



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING November 18, 2008 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 Board to order at 2:00 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 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 Brenda Alcazar.

### CEREMONIAL ITEMS

1. 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 November 30, 2008.

Documents:

November 18, 2008, report from the Administrative Services Director.

Speakers:

Staff: City Administrator James L. Armstrong.

(Cont'd)

1. (Cont'd)

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

5-Year Pin

Rudolf Livingston, Accounting Manager, Finance

10-Year Pin

Melissa Velasco, Public Safety Dispatcher, Police  
Florencio Herrera, Streets Maintenance Worker I, Public Works

20-Year Pin

Gilbert Cash, Fire Engineer, Fire  
Sheri Markley, Parking Enforcement Officer, Police  
Jose Guerrero, Custodian, Public Works  
Fernando Arroyo, Senior Custodian, Library

25-Year Pin

Gary Pitney, Fire Captain, Fire  
William Rodoracio, Fire Captain, Fire  
Wayne Pederson, Water Distribution Operator/Emergency Services, Public Works

## **CHANGES TO THE AGENDA**

City Administrator James Armstrong recommended that an emergency item related to the Tea Fire, Item No. 22, be added to the Agenda and held prior to the Consent Calendar.

### Item Continued to Future Agenda

Upon the recommendation of City Administrator James Armstrong, the following item was continued to a future agenda:

18. Subject: Capital Improvement Projects First Quarter Report For Fiscal Year 2009 (230.01)

Recommendation: That Council receive, for information only, the Capital Improvement Projects (CIP) First Quarter Report for Fiscal Year 2009.

## **PUBLIC COMMENT**

Speakers: Elizabeth Anderson, Floyd Meyer, Michael Angelides, Kate Smith.

## **BUSINESS CONSIDERED EX AGENDA**

22. Subject: Local Emergency Due To Fire (520.02)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Ratifying the Proclamation of a Local Emergency as Issued by the City Director of Emergency Services and Confirming the City's Request that the Governor of California Proclaim the City of Santa Barbara to be in a State of Emergency.

Documents:

- November 18, 2008, report from the Fire Chief.
- November 18, 2008, PowerPoint presentation prepared and made by staff.
- Proposed Resolution.

The title of the resolution was read.

Speakers:

Staff: City Administrator James Armstrong, Fire Chief Ron Prince, Deputy Police Chief Richard Glaus, Community Development Director Paul Casey, Public Works Director Christine Andersen.

Motion:

Councilmembers House/Horton to approve the recommendation;  
Resolution No. 08-103.

Vote:

Unanimous roll call vote.

## **CONSENT CALENDAR (Item Nos. 2 – 11, 13 and 14)**

The titles of ordinances related to Item Nos. 4 - 6 were read.

Councilmember Horton left the meeting at 3:10 p.m.

Motion:

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

Vote:

Unanimous roll call vote (Absent: Councilmember Horton).

2. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of November 4, 2008 (cancelled due to lack of a quorum).

Action: Approved the recommendation.

3. Subject: Cancellation Of Certain Council And Redevelopment Agency Meetings (120.09)

Recommendation: That Council and the Redevelopment Agency cancel the meetings scheduled for the following dates: January 20, February 17, May 26, July 7, September 1, September 8, December 1, and December 29, 2009, and January 5, 2010.

Action: Approved the recommendation (November 18, 2008, report from the Assistant City Administrator).

4. Subject: Introduction Of Ordinance To Approve Licenses To Southern California Gas Company For The Airport Runway Safety Project (330.08)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a License (Right-of-Way) and an Amendment to Right-of-Way with Southern California Gas Company, to Provide for the Realignment at Santa Barbara Airport of Certain Portions of an Existing Gas Pipeline.

Action: Approved the recommendation (November 18, 2008, report from the Public Works Director; proposed ordinance).

