



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING December 16, 2003 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 1:00 p.m. The Ordinance Committee, which is ordinarily scheduled to meet at 1:00 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Blum.

ROLL CALL

Councilmembers present: H. P. Fairly, Iya G. Falcone, Gregg A. Hart, Roger L. Horton, Dan B. Secord, Mayor Blum.

Councilmembers absent: Babatunde Fodayemi.

Staff present: City Administrator/Clerk James L. Armstrong, City Attorney Daniel J. Wallace, Deputy City Clerk Brenda Alcazar.

CEREMONIAL ITEMS

1. SUBJECT: LETTER OF RECOGNITION FOR THE CENTENNIAL OF THE WRIGHT BROTHERS' FLIGHT (120.04)

ACTION: Letter of recognition presented to Assistant Airport Director Hazel Johns.

2. SUBJECT: LETTER OF RECOGNITION FOR JOHN PALMINTERI (120.04)

ACTION: Letter of recognition presented to John Palminteri.

CHANGES TO THE AGENDA

ITEMS REMOVED FROM AGENDA

City Administrator James L. Armstrong stated that the following item was removed from the Agenda due to withdrawal of the appeal.

35. SUBJECT: APPEAL OF ARCHITECTURAL BOARD OF REVIEW
PRELIMINARY APPROVAL FOR 1960 MISSION RIDGE ROAD (640.07)

RECOMMENDATION: That Council deny the appeal of Ronald & Catherine Boeddeker and Ted Kenney, and uphold the Architectural Board of Review's decision to grant Preliminary Approval of the proposed additions, and approve the project at 1960 Mission Ridge Road pursuant to the Neighborhood Preservation Ordinance, making the findings in the Council Agenda Report.

Affidavit of Publication - Noticed for 2:00 p.m. Session

City Attorney Daniel J. Wallace stated that the following item was removed from the Agenda:

36. SUBJECT: CONFERENCE WITH LEGAL COUNSEL- PENDING LITIGATION
(160.03)

RECOMMENDATION: That Council hold a closed session to consider anticipated litigation pursuant to subsection (b)(1) of section 54956.9 of the Government Code and take appropriate action as needed. There is significant exposure to litigation: one potential case.

Scheduling: Duration: 10 minutes; anytime

PUBLIC COMMENT

SPEAKERS: No one wished to speak.

CONSENT CALENDAR (Item Nos. 3 – 20, and 22 – 24)

Item No. 21 appears in the Redevelopment Agency minutes.

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

MOTION:

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

VOTE:

Unanimous roll call vote (Absent: Councilmember Folleyemi).

3. SUBJECT: MINUTES

RECOMMENDATION: That Council waive the reading and approve the minutes of the regular meetings of November 25, 2003, and December 2, 2003 (cancelled due to lack of quorum).

ACTION: Approved the recommendation.

4. SUBJECT: AGREEMENT FOR 4TH OF JULY FIREWORKS (230.02)

RECOMMENDATION: That Council authorize the Parks and Recreation Director to negotiate and execute an agreement with Boom Boom Productions in the amount of \$40,000 for the 4th of July, 2004, community fireworks display.

ACTION: Approved the recommendation; Agreement No. 21,230 (December 16, 2003, Park and Recreation Director's report).

5. SUBJECT: NOTICE OF COMPLETION FOR AREA E PAVEMENT PREPARATION (530.04)

RECOMMENDATION: That Council accept the work completed by Lash Construction, Incorporated (Lash), Contract No. 21,073, for Pavement Preparation FY 2003-2004 (Area E), Bid No. 3366, located at various locations as shown on the attached street list, in the final contract amount of \$63,962, including approved changes, and approve filing of a Notice of Completion.

ACTION: Approved the recommendation (December 16, 2003, Public Works Director's report).

6. SUBJECT: AGREEMENTS FOR 1034 EAST CANON PERDIDO STREET (640.08)

RECOMMENDATION: That Council:

- A. Approve and authorize the City Administrator to record Final Map No. 20,668 by Spancrete Group, Inc., a Wisconsin Corporation, for a two-lot subdivision, one of which would be created for the purpose of six (6) residential condominium units;
- B. Approve and authorize the City Administrator to execute and record an Agreement Relating to Subdivision Map Conditions Imposed on Real Property; and
- C. Approve and authorize the City Administrator to execute and record an Agreement for Land Development Improvements.

