



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING June 27, 2006 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 2:00 p.m. (The Finance Committee met at 1:30 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: Brian B. Barnwell, Iya G. Falcone, Grant House, Helene Schneider, Das Williams, Mayor Blum.

Councilmembers absent: Roger L. Horton.

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

### PUBLIC COMMENT

Speakers: Craig Sheets, William Connell, Bob Hansen, Michael Self, Lazarus, Betsy Cramer, Sally Bromfield, Nancy Lynch.

### COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Williams reported on his attendance at the following meetings: 1) the Cachuma Operations & Maintenance Board and Cachuma Conservation Release Board; 2) the National League of Cities Transportation Infrastructure Steering Committee; and 3) the County of Santa Barbara to discuss transfer of development rights.

(Cont'd)

Information (Cont'd):

- Councilmember Schneider congratulated everyone involved with the Solstice event and reported on her attendance at the following meetings: 1) the League of California Cities Environmental Quality Policy Committee; and 2) the joint City Council/Santa Barbara School Districts Ad-hoc Committee regarding recycling efforts.
- Councilmember Falcone reported on her attendance at the League of California Cities Environmental Quality Policy Committee.
- Councilmember Barnwell reported on his attendance at the Central Coast Water Authority meeting.
- Councilmember House spoke about 1) his attendance at a meeting with the County of Santa Barbara on the possibility of the transfer of development rights; and 2) his appreciation to staff, Redevelopment Agency staff and everyone that worked on the Solstice Parade.

**CONSENT CALENDAR (Item Nos. 1 – 19 and 21 – 23)**

The titles of the ordinance and resolution related to Item Nos. 2 and 12 were read.

Motion:

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

Vote:

Unanimous roll call vote (Absent: Councilmember Horton).

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the special meetings of June 8 and 9, 2006, and the regular meeting of June 13, 2006.

Action: Approved the recommendation.

2. Subject: Introduction Of Ordinance - Airport Animal Ordinance (560.01)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the Municipal Code by Amending Section 18.08.170 Pertaining to Animals on Airport Property.

Action: Approved the recommendation (June 27, 2006, report from the Airport Director; proposed ordinance).

3. Subject: Maintenance Agreement - Downtown Organization (530.04)

Recommendation: That Council approve, and authorize the Parks and Recreation Director to execute, an agreement in the amount of \$618,275 with the Downtown Organization (DO) for landscape maintenance, sidewalk cleaning, and general maintenance of surfaces of the 00-1200 blocks of State Street and various cross streets from July 1, 2006, through June 30, 2007.

Action: Approved the recommendation; Agreement No. 22,107 (June 27, 2006, report from the Parks and Recreation Director).

4. Subject: Animal Control Donation (520.05)

Recommendation: That Council:

- A. Authorize the acceptance of an \$8,581 donation from the Deborah K. Oldham Trust of 2001 to the Santa Barbara Police Department's Animal Control Program for maintenance of an Animal Control vehicle for one year; and
- B. Increase estimated Fiscal Year 2007 General Fund revenue by \$8,581 and appropriate the funds to the Police Department's Animal Control Program budget.

Action: Approved the recommendations (June 27, 2006, report from the Chief of Police).

5. Subject: Notice Of Completion For The Granada Garage And Office Building Project (550.05)

Recommendation: That Council accept the work completed by McCarthy Building Companies (McCarthy), Contract No. 21,482, for the Granada Garage and Office Building Project (Granada Garage), Bid No. 3338B, located at 1221 Anacapa Street, for the final contract amount of \$21,499,085.79, including approved changes, and approve filing of a Notice of Completion.

Action: Approved the recommendation (June 27, 2006, report from the Public Works Director).

6. Subject: Contract For Preliminary Design For The Renovation Of Santa Barbara Fire Station No. 1 And Associated Buildings (700.08)

Recommendation: That Council:

- A. Authorize the Public Works Director to negotiate and execute a contract with Kruger Bensen Ziemer Architects, Incorporated (KBZ), in an amount not to exceed \$315,000, for the preliminary design of Santa Barbara Fire Station No. 1 and associated buildings; and

(Cont'd)

6. (Cont'd)

- B. Authorize the Public Works Director to approve expenditures of up to \$31,500 for extra services of KBZ that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Contract No. 22,108 (June 27, 2006, report from the Public Works Director).

7. Subject: Contract For Construction Of Fish Float North Replacement (570.03)

Recommendation: That Council:

- A. Award and authorize the Public Works Director to execute a contract with Cushman Contracting Corporation (Cushman), in their low bid amount of \$395,010, for construction of the Fish Float North Replacement, Bid No. 3464A; and
- B. Authorize the Public Works Director to approve expenditures up to \$39,500 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment.

Action: Approved the recommendations; Contract No. 22,109 (June 27, 2006, report from the Public Works Director).