5. Subject: Adoption Of Ordinance To Approve Two Leases To Implement Financing Structure For New And Historic Airline Terminal, Related Facilities And Rental Car Quick Turn Around Facility (330.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Facilities Lease by and Between the Santa Barbara Financing Authority, a Joint Exercise of Powers Agency, as Lessor, and the City of Santa Barbara, a Municipal Corporation, as Lessee, and a Site Lease by and Between the City of Santa Barbara, a Municipal Corporation, as Lessor, and the Santa Barbara Financing Authority, as Lessee, for Property Located at the City of Santa Barbara Municipal Airport, for Concurrent Terms Commencing no Sooner than December 18, 2008, and Ending no Later than August 1, 2045.

Action: Approved the recommendation; Ordinance No. 5468.

6. Subject: Adoption Of The 2008-2010 Police Management Memorandum Of Understanding (440.02)

Recommendation: That Council ratify the Memorandum of Understanding between the City of Santa Barbara and the Santa Barbara Police Management Association for the period of July 1, 2008, through June 30, 2010, by adoption of, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting the 2008-2010 Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara Police Management Association.

Action: Approved the recommendation; Ordinance No. 5469; Agreement No. 22,945.

7. Subject: Approval Of Map And Execution Of Agreements For 320 East Victoria Street (640.08)

Recommendation: That Council approve and authorize the City Administrator to execute and record Parcel Map No. 20,763 for a subdivision at 320 East Victoria Street, finding the Parcel Map in conformance with the State Subdivision Map Act, the City's Subdivision Ordinance, and the Tentative Subdivision Map (and other standard agreements relating to the approved subdivision), and authorize the City Engineer to record a removal document for the Land Development Agreement when the public improvements are complete.

Action: Approved the recommendation; Agreement Nos. 22,946 – 22,948 (November 18, 2008, report from the Public Works Director).

8. Subject: Lease Amendment With Stratman Aero Service, Inc. (330.04)

Recommendation: That Council approve and authorize the Airport Director to execute a Lease Amendment with Stratman Aero Service, Inc., a California Corporation, amending the Premises and Rental provisions of Lease No. 20,369 to adjust the square footage to 83,241 with a proportionate reduction in the rent to \$5,084 per month.

Action: Approved the recommendation; Agreement No. 20,369.1 (November 18, 2008, report from the Airport Director).

9. Subject: Purchase Order For Construction Of Sidewalk At 21 East Anapamu (530.04)

Recommendation: That Council authorize an increase in the reimbursement to Peoples' Self-Help Housing Corporation (PSHH) in the amount of \$31,166 for completed construction services associated with the Anapamu Sidewalk adjacent to the recently completed El Jardin De Las Granadas (Garden).

Action: Approved the recommendation (November 18, 2008, report from the Public Works Director).

10. Subject: Professional Services For Land Use Database (640.01)

Recommendation: That Council authorize the General Services Manager to increase Purchase Order No. 379563 in the amount of \$13,200, to a total of \$34,200, with Diaz and Associates to assist in completing forecasted future land use databases needed for Plan Santa Barbara policy development and environmental review, wastewater pipeline modeling, traffic modeling, and water supply/demand analysis.

Action: Approved the recommendation (November 18, 2008, joint report from the Community Development Director and the Public Works Director.)

11. Subject: Questys Solutions Data Conversion And Software For Building And Safety Records Management Program (640.04)

Recommendation: That Council appropriate \$16,000 from the Capital Outlay Fund to the Community Development Department's Building and Safety Division's budget to purchase Questys Solutions conversion services and software for their Records Management Program.

Action: Approved the recommendation (November 18, 2008, report from the Community Development Director).

Item No. 12 appears in the Redevelopment Agency minutes.

## NOTICES

13. The City Clerk has on Thursday, November 13, 2008, 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.
14. A City Council site visit is scheduled for Monday, November 24, 2008, at 1:30 p.m. to the property located at 1057 Arbolado Road, which is the subject of an appeal hearing set for November 25, 2008, at 2:00 p.m.

This concluded the Consent Calendar.

Councilmember Williams left the meeting at 3:11 p.m.

## **REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Member Iya G. Falcone reported that the Committee met to hear an update on the Police Department building infrastructure and locker room upgrade project and to discuss next steps.

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

### **FINANCE DEPARTMENT**

15. Subject: Update On The Airport Terminal Project And Financing Plan (560.04)

Recommendation: That the Council hear an update on the status of the Airport Terminal Project and financing plan.