ACTION: Approved the recommendations; Agreement Nos. 21,231 and 21,232 (December 16, 2003, Public Works Director's report).

7. SUBJECT: AGREEMENT FOR 312 EAST CANON PERDIDO STREET (640.08)

RECOMMENDATION: That Council:

- A. Approve and authorize the City Administrator to record Parcel Map No. 20,675 by Frederick R. Brown and Micholyn Ann Brown, for a one-lot subdivision which would be created for the purposes of two (2) residential condominium units; and
- B. Approve and authorize the City Administrator to execute and record an Agreement Relating to Subdivision Map Conditions Imposed on Real Property.

ACTION: Approved the recommendations; Agreement No. 21,233 (December 16, 2003, Public Works Director's report).

8. SUBJECT: INTRODUCTION OF ORDINANCE FOR AGREEMENTS FOR 1420 - 1436 LAGUNA STREET AND FIRE STATION NO. 3 (640.08)

RECOMMENDATION: That Council:

- A. Approve and authorize the City Administrator to record Final Map No. 20,676 by Capital Pacific Holdings, LLC, a Delaware limited liability company (CPH), for a one-lot subdivision to create 16 residential condominium units plus two (2) rental units attached to two of the condominium units;
- B. Approve and authorize the City Administrator to execute and record an Agreement Relating to Subdivision Map Conditions Imposed on Real Property;
- C. Approve and authorize the City Administrator to execute and record an Agreement for Land Development Improvements;
- D. Introduce, and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving an Easement Agreement and Right of Entry with Capital Pacific Holdings, LLC, a Delaware Limited Liability Company, Owner of the Real Property Located at 1420-1436 Laguna Street, Regarding the City's Grant of a Private Sewer Easement Over a Portion of Fire Station No. 3 Located at 415 East Sola Street; and
- E. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Allowing the Construction of a Public Storm Drain on a Portion of Fire Station No. 3 Located at 415 East Sola Street, and Providing for the Recordation of this Resolution.

ACTION: Approved the recommendations; Agreement Nos. 21,234 and 21,235; Resolution No. 03-103 (December 16, 2003, Public Works Director's report; proposed ordinance; proposed resolution).

9. SUBJECT: INTRODUCTION OF ORDINANCE FOR LEASE AGREEMENT WITH FEDERAL AVIATION ADMINISTRATION (330.04)

RECOMMENDATION: That Council:

- A. Approve and authorize the Airport Director to execute a twenty-year lease agreement with the U. S. Department of Transportation, Federal Aviation Administration (FAA) for 0.721 acre more or less of land for the operation of an Automated Surface Observing System (ASOS), at the Santa Barbara Airport, with no monetary consideration; and
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Lease Agreement Between the City of Santa Barbara and the U.S. Department of Transportation, Federal Aviation Administration, for .0721 Acre More or Less of Land for the Operation of an Automated Surface Observing System (ASOS) at the Santa Barbara Airport.

ACTION: Approved the recommendations (December 16, 2003, Airport Director's report; proposed ordinance).

10. SUBJECT: AGREEMENT WITH COASTAL CONSERVANCY (560.01)

RECOMMENDATION: That Council approve and authorize the City Administrator to execute Amendment No. 3 to Grant Agreement No. 00-070 from the State Coastal Conservancy amending the termination date of the Agreement from March 31, 2004, to August 31, 2004, and the completion date from December 31, 2003, to May 31, 2004.

ACTION: Approved the recommendation; Agreement No. 20,144.3 (December 16, 2003, Airport Director's report).

11. SUBJECT: RENEW ENROLLMENT FOR MAINTENANCE OF MICROSOFT SOFTWARE (170.04)

RECOMMENDATION: That Council:

- A. Find it in the City's best interest to waive the Formal Bid process as provided by Municipal Code 4.52.080(k) and authorize the General Services Manager to issue a purchase order to ASAP Software Express on the terms of the Riverside County Microsoft State and Local Government Enterprise Agreement in an amount not to exceed \$122,613 for City desktop computer software maintenance;

(Cont'd)

11. (Cont'd)