8. Subject: Encroachment Permit For Use Of Unimproved Portion Of Santa Ynez Street (330.10)

Recommendation: That Council approve and authorize the Public Works Director to execute an Encroachment Permit to Martin N. Munoz, owner of 1424 Salinas Place, Assessor's Parcel Number (APN) 015-223-001, for a new driveway access and appurtenant retaining walls in a certain portion of unimproved Santa Ynez Street.

Action: Approved the recommendation; Agreement No. 22,110 (June 27, 2006, report from the Public Works Director).

9. Subject: Out-Of-City Sewer Service Agreement - 2050 Sycamore Canyon Road (540.13)

Recommendation: That Council approve and authorize the Public Works Director to execute an agreement for Sewer Connection between the City and Kurt Hugh Kimball and Lisa A. Kimball, to provide for City sewer service to 2050 Sycamore Canyon Road (APN 013-170-014).

Action: Approved the recommendation; Agreement No. 22,111 (June 27, 2006, report from the Public Works Director).

10. Subject: Agreements For After-School Recreation Programs And Athletic Field Scheduling And Monitoring (150.05)

Recommendation: That Council:

- A. Approve and authorize the Parks and Recreation Director to enter into three agreements with the Santa Barbara School Districts (SBSD) for After-School Opportunities for Kids (A-OK!), Recreation After-School Program (RAP), and the Junior High After-School Sports program;
- B. Appropriate \$450,159 in expenditures and \$343,374 in revenues to the Parks and Recreation Department Miscellaneous Grant Fund for after-school programs and field scheduling and monitoring; and
- C. Authorize the transfer of \$26,506 in budgeted Fiscal Year 2007 Parks and Recreation Department General Fund expenditure funds to the Parks and Recreation Department Miscellaneous Grant Fund for the Field Scheduling Program budget.

Action: Approved the recommendations; Agreement Nos. 22,112 - 22,114 (June 27, 2006, report from the Parks and Recreation Director).

11. Subject: Agreement For Paratransit Services (510.04)

Recommendation: That Council authorize the Public Works Director to execute an agreement with Easy Lift Transportation, Inc. (Easy Lift), for paratransit services for elderly and mobility impaired persons, in an amount not to exceed \$204,198.25, for Fiscal Year 2007.

Action: Approved the recommendation; Agreement No. 22,115 (June 27, 2006, report from the Public Works Director).

12. Subject: Council Decision And Findings For 1464 La Cima Road (640.07)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Making a Decision and Expressing Certain Findings Concerning an Appeal From a Decision of the City Planning Commission Regarding a Modification to the Required Front Yard at 1464 La Cima Road.

Action: Approved the recommendation; Resolution No. 06-057 (June 27, 2006, report from the Community Development Director; proposed resolution).

13. Subject: Response To The 2005-2006 Civil Grand Jury Report Entitled "Disaster Preparedness - Emergency Public Information" (150.04)

Recommendation: That Council authorize the Mayor to send a letter to the Presiding Judge of the Superior Court in response to the findings and recommendations in the 2005-2006 Civil Grand Jury Report entitled "Disaster Preparedness - Emergency Public Information."

Action: Approved the recommendation (June 27, 2006, report from the Fire Chief).

14. Subject: May 2006 Investment Report (260.02)

Recommendation: That Council accept the May 2006 Investment Report.

Action: Approved the recommendation (June 27, 2006, report from the Finance Director).

15. Subject: Community Promotion Contract For The Santa Barbara Region Chamber Of Commerce To Support Operation Of The Visitor Information Center (180.01)

Recommendation: That Council authorize the Finance Director to execute a Community Promotion contract with the Santa Barbara Region Chamber of Commerce in an amount of \$59,492 to support year-round expenses of the Visitor Information Center.

Action: Approved the recommendation; Contract No. 22,116 (June 27, 2006, report from the Finance Director).

16. Subject: Community Promotion Contract With The Santa Barbara Conference And Visitors Bureau And Film Commission (230.02)

Recommendation: That Council authorize the Finance Director to execute the Fiscal Year 2007 Community Promotion contract with the Santa Barbara Conference and Visitors Bureau in an amount of \$1,434,226 for the term of July 1, 2006, through June 30, 2007.

Action: Approved the recommendation; Contract No. 22,117 (June 27, 2006, report from the Finance Director).

17. Subject: Community Promotion Contract With The Santa Barbara Symphony, Inc., In Connection With The 4th Of July Concert (230.02)

Recommendation: That Council authorize the Finance Director to execute a Community Promotion contract with the Santa Barbara Symphony, Inc., in an amount of \$15,000 for July 1, 2006, through September 30, 2006, for this year's 4th of July concert.

Action: Approved the recommendation; Contract No. 22,118 (June 27, 2006, report from the Finance Director).