Documents:

- November 18, 2008, report from the Finance Director.
- November 18, 2008, PowerPoint presentation prepared and made by staff.

Councilmember Horton returned to the meeting at 3:13 p.m. Councilmember Williams returned to the meeting at 3:19 p.m.

Speakers:

- Staff: Finance Director Robert Peirson, Principal Engineer Owen Thomas.
- Jacobs Consultancy: Dan Ochse.

Discussion:

The presentation was made and questions from Councilmembers were answered.

### **CHANGES TO AGENDA (CONT'D)**

#### **Item Continued to Future Agenda**

Upon recommendation of City Administrator James Armstrong, the following item was continued to a future agenda:

17. Subject: Status Of Conversion Technology Project (630.01)

Recommendation: That Council:

- A. Hear a report from staff on the status of the joint effort between the City of Santa Barbara and the County of Santa Barbara to investigate the feasibility of siting a facility to convert residual municipal solid waste (MSW) into energy at the County-owned and -operated Tajiguas Landfill;
- B. Approve the issuance of a letter of interest, signed by the Mayor, to the Multi-Jurisdictional Solid Waste Task Group's Conversion Technology Sub-Group, conveying the City of Santa Barbara's intent to commit its residual MSW to the proposed conversion technology (CT) facility; and

(Cont'd)

17. (Cont'd)

- C. Approve a cost-sharing arrangement among participating jurisdictions to fund costs associated with the preparation of a request for proposals (RFP) from CT vendors, including the procurement of: (1) a waste characterization study of the MSW currently disposed at Tajiguas Landfill, (2) a geo-technical study of the potential location for a CT facility at Tajiguas, and (3) outside legal counsel to assist in the development of key terms and conditions to be included within the RFP.

## RECESS

4:08 p.m. - 4:15 p.m. Councilmembers Falcone, House and Schneider were absent when the Council reconvened.

## MAYOR AND COUNCIL REPORTS

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

Recommendation: That Council:

- A. Interview applicants to City Advisory Groups; and  
B. Continue interviews to November 25, 2008, at 6:00 p.m.  
(Continued from November 11, 2008)  
(Estimated Time: 4:00 p.m.)

Documents:

- November 18, 2008, report from the Administrative Services Director.
- November 18, 2008, resume submitted by Marcia Sherman.

Speakers:

The following applicants were interviewed:  
Access Advisory Committee:  
Ken McLellan

Councilmembers Falcone and Schneider returned to the meeting at 4:16 p.m.  
Councilmember House returned to the meeting at 4:20 p.m.

Speakers (Cont'd):

Access Advisory Committee (Cont'd):

Kathleen Riel  
James Marston

Architectural Board of Review:

Chava Riley (Ms. Riley stated she is withdrawing her application for the Planning Commission.)  
Christopher Gilliland

(Cont'd)

19. (Cont'd)

Speakers (Cont'd):

Civil Service Commission:

Gabriel Garcia

Creeks Advisory Committee:

Matthew O'Brien

Landon Neustadt

Downtown Parking Committee:

Eric Kelley

Gene McKnight

Matt La Brie

Historic Landmarks Commission:

Fermina B. Murray

Metropolitan Transit District Board:

Michael Self (Ms. Self stated that she is withdrawing her application for the Park and Recreation Commission.)

John Britton

Park and Recreation Commission:

Jeff Hewes

Rosalind R. Amorteguy

W. Scott Burns

Planning Commission:

Sheila Lodge

Rental Housing Mediation Task Force:

Justin Dullum

Marcia Sherman

Sister Cities Board:

Janet Baker

Transportation and Circulation Committee:

Michael Self

Water Commission:

Landon Neustadt

Russell R. Ruiz

Councilmember Schneider advised that the interviews scheduled to take place at the Westside Community Center on Thursday, November 13 at 7:00 p.m. were rescheduled to Thursday, November 20 at 7:00 p.m. Applicants to the Community Center Advisory Committees and the Community Development & Human Services Committee have been notified of the new date.