- B. Find it in the City's best interest to waive the Formal Bid process as provided by Municipal Code 4.52.080(k) and authorize the General Services Manager to issue a purchase order in fiscal years 2004-2005 and 2005-2006 with Dell Inc. on the terms of the Riverside County Microsoft State and Local Government Enterprise Agreement in an amount not to exceed \$141,682 per year for City desktop computer software maintenance;
- C. Authorize the General Services Manager to issue Purchase Orders for software maintenance to the identified vendors to cover additional systems acquired on the terms of the Riverside County Microsoft State and Local Government Enterprise Agreement throughout the term of the three (3) year agreement as budgeted; and
- D. Authorize the General Services Manager to approve expenditures up to 5% of the total cost of the Agreement to cover any increases that may result from changes to the list of covered licensed products between City Council approval date and termination of the Agreement.

ACTION: Approved the recommendations (December 16, 2003, Assistant City Administrator's report).

12. SUBJECT: CONTRACT FOR CAMPANIL PUMP STATION ELECTRICAL UPGRADES (540.09)

RECOMMENDATION: That Council:

- A. Authorize the Public Works Director to execute a contract with Carollo Engineers (Carollo) for \$50,400 to provide a contract for the design of electrical upgrades to the Campanil Pump Station; and
- B. Authorize the Public Works Director to approve expenditures to Carollo up to \$5,000 to cover any cost increases that may result from contract change orders for extra work.

ACTION: Approved the recommendations; Contract No. 21,236 (December 16, 2003, Public Works Director's report).

13. SUBJECT: CONTRACT FOR SAN MARCOS LIFT STATION FEASIBILITY STUDY (540.13)

RECOMMENDATION: That Council:

- A. Authorize the Public Works Director to execute a contract with Carollo Engineers (Carollo) for \$30,292 to provide a contract for a feasibility study to assess alternatives for replacing the San Marcos Lift Station; and

(Cont'd)

13. (Cont'd)

- B. Authorize the Public Works Director to approve expenditures to Carollo up to \$3,000 to cover any cost increases that may result from contract change orders for extra work.

ACTION: Approved the recommendations; Contract No. 21,237 (December 16, 2003, Public Works Director's report).

14. SUBJECT: APPROPRIATION OF ADDITIONAL FUNDS TO LIBRARY DEPARTMENT (570.04)

RECOMMENDATION: That Council:

- A. Appropriate \$20,000 to the Fiscal Year 2003-2004 Library Department operating budget from the Carpinteria Library Insurance Trust for the purchase of collection materials for the Carpinteria Branch Library;
- B. Appropriate \$30,480 to the Fiscal Year 2003-2004 Library Department operating budget from the Eleanor d'Arrast Trust for permanent part-time staffing at the Montecito Branch Library;
- C. Appropriate \$225,000 to the Fiscal Year 2003-2004 Library Department operating budget from the Miscellaneous Library Trust for library collection materials and equipment;
- D. Appropriate \$130,000 to the Fiscal Year 2003-2004 Library Department operating budget from the County Fines and Fees Account for branch library operating expenses; and
- E. Appropriate \$240,000 to the Fiscal Year 2003-2004 Library Department operating budget from the County Library Reserve for county branch library operations.

ACTION: Approved the recommendations (December 16, 2003, Library Director's report).

15. SUBJECT: FISCAL YEAR 2004 INTERIM FINANCIAL STATEMENTS FOR THE FOUR MONTHS ENDED OCTOBER 31, 2003 (250.02)

RECOMMENDATION: That Council accept the fiscal year 2004 Interim Financial Statements for the Four Months Ended October 31, 2003.

ACTION: Approved the recommendation (December 16, 2003, Finance Director's report).

16. SUBJECT: DECISION AND FINDINGS FOR ARCHITECTURAL BOARD OF REVIEW APPEALS FOR 594 NORTH HOPE AVENUE (640.07)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the City Council of the City of Santa Barbara Making Findings Related to Its Denial of an Appeal from a Decision of the Architectural Board of Review Concerning 594 N. Hope Avenue.

SPEAKERS:

Staff: Assistant City Attorney Stephen P. Wiley.

DISCUSSION:

Assistant City Attorney Stephen P. Wiley stated that page three of the resolution was revised to be more specific about the CEQA Guidelines; the revised resolution was distributed to the Councilmembers.

