



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING December 9, 2008 COUNCIL CHAMBER, 735 ANACAPA STREET

---

---

### 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 Finance Committee met at 11:30 a.m. The Ordinance Committee met at 12:00 p.m.)

### 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, City Clerk Services Manager Cynthia M. Rodriguez.

### 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 December 31, 2008.

Documents:

December 9, 2008, report from the Administrative Services Director.

(Cont'd)

1. (Cont'd)

Speakers:

Staff: Award recipients Jaime Limon, Gary Pitney, Rae Rosas, Steven Spencer and Donald Sturtevant, City Administrator James L. Armstrong.

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

5-Year Pin

Michael Brown, Police Officer, Police  
Karen Gumtow, Environmental Services Specialist, Finance

10-Year Pin

George Jimenez, Tree Care Specialist, Parks  
Dave Harris, Automotive/Equipment Technician, Public Works  
Scott Klacking, Police Officer, Police  
John Ledbetter, Principal Planner, Community Development  
Alec Hardy, Senior Network/Application Analyst, Administrative Services  
Nina Johnson, Assistant to the City Administrator, City Administrator's Office

15-Year Pin

Amador Escalante, Sr. Treatment Plant Technician, Public Works  
Alfonso Lopez, Water Distribution Operator, Public Works  
William Sandoval, Automotive/Equipment Technician, Public Works

20-Year Pin

Tony Ruggieri, City TV Production Supervisor, City Administrator's Office

25-Year Pin

Jaime Limon, Senior Planner II, Community Development  
Richard Marshall, Water Distribution Operator Technician, Public Works  
Gary Pitney, Fire Captain, Fire Department  
Rae Rosas, Accounting Assistant, Airport

30-Year Pin

Steven Spencer, Senior Grounds Maintenance Worker, Parks  
Donald Sturtevant, Fire Captain, Fire

2. Subject: Proclamation Declaring December 10, 2008, As Human Rights Day And The 60th Anniversary Of The 1948 Universal Declaration Of Human Rights (120.04)

Action: Proclamation presented to Babatunde Fodayemi and Lee Holzinger.

## **PUBLIC COMMENT**

Speakers: Angela Bell, Scott Wenz, Craig Sheets, Ruben Barajas, Ruth Wilson.

## **CONSENT CALENDAR (Item Nos. 3 – 11 and 15)**

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

Motion:

Councilmembers Horton/Falcone 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 regular meeting of November 18, 2008, the adjourned regular meeting of November 24, 2008, and the regular meeting of November 25, 2008.

Action: Approved the recommendation.

4. Subject: Fiscal Year 2009 First Quarter Interim Financial Statements (250.02)

Recommendation: That Council accept the Fiscal Year 2009 Interim Financial Statements for the Three Months Ended September 30, 2008.

Action: Approved the recommendation (December 9, 2008, report from the Finance Director).

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

Recommendation: That Council 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; Ordinance No. 5472; Agreement Nos. 22,952 and 22,953.

6. 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 Declaring the Continuance of a Local Emergency Due to the Tea Fire.

Action: Approved the recommendation; Resolution No. 08-105 (December 9, 2008, report from the Fire Chief; proposed resolution).

7. Subject: Certification Of The Election Results Of The Official Canvass For The Special Municipal Election Of November 4, 2008 (110.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Certifying the Election Results of the Official Canvass for the Special Municipal Election held in the City on November 4, 2008.

Action: Approved the recommendation; Ordinance No. 5471; Resolution No. 08-106 (December 9, 2008, report from the Administrative Services Director; proposed resolution).

8. Subject: Grant From California Department Of Boating And Waterways For Abandoned Vessel Removal (570.03)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Waterfront Director to Execute an Agreement with the California Department of Boating and Waterways Accepting a \$15,000 Grant for Removal, Storage and Disposal of Abandoned Vessels and Related Hazards to Navigation; and
- B. Increase Fiscal Year 2009 estimated revenue in the amount of \$15,000 and appropriate the funds to the Waterfront Department's Fiscal Year 2009 Capital Budget.

Action: Approved the recommendations; Resolution No. 08-107; Agreement No. 22,954 (December 9, 2008, report from the Waterfront Director; proposed resolution).

9. Subject: Approval Of Proposition 1B Local Streets And Roads Fund Expenditure In The Fiscal Year 2009 City Budget (530.04)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving a \$1,329,833 Proposition 1B Local Streets and Roads Improvement, Congestion Relief, and Traffic Safety Account Funds Expenditure in the City's Fiscal Year 2009 Capital Improvement Program Budget.

(Cont'd)

9. (Cont'd)

Action: Approved the recommendation; Resolution No. 08-108 (December 9, 2008, report from the Public Works Director; proposed resolution).

10. Subject: Approval Of Map And Execution Of Agreements For 222 West Alamar Avenue (640.08)

Recommendation: That Council approve and authorize the City Administrator to execute and record Parcel Map No. 20,771 for a subdivision at 222 West Alamar Avenue, (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.

Action: Approved the recommendation; Agreement Nos. 22,955 and 22,956 (December 9, 2008, report from the Public Works Director; December 9, 2008, letter from Paula Westbury).

11. Subject: Airport Commission Liaison (560.03)

Recommendation: That Council invite the City of Goleta to appoint a non-voting Liaison to attend Airport Commission meetings.

