



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING MAY 25, 2004 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:01 p.m. (The Finance Committee met at 12:00 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: Brian B. Barnwell, Iya G. Falcone, Roger L. Horton, Helene Schneider, Dan B. Secord, Das Williams, Mayor Blum.

Councilmembers absent: None.

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

CEREMONIAL ITEMS

1. SUBJECT: PROCLAMATION DECLARING MAY 26, 2004, AS DAY OF THE YOUNG SCHOLAR (120.04)

ACTION: Proclamation presented to Steve Hicks, President, Scholarship Foundation Board, and Chuck Slosser.

2. SUBJECT: PROCLAMATION DECLARING MAY 22 - 28, 2004, AS SAFE BOATING WEEK (120.04)

ACTION: Proclamation presented to Captain Steve McCullough, Santa Barbara Harbor Patrol, John Luzader and Cathy Corr, representing the United States Coast Guard, and Merle Blasjo and Don Crowder, representing the United States Power Squadron.

3. SUBJECT: LETTER OF RECOGNITION FOR THE MARJORIE LUKE THEATRE (120.08)

ACTION: Letter of Recognition presented to Rod Lathim.

4. SUBJECT: PRESENTATION BY OLD SPANISH DAYS 2004 FIESTA (180.02)

ACTION: Presentation made by Clay Dickens, El Presidente.

PUBLIC COMMENT

SPEAKERS: Justin Mezey and Angie Shaw.

CONSENT CALENDAR (Item Nos. 5 – 14)

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

MOTION:

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

VOTE:

Unanimous roll call vote.

5. SUBJECT: MINUTES

RECOMMENDATION: That Council waive the reading and approve the minutes of the adjourned regular meeting of May 10, 2004, and the regular meeting of May 11, 2004.

ACTION: Approved the recommendation.

6. SUBJECT: MAP AND AGREEMENTS FOR 929 LAGUNA STREET (640.08)

RECOMMENDATION: That Council:

- A. Approve and authorize the City Administrator to record Final Map No. 20,666 by Capital Pacific Holdings, LLC, a Delaware Limited Liability Company, Owner, for five mixed-use 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. 21,409 and 21,410 (May 25, 2004, Public Works Director's report).

7. SUBJECT: CONTRACT FOR RUNWAY 7-25 PAVEMENT OVERLAY DESIGN (560.04)

RECOMMENDATION: That Council:

- A. Authorize the Public Works Director to execute a contract with URS Corporation (URS), in the amount of \$104,464, for design services associated with the Runway 7-25 Pavement Overlay project; and
- B. Authorize the Public Works Director to approve expenditures of up to \$10,400 for extra services of URS that may result from necessary changes in the scope of work.

ACTION: Approved the recommendations; Contract No. 21,411 (May 25, 2004, Public Works Director's report).

8. SUBJECT: TRANSFER OF RUSS MORRISON ACCOUNT TRUST FUNDS TO PARKS AND RECREATION COMMUNITY FOUNDATION (570.05)

RECOMMENDATION: That Council:

- A. Authorize the Finance Director to transfer \$48,536.18, or the balance in the account at the time the transfer is made, from the Miscellaneous Trust Fund, Russ Morrison Account, to the Parks and Recreation Community (PARC) Foundation;
- B. Accept a contribution from the PARC Foundation in the amount of \$17,353 for the Russ Morrison Jr. Golf Program; and
- C. Increase appropriations and estimated revenues in the Fiscal Year 2004 Park and Recreation Department Miscellaneous Grants Fund in the amount of \$17,353 for the Russ Morrison Jr. Golf Program.

ACTION: Approved the recommendations (May 25, 2004, Acting Parks and Recreation Director's report).

9. SUBJECT: ACCEPTANCE OF CONTRIBUTIONS FROM THE PARKS AND RECREATION COMMUNITY FOUNDATION (570.05)

RECOMMENDATION: That Council:

- A. Accept a contribution from the Parks and Recreation Community (PARC) Foundation in the amount of \$40,200 for Parks and Recreation Department programs; and
- B. Increase appropriations and estimated revenues in the Fiscal Year 2004 Parks and Recreation Department Miscellaneous Grants Fund in the amount of \$40,200.

ACTION: Approved the recommendations (May 25, 2004, Acting Parks and Recreation Director's report).