ACTION: Adopted the revised resolution; Resolution No. 03-104 (December 16, 2003, Community Development Director's report; proposed resolution; December 15, 2003, letter from Marc Chytilo).

17. SUBJECT: ADOPTION OF ORDINANCE FOR ASSIGNMENT OF LEASE AGREEMENT WITH GEE DUNK CONVENIENCE STORE (330.04)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Consent to Assignment of Lease Agreement No. 19,693 to Boat Launch Mini Mart L.L.C. (Introduced on December 9, 2003)

ACTION: Approved the recommendation; Ordinance No. 5297; Agreement No. 21,238.

18. SUBJECT: ADOPTION OF ORDINANCE FOR LEASE AMENDMENT WITH WEST MARINE PRODUCTS, 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 Lease Amendment With West Marine Products, Inc., Exercising the Three-Year Extension of the Lease Term Through September 20, 2006, and Establishing Terms Upon Which West Marine Will Vacate the Building During the Chandlery Expansion/Waterfront Administrative Offices Construction Project. (Introduced on December 9, 2003)

ACTION: Approved the recommendation; Ordinance No. 5298; Agreement No. 20,637.1.

19. SUBJECT: ADOPTION OF ORDINANCE FOR AGREEMENT FOR LAND DEVELOPMENT IMPROVEMENTS (700.07)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the City Council of the City of Santa Barbara Authorizing the Negotiation and Execution of an Agreement for Land Development (Public) Improvements With S.B. Beach Properties, L.P., and Approving the Scope of Public Improvements to Be Made in Connection With the S.B. Beach Properties Development Project. (Introduced on December 9, 2003)

ACTION: Approved the recommendation; Ordinance No. 5299; Agreement No. 21,239.

20. SUBJECT: ADOPTION OF ORDINANCE FOR LEASE AGREEMENT WITH MCCORMIX CORPORATION (330.04)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Five-Year Lease Agreement with Three Five-Year Options with McCormix Corporation, for the Fuel Dock Facility in the Santa Barbara Harbor. (Introduced on December 9, 2003)

ACTION: Approved the recommendation; Ordinance No. 5300; Agreement No. 21,240.

NOTICES

22. The Mayor recently sent the following advocacy letters expressing the City's position, consistent with the Council adopted Legislative Platform, on pending state or federal legislation (160.02):
- December 3, 2003: Senator McClintock, Governor Schwarzenegger, Assembly Member Jackson; Vehicle License Fee (VLF) backfill appropriations bill.
23. The City Clerk has on Thursday, December 11, 2003, at 3:00 p.m. 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.
24. Cancellation of the regular City Council and Redevelopment Agency meetings of December 23, 2003, and December 30, 2003, at 2:00 p.m. due to the lack of a quorum.

This concluded the Consent Calendar.

FINANCE COMMITTEE REPORT

25. SUBJECT: FINANCE COMMITTEE AGENDA, DECEMBER 16, 2003, 1:00 P.M., IN ROOM 15 FOR CONSIDERATION OF WATER AND WASTEWATER FUND 10-YEAR FINANCIAL PLAN PROJECTIONS (120.03)
26. SUBJECT: REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Gregg Hart reported that the Committee met to discuss the Wastewater Fund 10-Year Financial Plan projections; it will go back to staff and then brought back to Council at a later date.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

INFORMATION:

- Councilmember Secord reported that he was appointed to a task force to discuss issues related to Goleta Beach.
- Councilmember Horton reported on his attendance at a meeting with City of Carpinteria Mayor Weinberg and Councilmember Stein regarding commuter rail.
- Mayor Blum reported that Councilmember Secord represented her in a meeting with a group of people who have a petition for a "Day of the Immigrant"; the request will be placed on a future agenda.

REDEVELOPMENT AGENCY REPORTS

Item No. 27 appears in the Redevelopment Agency minutes.

28. SUBJECT: SUBORDINATIONS FOR REFINANCING OF TRANSITION HOUSE SHELTER AT 434 EAST ORTEGA STREET (660.04)

RECOMMENDATION:

- A. That the Redevelopment Agency Board approve the subordination of an Agency loan for the homeless shelter located at 434 East Ortega Street, owned by Transition House, to a refinanced first trust deed loan;
- B. That Council approve the subordination of a City loan for the homeless shelter located at 434 East Ortega Street, owned by Transition House, to a refinanced first trust deed loan;
- C. That the Redevelopment Agency Board adopt, by reading of title only, A Resolution of the Redevelopment Agency of the City of Santa Barbara Approving the Conditional Subordination of the Affordability Covenant on the Homeless Shelter Located at 434 East Ortega Street and Owned by Transition House to a Refinanced First Trust Deed Loan; and
- D. That Council and the Redevelopment Agency Board authorize the City Administrator and Executive Director to execute the subordination agreements in a form acceptable to the City Attorney and Agency Counsel.