18. Subject: Community Promotion Contract With Semana Nautica (230.02)

Recommendation: That Council authorize the Finance Director to execute a community promotion contract for Fiscal Year 2006 with Semana Nautica in an amount of \$3,182 for May 1, 2006, to August 31, 2006.

Action: Approved the recommendation; Contract No. 22,119 (June 27, 2006, report from the Finance Director).

19. Subject: Set A Date For Public Hearing Regarding Planning Commission Approval Of 85 North La Cumbre Road (640.07)

Recommendation: That Council:

- A. Set the date of July 25, 2006, at 6:00 p.m. for hearing the appeal filed by Miriam Flacks, Santa Barbara County Action Network and PUEBLO, of the Planning Commission approval of an application for property owned by Wye Road Properties and located at 85 North La Cumbre Road, Assessor's Parcel No. 057-233-101, R 3/S-D-2 Limited Multiple Residence Zone and Special District 2 Zones, General Plan Designation: Office and General Commerce. The proposed project involves the demolition of all existing site improvements and the construction of a new three-story, nine-unit condominium building; and
- B. Set the date of July 24, 2006, at 1:30 p.m. for a site visit to the property located at 85 North La Cumbre Road.

Action: Approved the recommendations (June 12, 2006, letter of appeal).

Item No. 20 appears in the Redevelopment Agency minutes.

## NOTICES

21. The City Clerk has on Thursday, June 22, 2006, 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.

22. Cancellation of the regular City Council and Redevelopment Agency meetings of July 4, 2006, due to lack of a quorum.
23. Santa Barbara Vector Control District Board recruitment, interview and appointment schedule:
  - A. The City Clerk's Office will accept applications through Friday, July 14, 2006, at 5:00 p.m. to fill a vacancy on the Santa Barbara Vector Control District Board;
  - B. The City Council will conduct interviews of applicants for the unscheduled vacancy on July 25, 2006, at 3:30 p.m. (estimated time); and
  - C. The City Council will make an appointment to fill the vacancy on Tuesday, July 25, 2006.

This concluded the Consent Calendar.

## **REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Member Williams reported that the Committee met to review the May 2006 Investment Report which was approved by the Council as part of the Consent Calendar (Agenda Item No. 14).

Item No. 24 appears in the Redevelopment Agency minutes.

## **RECESS**

2:44 p.m. - 4:05 p.m., during which time the Redevelopment Agency met in joint session with the Metropolitan Transit District Board (Agenda Item No. 24).

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

### **COMMUNITY DEVELOPMENT DEPARTMENT**

25. Subject: General Plan Amendment To Include The Eastern Goleta Valley Within The City's Sphere Of Influence (650.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending the General Plan to Extend the City's Sphere of Influence to Include the Unincorporated Areas of the Eastern Goleta Valley and Pre-zone the Area to Reflect Existing County Zoning and Land Use Designations.

#### Documents:

- June 27, 2006, report from the Community Development Director.
- June 27, 2006, letter from the City of Goleta.
- Proposed Resolution.
- Affidavit of Publication.

(Cont'd)

25. (Cont'd)

The title of the resolution was read.

Public Comment Opened:  
4:06 p.m.

Speakers:

- Staff: Community Development Director Paul Casey.
- Local Agency Formation Commission: Executive Director Bob Braitman.
- Members of the Public: Louie Liuag, West Santa Barbara Committee; Kas Terhorst, Shadow Hills Home Owners Association; Harriett Phillips, Committee for One; Robert Rauch, West Santa Barbara Committee; Roger Svensson, Rancho Santa Barbara Mobile Home Park; Staynun Danley, West Santa Barbara Committee; William R. Gilbert, Committee for One; Herman Pfauter.

Public Comment Closed:  
4:35 p.m.

Motion:

Councilmembers Schneider/Falcone to approve the recommendation;  
Resolution No. 06-058.

Vote:

Unanimous roll call vote (Absent: Councilmember Horton).

## FINANCE DEPARTMENT

26. Subject: Living Wage Administrative Guidelines (800.08)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving Administrative Regulations Necessary to Implement the City's Living Wage Ordinance in Accordance with Santa Barbara Municipal Code Chapter 9.128.

Documents:

- June 27, 2006, report from the Finance Director.
- Proposed Resolution.

The title of the resolution was read.

Speakers:

Staff: Finance Director Robert Peirson.

(Cont'd)

26. (Cont'd)

Motion:

Councilmembers Falcone/Schneider to approve the recommendation;  
Resolution No. 06-059.

Vote:

Unanimous roll call vote (Absent: Councilmember Horton).