Action: Approved the recommendation (December 9, 2008, report from the Airport Director).

Agenda Item Nos. 12 – 14 appear in the Redevelopment Agency minutes.

## NOTICES

15. The City Clerk has on Thursday, December 4, 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.

This concluded the Consent Calendar.

## **REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Roger Horton reported that the Finance Committee met to review two important topics: 1) Comprehensive Annual Financial Report for the Fiscal Year ended June 30, 2008, which will be presented to Council as Agenda Item No. 17; and 2) Redevelopment Agency Fiscal Year 2009 Capital Program, which will be forwarded to the City Council at a subsequent meeting. The Committee also discussed Fiscal Year 2009 First Quarter Interim Financial Statements for both the City and the Redevelopment Agency; both sets of statements were approved by the Council/Agency as part of this agenda's Consent Calendar.

## **REPORT FROM THE ORDINANCE COMMITTEE**

Ordinance Committee Chair Das Williams reported that the Committee met to discuss the draft ordinance to amend Title 10 of the Municipal Code to allow regulation of the parking of recreation vehicles, which will be forwarded to the City Council with a recommendation for introduction and adoption within the next two weeks.

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

### COMMUNITY DEVELOPMENT DEPARTMENT

16. Subject: Introduction Of Ordinance To Allow For Temporary Occupancy Of Trailers While Rebuilding Homes Damaged Or Destroyed In The Tea Fire (640.04)

Recommendation: That Council introduce and adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Temporarily Amending 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 Dwelling for Those Homes Damaged in the November 2008 Tea Fire.

Documents:

- December 9, 2008, report from the Community Development Director.
- Proposed Ordinance.
- Affidavit of Publication.

The title of the ordinance was read.

Speakers:

- Staff: Community Development Director Paul Casey, City Attorney Stephen Wiley.
- Members of the Public: Llad Phillips, Justin Brown.

Motion:

Councilmembers House/Horton to approve the recommendation.

Vote:

Unanimous voice vote.

## **RECESS**

3:45 p.m. - 3:54 p.m.

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

### FINANCE DEPARTMENT

17. Subject: Comprehensive Annual Financial Report For The Fiscal Year Ended June 30, 2008 (250.02)

Recommendation: That Council:

- A. Receive a report from staff on the Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2008; and
- B. Accept the Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2008.

Documents:

- December 9, 2008, report from the Finance Director.
- December 9, 2008, overhead slide presentation prepared and made by staff.

Speakers:

Staff: Assistant Finance Director Robert Samario.

Motion:

Councilmembers Horton/Schneider to approve Recommendation B.

Vote:

Unanimous voice vote.

18. Subject: Environmental Preferred Purchasing Policy (340.02)

Recommendation: That Council adopt the proposed Environmental Preferred Purchasing Policy to assist City departments in purchasing products and services that minimize the City's impact on the environment.

(Continued from November 25, 2008, Agenda Item No. 11)

Documents:

- December 9, 2008, report from the Finance Director.
- December 9, 2008, overhead slide presentation prepared and made by staff.

Speakers:

Staff: Assistant Finance Director Robert Samario, General Services Manager Bill Hornung, Environmental Services Supervisor Stephen MacIntosh.

Motion:

Councilmembers House/Schneider to approve the recommendation.

Vote:

Unanimous voice vote.

## PUBLIC WORKS DEPARTMENT

19. 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.  
(Continued from November 18, 2008, Agenda Item No. 18)

### Documents:

- December 9, 2008, report from the Public Works Director.
- December 9, 2008, PowerPoint presentation prepared and made by staff.
- December 9, 2008, letter from Paula Westbury.

### Speakers:

Staff: Assistant Public Works Director/City Engineer Pat Kelly.

By consensus, the Council received the report.

## **RECESS**

Mayor Blum recessed the meeting at 5:03 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 20. She stated there would be no reportable action taken during the closed session.

## **CLOSED SESSIONS**

20. 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 City of Santa Barbara v. Joyce Marie Eggers, Trustee of the Living Trust, Santa Barbara Superior Court Case Number 1302955.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

### Documents:

December 9, 2008, report from the City Attorney.

### Time:

5:04 p.m. - 5:24 p.m.

No report made.

## **RECESS**

5:24 p.m. - 6:00 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, City Clerk Services Manager Rodriguez.

## **PUBLIC COMMENT**

No one wished to speak.

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

### PARKS AND RECREATION DEPARTMENT

21. Subject: Tree Preservation And Landscape Plan Maintenance Policies And Enforcement Procedures Recommendations (570.05)

Recommendation: That Council:

- A. Receive a presentation on the Tree Preservation and Landscape Plan Maintenance Policies and Enforcement Procedures Review; and
- B. Refer the proposed revisions to the City's Municipal Code and enforcement procedures related to the protection of trees and the maintenance of landscape plans to the Ordinance Committee for further consideration.

Documents:

- December 9, 2008, report from the Parks and Recreation Director and Community Development Director.
- December 9, 2008, PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Assistant Parks and Recreation Director Jill Zachary, Senior Planner Renee Brooke, City Attorney Stephen Wiley.
- Members of the Public: Kathleen Brown, Tracy Fernandez, Gene Tyburn, Bill Spiewak, Carol Bornstein.

Motion:

Councilmembers Falcone/Williams to approve Recommendation B.

Vote:

Unanimous voice vote.

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 7:20 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

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

ATTEST:

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