28. (Cont'd)

DOCUMENTS:

- December 16, 2003, report from the Community Development Director/Deputy Director.
- Proposed Redevelopment Agency Resolution.

The title of the resolution was read.

SPEAKERS:

Staff: Project Planner Simon Kiefer.

MOTION:

Council/Agency Members Secord/Fairly to approve the recommendations; Redevelopment Agency Resolution No. 982; Redevelopment Agency Agreement No. 421; City Council Agreement No. 21,241.

VOTE:

Unanimous roll call vote (Absent: Council/Agency Member Folayemi).

Council/Agency Member Falcone left the meeting at 2:32 p.m.

29. SUBJECT: ADOPTION OF ORDINANCE FOR CITY-REDEVELOPMENT AGENCY MULTI-YEAR AGREEMENT (620.01)

RECOMMENDATION:

- A. That Council adopt, by reading of title only, An Ordinance of the City Council of the City of Santa Barbara Approving an Agreement for Public Improvement, Public Transportation, and Administrative and Other Services Between the City of Santa Barbara and the Redevelopment Agency of the City of Santa Barbara for Fiscal Year 2004 Through Fiscal Year 2013, and Authorizing the City Administrator to Execute Said Agreement (introduced on December 9, 2003); and
- B. That the Agency Board adopt, by reading of title only, A Resolution of the Board of the Redevelopment Agency of the City of Santa Barbara Approving an Agreement for Public Improvement, Public Transportation, and Administrative and Other Services Between the Redevelopment Agency of the City of Santa Barbara and the City of Santa Barbara for Fiscal Year 2004 Through Fiscal Year 2013, and Authorizing the Executive Director to Execute Said Agreement.

(Cont'd)

29. (Cont'd)

DOCUMENTS:

- December 16, 2003, report from the Community Development Director/Deputy Director.
- December 11, 2003, memorandum from Assistant Community Development Director/Housing and Redevelopment Manager David Gustafson.
- Proposed City Council Ordinance.
- Proposed Redevelopment Agency Resolution.

The titles of the ordinance and resolution were read.

SPEAKERS:

Staff: Redevelopment Supervisor Brian Bosse, Community Development Director/Deputy Director Paul Casey.

MOTION:

Council/Agency Members Secord/Horton to approve the recommendations; Ordinance No. 5301; City Council Agreement No. 21,242; Redevelopment Agency Resolution No. 983; Redevelopment Agreement No. 422.

VOTE:

Unanimous roll call vote (Absent: Council/Agency Members Falcone, Fodayemi).

30. SUBJECT: CONTRACT FOR GRANADA GARAGE DESIGN (550.05)

RECOMMENDATION: That Council:

- A. Authorize the Public Works Director to negotiate and execute a contract with Watry Design, Incorporated (Watry), in an amount not to exceed \$1,300,000 for the design of the Granada Garage; and
- B. Authorize the Public Works Director to approve expenditures of up to \$130,000 for extra services of Watry that may result from necessary changes in the scope of work.

DOCUMENTS:

December 16, 2003, report from the Public Works Director and the Community Development Director/Deputy Director.

Councilmember Falcone entered the meeting at 2:38 p.m.

(Cont'd)

30. (Cont'd)

SPEAKERS:

- Staff: Principal Civil Engineer John Schoof, City Administrator James L. Armstrong, Public Works Director Anthony Nisich.
- Watry Design, Incorporated: Jon Purinton.

MOTION:

Council/Agency Members Fairly/Secord to approve the recommendations; Contract No. 21,243.

VOTE:

Majority voice vote (Ayes: Council/Agency Members Fairly, Falcone, Horton, Secord, Mayor/Chair Blum; Noes: Council/Agency Member Hart; Absent: Council/Agency Member Fodayemi).