10. SUBJECT: CENTRALIZED MAINTENANCE MANAGEMENT SYSTEM
(530.01)

RECOMMENDATION: That Council:

- A. Find it in the City's best interest to waive the formal bid process, as authorized by Municipal Code 4.52.080 (k), and authorize the City's General Services Manager to execute a software and services agreement with Cartegraph Systems, Inc., in an amount not to exceed \$219,000, for the acquisition and implementation of a centralized maintenance management system for the Parking, Streets Operations, and the Water Resources divisions of the Public Works Department; and
- B. Authorize the City's General Services Manager to issue Change Orders to Cartegraph Systems, Inc., as required, in a total amount not to exceed \$11,000 per year, to cover contingencies associated with changes and upgrades to the system for a period not to exceed four (4) years.

ACTION: Approved the recommendations; Agreement No. 21,412 (May 25, 2004, Assistant City Administrator's report).

11. SUBJECT: ADOPTION OF ORDINANCE FOR LEASE AGREEMENT WITH
OCEANAIRE ELECTRONICS (330.04)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Three-Year Lease Agreement with Two Three-Year Options with Doug Chessmore, Doing Business as Oceanaire Electronics, for a 339 Square-Foot Retail Store at 125 Harbor Way at an Initial Base Rent of \$823 Per Month.

ACTION: Approved the recommendation; Ordinance No. 5318; Agreement No. 21,413.

12. SUBJECT: ADOPTION OF ORDINANCE FOR RIVIERA PARK SPECIFIC
PLAN (650.01)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving Certain Environmental Findings Regarding an Environmental Impact Report and Approving a Statement of Overriding Considerations Under the California Environmental Quality Act, and Enacting an Amendment to Title 28 of the Santa Barbara Municipal Code to Enact a New Chapter, Chapter 28.47, A Specific Plan for the Riviera Campus Property (The "SP-7 Zone"), and to Amend Chapter 22.22 of the Santa Barbara Municipal Code, Pursuant to the Authority of State Government Code Sections 65450 - 65457.

ACTION: Approved the recommendation; Ordinance No. 5319.

NOTICES

13. The City Clerk has on Thursday, May 20, 2004, 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.
14. Cancellation of the regular City Council and Redevelopment Agency meeting of June 1, 2004, due to lack of a quorum.

This concluded the Consent Calendar.

FINANCE COMMITTEE REPORT

15. SUBJECT: SPECIAL FINANCE COMMITTEE AGENDA, MAY 25, 2004, 12:00 P.M., IN ROOM 15 (120.03)
 - A. Fiscal Year 2005 Recommended Budget; and
 - B. April 30, 2004, Investment Report and March 31, 2004, Fiscal Agent Report (See Agenda Item No. 17).

16. SUBJECT: REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dan Secord reported that the Committee reviewed and considered adjustments to the Fiscal Year 2005 Recommended Budget and provided staff with recommendations to be forwarded to the City Council; the Committee also reviewed the April 30, 2004, Investment Report and the March 31, 2004, Fiscal Agent Report which will be presented to the Council (Item No. 17).

17. SUBJECT: APRIL 30, 2004, INVESTMENT REPORT AND MARCH 31, 2004, FISCAL AGENT REPORT (260.02)

RECOMMENDATION: That Council:

- A. Accept the April 30, 2004, Investment Report; and
- B. Accept the March 31, 2004, Fiscal Agent Report.

DOCUMENTS:

May 25, 2004, Finance Director's report.

SPEAKERS:

Staff: Treasury Manager Cynthia Odell.

MOTION:

Councilmembers Secord/Barnwell to approve the recommendations.

VOTE:

Unanimous voice vote.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

INFORMATION:

- Councilmember Horton reported on his attendance at a meeting of the Franklin Center Advisory Committee regarding neighborhood improvements.
- Councilmember Falcone updated the Council on the work of the task force established by the League of California Cities to revise the California Environmental Quality Act to effectuate the building of infill housing.
- Councilmember Williams commented on a discussion held at a meeting of the Creeks Advisory Committee about an initiative by the Public Works Department to abate pollution created by private sewer line connections; he also mentioned recent meetings of various groups that publicized the value of cultural tourism to the City.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PARKS AND RECREATION DEPARTMENT

18. SUBJECT: DOUGLAS FAMILY PRESERVE BUFFER PLAN (570.05)

RECOMMENDATION: That Council:

- A. Approve the Douglas Family Preserve Buffer Plan in concept; and
- B. Direct Staff to incorporate the Buffer Plan into the final Douglas Family Preserve Management Plan.

DOCUMENTS:

- May 25, 2004, Acting Parks and Recreation Director's report.
- May 25, 2004, Equitable Douglas Family Preserve Buffer Concept Proposal prepared by neighbors.