## PUBLIC WORKS DEPARTMENT

27. Subject: Contracts For The Airfield Safety Project - Tecolotito And Carneros Creeks Realignment (560.04)

Recommendation: That Council:

- A. Contingent upon the issuance of a Conditional Letter of Map Revision (CLOMR) by the Federal Emergency Management Agency (FEMA), award and authorize the Public Works Director to execute a contract with Whitaker Contractors, Inc., in their low bid amount of \$6,096,029 for construction of the Airfield Safety Project - Realignment of Carneros and Tecolotito Creeks, Bid No. 3474, and approve expenditures of up to \$426,722 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment;
- B. Authorize the Public Works Director to execute a contract with Penfield & Smith in the amount of \$638,329 for construction management services, and approve expenditures of up to \$44,683 for extra services that may result from necessary changes in the scope of work;
- C. Authorize the Public Works Director to execute a contract with URS Corporation in the amount of \$500,329 for construction support services, and approve expenditures of up to \$35,100 for extra services that may result from necessary changes in the scope of work; and
- D. Appropriate \$629,482 from Airport Reserves, in excess of policy requirements, to the Fiscal Year 2007 Airport Capital Fund Budget, to cover costs of construction.

Documents:

June 27, 2006, report from the Public Works Director.

Speakers:

Staff: Supervising Engineer Owen Thomas, City Attorney Stephen Wiley,  
Airport Director Karen Ramsdell.

Motion:

Councilmembers Falcone/House to approve the recommendations;  
Contract Nos. 22,120 - 22,122.

Vote:

Unanimous voice vote (Absent: Councilmember Horton).

28. Subject: Street Sweeping Status Report And Expansion (530.04)

Recommendation: That Council:

- A. Receive a status report on the Street Sweeping Program and approve implementation of the recommended expansions; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Restricting Parking Upon Certain Streets for the Purpose of Street Sweeping.

Documents:

- June 27, 2006, report from the Public Works Director.
- PowerPoint presentation prepared and made by staff.
- Proposed Resolution.

The title of the resolution was read.

Speakers:

- Staff: Transportation Manager Browning Allen, City Administrator James L. Armstrong, Water Resources Manager Steve Mack.
- Creeks Advisory Committee: Mike Jordan, David Pritchett.

Motion:

Councilmembers House/Falcone to approve Recommendation B;  
Resolution No. 06-060.

Vote:

Unanimous roll call vote (Absent: Councilmember Horton).

## RECESS

6:02 p.m. - 6:03 p.m. The Council reconvened in closed session for Agenda Item No. 31.

## CLOSED SESSIONS

31. Subject: Public Employee Appointment (440.05)

Recommendation: That Council hold a closed session, pursuant to Section 54957 of the Government Code to consider a public employee appointment.

Title: Administrative Services Director.

Scheduling: Duration, 20 minutes; anytime.

Report: Anticipated

Documents:

June 27, 2006, report from the City Administrator.

(Cont'd)

31. (Cont'd)

Time:

6:03 p.m. - 6:08 p.m.

## **RECESS**

6:08 p.m. – 6:09 p.m. Councilmembers Falcone and House were absent when the Council reconvened.

Announcement:

City Administrator James L. Armstrong reported that the Council met in closed session for Item No. 31 and stated that the Council approved his recommendation to appoint Marcelo Lopez as the Administrative Services Director.

## **RECESS**

Mayor Blum recessed the meeting at 6:11 p.m. in order for the Council to reconvene in closed session for Item Nos. 29 and 30; City Attorney Wiley stated there would be no reportable action taken during the closed sessions.

Councilmembers Falcone and House were present when the Council reconvened in closed session for Item Nos. 29 and 30.

## **CLOSED SESSIONS (CONT'D)**

Item No. 29 appears in the Redevelopment Agency minutes

30. Subject: Conference With Real Property Negotiator (330.03)

Recommendation: That Council hold a closed session to consider the instructions to staff regarding real property negotiations with Bob Tuler (Radius Group) representing Santa Barbara La Torre, LLC, regarding real property at 104 West Anapamu Street (APN 039-172-003). Instructions to negotiator will direct staff to negotiate the terms of a possible acquisition of the property pursuant to the authority of Section 54956.8 of the Government Code. Negotiations will be conducted by Paul Casey, Community Development Director; Camerino Sanchez, Police Chief; David Gustafson, Housing and Redevelopment Manager; and City Attorney. Under negotiation: possible acquisition terms.

Scheduling: Duration, 30 minutes; anytime

Report: None expected.

Documents:

June 27, 2006, report from the Community Development Director.

(Cont'd)

30. (Cont'd)

Time:

6:49 p.m. - 7:25 p.m.

No report made.

### **ADJOURNMENT**

Mayor Blum adjourned the meeting at 7:25 p.m. in honor of Ray Myerson, George Obern, and Pauline Abbe.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC  
CITY CLERK SERVICES MANAGER

ATTEST:

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

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