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

### COMMUNITY DEVELOPMENT DEPARTMENT

16. Subject: Introduction Of Ordinance Temporarily Suspending Certain Hedge Regulations (640.02)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Santa Barbara Municipal Code Chapter 28.87 of Title 28, the City's Zoning Ordinance, in Order to Temporarily Suspend the Application of Certain Provisions of Section 28.87.170 Concerning the Height of Hedges in Required Setbacks and Along the Front Lot Line.

Documents:

- November 18, 2008, report from the Community Development Director.
- November 18, 2008, PowerPoint presentation prepared and made by staff.
- Proposed Ordinance.
- Affidavit of Publication.

Councilmember Falcone left the meeting at 5:45 p.m.

The title of the ordinance was read.

Speakers:

- Staff: Senior Planner Renee Brooke, City Attorney Stephen Wiley.
- Members of the Public: Jim Westby Reed Wilson, Benita Wilson, Jill Kent, Tony Fischer, Attorney representing Mike and Linda Cahill.

Councilmember Falcone returned to the meeting at 5:57 p.m.

Motion:

Councilmembers Williams/House to approve the recommendation.

Substitute Motion:

Councilmembers Williams/House to approve the recommendation with the following revision to Section One of the ordinance: ...with respect to hedges is hereby suspended except for hedges consisting of the bamboo plant:..."

Vote:

Unanimous voice vote.

## **CHANGES TO AGENDA (CONT'D)**

### Item Continued to Future Agenda

By consensus, the following item was continued to a future agenda:

20. 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 General, Treatment and Patrol, Hourly, and Supervisory bargaining units, and regarding salaries and fringe benefits for unrepresented management and confidential employees.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

(Continued from November 11, 2008)

## **PUBLIC COMMENT**

Speakers: SEIU Local 620: Stacy Wilson; Art Derveda, George Green, Mich Sherer and Dave Harris who presented a video of various City employees; Executive Director Walt Hamilton; Charles Christman; Doug Wilson; Stanley Macias; Matt Ward; Jarrett Garcia.

## **RECESS**

6:22 p.m. - 6:51 p.m.

Mayor Blum presiding.

Councilmembers present: Falcone, Francisco, Horton, House, Schneider, Williams, Mayor Blum.

Councilmembers absent: None.

Staff present: City Administrator Armstrong, City Attorney Wiley, Deputy City Clerk Alcazar.

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

### COMMUNITY DEVELOPMENT DEPARTMENT (CONT'D)

21. Subject: Alternative Building Heights Charter Amendment (110.01)

Recommendation: That Council:

- A. Initiate an amendment to City Charter Section 1506 and implementing ordinance with regard to the 60-foot building height allowance for certain commercial zones, and standards for new setbacks; and

21. (Cont'd)

- B. Provide direction to staff and the Ordinance Committee on the provisions to be included in the amendments.

Documents:

- November 18, 2008, report from the Community Development Director.
- November 18, 2008, PowerPoint presentation prepared and made by staff.
- Map of the City indicating existing building height limits submitted by staff.
- Affidavit of Publication.

Speakers:

- Staff: Community Development Director Paul Casey, City Attorney Stephen Wiley.
- Members of the Public: David Pritchett, Santa Barbara County Action Network and himself; Connie Hannah, Santa Barbara League of Women Voters; Lanny Ebenstein; Michael Holliday, American Institute of Architects Government Relations Committee, the Santa Barbara Chamber of Commerce and the United States Green Building Council; Mickey Flacks, Santa Barbara 4 All; Jerry Bunin, Home Builders Association; Sheila Lodge; Bill Mahan, Chairman, Save El Pueblo Viejo Committee; Jim Westby, Save El Pueblo Viejo; Alex Pujo; Betsy Cramer.
- Planning Commission: Commissioners Bruce Bartlett, Charmaine Jacobs and Harwood White Jr.

Motion:

Councilmembers House/Williams to approve recommendation A with direction to staff as outlined in the Council Agenda Report.

Vote:

Failed to carry by voice vote (Ayes: Councilmembers House, Schneider, Williams; Noes: Councilmembers Falcone, Francisco, Horton, Mayor Blum).

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 8:37 p.m. to Monday, November 24, 2008, at 1:30 p.m. at 1057 Arbolado Road.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

ATTEST:

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

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