SPEAKERS:

- Staff: Assistant Parks and Recreation Director Jeff Cope, Associate Planner Allyson Biskner, Fire Chief Warner McGrew.
- Members of the Public: Ralph Hyden; Lee Moldaver; Reverend David Bard Greene; Katherine Jankey; Doug Fischer; Pam Rochell; Laura Hout; Lisa Ann Kelly, Dog Pac, Santa Barbara; Larry Severance; Wallie Crosby; Susan Belloni; Brad Taggart; Keith Lawler; Judy Long; Heidi Thorson.

MOTION:

Councilmembers Falcone/Secord to approve the recommendations.

VOTE:

Unanimous voice vote.

RECESS

3:50 p.m. – 4:03 p.m.

PUBLIC HEARINGS

19. SUBJECT: INTRODUCTION OF ORDINANCE FOR LOCAL COASTAL PLAN AND ZONING ORDINANCE AMENDMENTS FOR THE INTERIOR WATERFRONT (650.04)

RECOMMENDATION: That Council:

- A. Hold a public hearing on the proposed Local Coastal Plan and Zoning Ordinance Amendments to revise the HRC zone and to create a new Ocean-Oriented Commercial zone; and
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Municipal Code Title 28 by Amending Chapters 28.21 and 28.22 to Amend the Provisions of the HRC-1 and HRC-2, Hotel and Related Commerce Zones, and Adding a New Chapter, Chapter 28.71, in Order to Establish the OC, Ocean-Oriented Commercial Zone.

DOCUMENTS:

- May 25, 2004, Community Development Director's report.
- Proposed Ordinance.
- May 21, 2004, Staff memorandum transmitting a PowerPoint presentation made during the Planning Commission's consideration of this issue.
- April 22, 2004, letters from Erik Funke and Rob Rossi.
- May 19, 2004, letter from Sonny Castagnola.
- May 21, 2004, letter from William D. Wright.
- May 22, 2004, letter from Joseph Di Bartolomeo.
- May 25, 2004, letters from W. Michael Hackett and Alice Wertheim.
- May 25, 2004, written statement from Catherine McCammon.
- Affidavit of publication.

The title of the ordinance was read.

PUBLIC HEARING OPENED:

4:03 p.m.

(Cont'd)

19. (Cont'd)

SPEAKERS:

- Staff: Project Planner Liz Limón, City Planner Bettie Hennon, City Attorney Stephen P. Wiley.
- Planning Commission: Commissioner Harwood White.
- Members of the Public: Sonny Castagnola; Alice J. Wertheim; Leo F. Blickley; Jim McDonald; David Davis, Wright & Company; Richard Headley; Don Scanlin; Catherine McCammon, League of Women Voters; Naomi Kovacs, Citizens Planning Association; Brian Cearnal.

PUBLIC HEARING CLOSED:

5:10 p.m.

MOTION:

Councilmembers Williams/Falcone to direct Staff to revise the proposed ordinance to: 1) exempt the 8 individually-owned parcels of 5,500 square feet or less from the ordinance requirement for mixed use (the 70/30 ratio), 2) exempt any development application submitted for preliminary review within the six-month period prior to May 25, 2004, for a property within the rezoned area from the ordinance requirement for mixed use (the 70/30 ratio), and 3) apply a dual zoning designation of HRC and OC to the parcel located at 25-27 Mason Street.

VOTE:

Unanimous voice vote.

DISCUSSION:

Staff was directed to prepare the revised ordinance and submit it to Council for introduction.

CHANGES TO THE AGENDA

City Administrator James L. Armstrong announced that the report by Community Development staff covering their proposed budget for Fiscal Year 2005 (Agenda Item No. 20) will be presented at a future date.

RECESS

5:48 p.m. – 6:17: p.m.

Mayor Blum presiding.

Councilmembers present: Falcone, Horton, Schneider, Secord, Mayor Blum.

Councilmembers absent: Barnwell, Williams.

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

PUBLIC HEARINGS (CONT'D)

21. SUBJECT: CONTINUANCE OF APPEAL OF ARCHITECTURAL BOARD OF REVIEW APPROVAL FOR 3501 SEA LEDGE LANE (640.07)

RECOMMENDATION: That Council:

- A. Continue the public hearing to August 24, 2004, at 2:00 p.m., per Appellant's letter dated May 17, 2004; and
- B. Continue the site visit to the property located at 3501 Sea Ledge Lane to August 23, 2004, at 1:30 p.m.

DOCUMENTS:

May 17, 2004, letter from Mindy A. Wolfe.

MOTION:

Councilmembers Secord/Horton to approve the recommendation.

VOTE:

Unanimous voice vote (Absent: Councilmembers Barnwell, Williams).

PUBLIC COMMENT

No one wished to speak.

Councilmembers Barnwell and Williams entered the meeting at 6:18 p.m.