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PARKS AND RECREATION DEPARTMENT

31. SUBJECT: LICENSE AGREEMENT WITH THE SANTA BARBARA SWIM CLUB (330.08)

RECOMMENDATION: That Council:

- A. Approve and authorize the Parks and Recreation Director to execute a license agreement with the Santa Barbara Swim Club for the use of Los Baños del Mar Swimming Pool; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 03-053, Parks and Recreation Schedule of Fees and Charges, to Delete the Fees Established for Santa Barbara Swim Club Programs.

DOCUMENTS:

- December 16, 2003, Parks and Recreation Director.
- Proposed Resolution.

The title of the resolution was read.

SPEAKERS:

- Staff: Recreation Programs Manager Sarah Clayton.
- Santa Barbara Swim Club: Rex Melton, President.

MOTION:

Councilmembers Secord/Fairly to approve the recommendations; Agreement No. 21,244; Resolution No. 03-105.

VOTE:

Unanimous roll call vote (Absent: Councilmember Fodayemi).

POLICE DEPARTMENT

32. SUBJECT: CHANGES TO PARKING VIOLATION PENALTIES AND RELATED FEES RESOLUTION (550.01)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Establishing a Schedule of Parking Violation Penalties and Related Fees, Establishing a New Penalty for SBMC Section 15.16.220 and Rescinding Resolution 03-090.

DOCUMENTS:

- December 16, 2003, report from the Police Chief.
- Proposed Resolution.

The title of the resolution was read.

SPEAKERS:

- Staff: Police Captain Robert Lowry, Parks and Recreation Director Richard Johns, Assistant City Attorney Scott Vincent.
- Members of the Public: Das Williams.

MOTION:

Councilmembers Secord/Hart to approve the recommendation; Resolution No. 03-106.

VOTE:

Unanimous roll call vote (Absent: Councilmember Folayemi).

PUBLIC WORKS DEPARTMENT

33. SUBJECT: AMENDMENT TO 1998 BICYCLE MASTER PLAN (670.04)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending the 1998 Bicycle Master Plan.

DOCUMENTS:

- December 16, 2003, Public Works Director's report.
- December 16, 2003, PowerPoint presentation prepared by staff.
- Proposed Resolution.

The title of the resolution was read.

SPEAKERS:

Staff: Alternative Transportation Planner Drusilla Van Hengel.

(Cont'd)

33. (Cont'd)

MOTION:

Councilmembers Secord/Falcone to approve the recommendation;
Resolution No. 03-107.

VOTE:

Unanimous roll call vote (Absent: Councilmember Fodayemi).

RECESS

3:29 p.m. – 3:43 p.m. City Attorney Daniel J. Wallace was absent. Assistant City Attorney Stephen P. Wiley was present.

34. **SUBJECT: REQUEST FOR TWO 5-YEAR EXTENSION OPTIONS TO MARBORG HAULING CONTRACT (630.01)**

RECOMMENDATION: That Council:

- A. Receive a summary report of MarBorg Industries' (MarBorg) request for two 5-year extension options to their solid waste collection contract (City Contract No. 20,433); and
- B. Direct staff to negotiate with MarBorg and return to Council, based upon the issues identified in this report.

DOCUMENTS:

December 16, 2003, Public Works Director's report.

SPEAKERS:

- Staff: Public Works Director Anthony Nisich, City Administrator James L. Armstrong, Assistant City Attorney Stephen P. Wiley.
- MarBorg Industries: Kelly Astor, Derek Carlson, Mario Borgatello.

MOTION:

Councilmembers Falcone/Secord to approve the recommendations.

VOTE:

Unanimous voice vote (Absent: Councilmember Fodayemi).

RECESS

4:45 p.m. – 6:03 p.m.

Mayor Blum presiding.

Councilmembers present: Fairly, Falcone, Hart, Secord, Mayor Blum.

Councilmembers absent: Fodayemi, Horton.

Staff present: City Administrator/Clerk Armstrong, Assistant City Attorney Scott Vincent, Deputy City Clerk Alcazar.

PUBLIC COMMENT

SPEAKERS: No one wished to speak.

