve renewal of the Aetna and Kaiser Permanente medical plans, Delta Dental Plans, Vision Service Plan, Employee Assistance Program (EAP), Flexible Spending Accounts, and Hartford Life and Disability Insurance Plans; and
- B. Authorize the Assistant City Administrator to execute any necessary agreements.

(Cont'd)

**7. (Cont'd)**

Action: Approved the recommendations; Agreement Nos. 24,269 – 24,272 (October 2, 2012, report from the Assistant City Administrator/Administrative Services Director).

**8. Subject: Federal Criminal History Information For Fire Department Emergency Medical Technician (EMT) Certification (520.04)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara for the City of Santa Barbara Fire Department to Have Access to Both State and Federal Criminal History Information for the Purposes of EMT Licensing and/or Certification.

Action: Approved the recommendation; Resolution No. 12-067 (October 2, 2012, report from the Police Chief; proposed resolution).

NOTICES

9. The City Clerk has on Thursday, September 27, 2012, 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**

FINANCE DEPARTMENT

**10. Subject: Fiscal Year 2012 Year-End Results For The General Fund (230.05)**

Recommendation: That Council:

- A. Hear a report from staff regarding the final results of operations, including final reserve balances, for the General Fund for Fiscal Year Ended June 30, 2012; and
- B. Approve the proposed adjustments to Fiscal Year 2012 estimated revenues and appropriations in the General Fund and Capital Outlay Fund as contained in Attachment 2 related to disallowed costs incurred by the former Redevelopment Agency that have to be absorbed by the City, and the transfer of half of the General Fund year-end surplus to the Capital Outlay Fund.

Documents:

- October 2, 2012, report from the Finance Director.
- PowerPoint presentation prepared and made by Staff.

(Cont'd)

**10. (Cont'd)**

Speakers:

Staff: Finance Director Robert Samario, City Administrator James Armstrong.

Motion:

Councilmembers Hotchkiss/Francisco to approve recommendation B.

Vote:

Unanimous voice vote.

**PUBLIC HEARINGS**

**11. Subject: Proposed Historic Resources Element (650.06)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the Historic Resources Element.

Documents:

- October 2, 2012, report from the Assistant City Administrator/Community Development Director.
- Historic Resources Element, dated August 6, 2012.
- Proposed Resolution.
- PowerPoint presentation prepared and made by Staff.
- September 18, 2012, letter from the Santa Barbara Association of Realtors.
- September 25, 2012, letter from the Santa Barbara Museum of Natural History.
- October 1, 2012, letter from Santa Barbara For All.
- October 2, 2012, letter from the Pearl Chase Society.

The title of the resolution was read.

Public Comment Opened:

3:21 p.m.

Speakers:

- Staff: Project Planner Heather Baker, City Planner Bettie Weiss, Senior Planner Jaime Limon.
- Historic Resources Element Task Force: Members Mary Louise Days and Kellam de Forest, Chair Judy Orias, Vice Chair Fermina Murray.
- Planning Commission: Commissioner Bruce Bartlett, Chair Sheila Lodge.
- Historic Landmarks Commission: Chair Philip Suding.

(Cont'd)

## 11. (Cont'd)

### Speakers (Cont'd)

- Members of the Public: Karl Hutterer, Santa Barbara Museum of Natural History; Jarrell Jackman, Santa Barbara Trust for Historic Preservation; Joe Rution; Lisa Plowman, Brian Cearnal and Alex Pujo, Santa Barbara For All; John Johnson, Santa Barbara Museum of Natural History; Paul Hernadi, Citizens Planning Association; John Campanella; Robert Burke.

Public Comment Closed:  
5:20 p.m.

### Motion:

Councilmembers White/House to adopt Resolution No. 12-068 approving the Historic Resources Element, but direct Staff to make the following revisions to the text of the document (additional to those revisions specified in the proposed resolution):

- Definitions; Historic Resource – Eligible: “A historic resource which has been identified by the Historic Landmarks Commission ~~or a historian~~ to meet the criteria for a designated historic resource.”
- Protection of Buildings, Structures, Sites and Features Policy HR2: “. . . as well as the neighborhood and the overall historical character of the city. Assure compatibility of development, ~~and~~ respect for the historical context of historical resources, and consideration of sustainable design alternatives where compatible.”
- Protection of Buildings, Structures, Sites and Features Implementation Action HR2.7: “Continue to adopt measures such as establishment of Historic Districts, ~~density reduction,~~ architectural compatibility, stepping back of buildings within buffer areas, ~~reduced building heights,~~ and other development standards.”
- Protection of Buildings, Structures, Sites and Features Implementation Action HR2.8: To Be Deleted.
- Protection of Buildings, Structures, Sites and Features Implementation Action HR2.10.b: “All development proposed within 250 feet of historic adobe structures, El Presidio de Santa Barbara State Historic Park and areas inclusive of the original footprint of the Presidio and other City Landmarks to be selected may be subject to measures. . .”

### Vote:

Unanimous roll call vote.

## COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

### Information:

- Councilmember Murillo reported on recent meetings of commissions and committees, as follows: 1) A candidates' forum was sponsored jointly by the Santa Barbara Youth Council and the Santa Barbara League of Women Voters; 2) the Transportation and Circulation Committee discussed the relocation of the waterfront beachway near the Mission Creek Bridge project area; and 3) the Parks and Recreation Commission talked about the proposed designation of the Central Library as a City landmark.
- Mayor Schneider commended the Parks and Recreation Department on its receipt of three Santa Barbara Beautiful awards.

## CHANGES TO THE AGENDA

### Item Removed from Agenda

Upon the recommendation of City Attorney Stephen Wiley, the following item was removed from the Agenda:

### **13. Subject: Conference with Legal Counsel - Pending Litigation (160.03)**

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is *Drew Josfan vs. Indochine, et al.*, USDC Case No. CV 09-07904 AHM (PLAx).

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

## ADJOURNMENT

Mayor Schneider adjourned the meeting at 6:59 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

ATTEST:

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HELENE SCHNEIDER  
MAYOR

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