PUBLIC HEARING

37. SUBJECT: APPROVAL OF THE FRANCESCHI PARK MASTER PLAN
(570.05)

RECOMMENDATION: That Council:

- A. Consider the recommendations from the Park and Recreation Commission for approval of the Franceschi Park Master Plan;
- B. Approve the Franceschi Park Master Plan, making the findings contained in the Council Agenda report; and
- C. Direct staff to proceed with implementation of the Franceschi Park Master Plan.

Affidavit of Publication - Noticed for 6:00 p.m. Session

DOCUMENTS:

- December 16, 2003, report from the Parks and Recreation Director.
- November 11, 2003, Final Proposed Franceschi Park Master Plan.
- November 4, 2003, Final Mitigated Negative Declaration.
- December 16, 2003, memorandum from the Parks and Recreation Director.
- December 16, 2003, PowerPoint presentation prepared by staff.
- October 21, 2003, letter and attachments from The Riviera Association.
- November 10, 2003, letter from Price, Postel & Parma, LLP.
- December 4, 2003, letter from Susan Chamberlin.
- December 6, 2003, letter from Joel Michaelson.
- December 10, 2003, letter from the Santa Barbara Conservancy.
- December 10, 2003, letter from Robert P. Miles.
- December 11, 2003, e-mail communication from William Howard Wittausch.
- December 12, 2003, letter from The Riviera Association.
- December 14, 2003, e-mail communication from Richard D. Godfrey.
- December 14, 2003, letter from Carol Bornstein.
- December 15, 2003, e-mail communication from Wendy Hawksworth, Barbara and Alfredo Bonadeo, Susan Chamberlin, Mary O'Toole and Jim Thweatt, Mercedes H. Eichholz, Laura Salvi Morrison, Virginia Linden Comer, and Elly Langer.
- December 15, 2003, letters from Mark Kyriaco, Hal Conklin, and Brigitte Forssell.

(Cont'd)

37. (Cont'd)

DOCUMENTS (Cont'd):

- December 16, 2003, e-mail communication from Susan, Jim and Jamey Billig, Janice G. Cloud, Bonnie Poucher, Elly Bajor, and Mary Blackwood Collier, Ph. D.
- December 16, 2003, letters from David Thomas, Scott Wenz, John Coie, and Philip Channing for Karen Giuffre.
- Affidavit of Publication.

PUBLIC HEARING OPENED:

6:04 p.m.

SPEAKERS:

- Staff: Parks and Recreation Director Richard Johns, Landscape Architect/Project Coordinator Billy Goodnick, Assistant Parks and Recreation Director Jeff Cope.
- Historic Landmarks Commission: Commissioner Philip Suding.
- Members of the Public: Pearl Chase Society: President Barbara Lowenthal, Joan Livingston, Christine Palmer, and Sue Adams. Beverly Sheldon; Sly Kinsel; Krishan Singh; The Riviera Association: Brigitte Forssell, Ann S. Beth, William Stewart, and Dianne Channing; Jim Petrovich, PARC; Susan Billig; Ernestina Franceschi Fenzi; Caren Rager; Philip Channing; Robert Hughes, Franceschi Park Foundation; Joel Fithian; Matt Sanchez, All For One; Maureen Masson; Dianne Karls; Bob Miles; Dennis Kinbrough; Wendy Hawksworth; Jim Lichtman.

RECESS

7:45 p.m. – 7:58 p.m.

SPEAKERS (Cont'd):

- Members of the Public: Susan Chamberlin; John Calder; John Coie; Richard Marcellin; Larry Crandell; Stephanie Larsson; Richard D. Godfrey; Keith Terry, Friendship Baptist; Lynne Coie; Christine Doyle; Mercedes Eichholz; Jim Kahan; Henny Lenny; Pearl Chase Society: Edward Cella, President Barbara Lowenthal.
- Staff: Landscape Architect/Project Coordinator Billy Goodnick, Parks and Recreation Director Richard Johns, Assistant Parks and Recreation Director Jeff Cope.

PUBLIC HEARING CLOSED:

8:51 p.m.

MOTION:

Councilmembers Secord/Hart to approve the recommendations.

VOTE:

Unanimous voice vote (Absent: Councilmembers Fodayemi, Horton).

ADJOURNMENT

Mayor Blum adjourned the meeting at 8:56 p.m.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC
CITY CLERK SERVICES MANAGER

ATTEST:

MARTY BLUM
MAYOR

BRENDA ALCAZAR
DEPUTY CITY CLERK