REQUEST FROM THE PUBLIC

22. SUBJECT: PROPOSED CHARTER AMENDMENT REGARDING THE SALARIES OF THE MAYOR AND CITY COUNCIL (110.01)

DOCUMENTS:

- May 4, 2004, letter from Steven A. Amerikaner.
- May 12, 2004, letter from Steven A. Amerikaner.
- May 19, 2004, letter from City Council Compensation Task Force.
- May 20, 2004, letter from Steven A. Amerikaner.

SPEAKERS:

- Members of the public: City Council Compensation Task Force Chair Bill Mahan; George Thurlow, Downtown Organization/Old Town Merchants Association; Tim Allison; Brian Cearnal; Greg Helms, SB CAN; Michael Holliday, American Institute of Architects; Michael Neal Arnold, Santa Barbara Council of Real Estate Appraisers; Joe Armendariz; Lanny Ebenstein; Joe Campanelli, Santa Barbara Contractors Association; Marshall Rose; Steve Cushman, Santa Barbara Chamber of Commerce.

(Cont'd)

22. (Cont'd)

SPEAKERS (Cont'd):

- Members of the Public (Cont'd): Joan M. Livingston, Westside Study Group; Naomi Kovacs, Citizens Planning Association; James Kyriaco; Arthur H. Mankin; Catherine McCammon, League of Women Voters; Pueblo: Harley Augustino, Esther Aguilera, Lucero Márquez, Miguel Ramirez, Gretchen Maglia; Richard Hidalgo.
- Staff: City Attorney Stephen P. Wiley.

MOTION:

Councilmembers Williams/Falcone to direct staff to prepare a ballot measure for the November 2004 ballot and return to the Council in 2 weeks to 1 month.

REVISED MOTION:

Councilmembers Williams/Falcone to direct staff to prepare a charter amendment for consideration in one month.

VOTE:

Unanimous voice vote.

MAYOR AND COUNCIL REPORTS

23. SUBJECT: PROPOSED CHARTER AMENDMENT TO ELIMINATE ARCHITECTURAL BOARD OF REVIEW CITY RESIDENCY REQUIREMENT (COUNCILMEMBER BARNWELL) (110.01)

SPEAKERS:

- Staff: Community Development Director Paul Casey, City Attorney Stephen P. Wiley.
- Planning Commission: Commissioner Bill Mahan.

Councilmember Falcone left the meeting at 7:28 p.m.; Councilmember Falcone entered the meeting at 7:45 p.m.

MOTION:

Councilmembers Barnwell/Schneider to direct the City Attorney to draft a charter amendment to expand the Architectural Board of Review geographical requirements, modeling the Historic Landmarks Commission.

VOTE:

Unanimous voice vote.

PUBLIC HEARING (CONT'D)

The following items were taken together.

20. SUBJECT: FISCAL YEAR 2005 RECOMMENDED BUDGET (230.05)

RECOMMENDATION: That Council:

- A. Continue the public hearing from May 18, 2004, on the Fiscal Year 2005 Recommended Budget;
- B. Hear a report from Community Development and Public Works Department staff covering their respective proposed budgets for Fiscal Year 2005; and
- C. Continue the public hearing to the evening session of today's City Council meeting.

24. SUBJECT: FISCAL YEAR 2005 RECOMMENDED BUDGET (230.05)

RECOMMENDATION: That Council:

- A. Continue the public hearing from the afternoon City Council session on the Fiscal Year 2005 Recommended Budget;
- B. Hear a report from Library and Parks & Recreation Department staff covering their respective proposed budgets for Fiscal Year 2005; and
- C. Continue the public hearing to the Tuesday, June 8, afternoon session, City Council meeting.

DOCUMENTS:

- May 25, 2004, Finance Director's report (Item No. 20).
- May 25, 2004, Finance Director's report (Item No. 24).
- May 25, 2004, PowerPoint presentations made by Community Development and Public Works staff (Item No. 20).
- May 25, 2004, PowerPoint presentations made by Library and Parks and Recreation staff.
- May 25, 2004, booklet titled Value of the Santa Barbara Arts & Crafts Show (SBACS) submitted by Marilyn Liperfido.

PUBLIC HEARING OPENED (Continued from May 18, 2004).

7:46 p.m.

SPEAKERS:

- Staff: Assistant Finance Director Robert Samario, Public Works Director Anthony Nisich, Public Works Administrative Officer Bill McTomney, City Administrator James L. Armstrong.
- Members of the Public: Harley Augustino.

Councilmembers Barnwell and Williams left the meeting at 8:33; Councilmember Barnwell returned at 8:37 p.m.; Councilmember Williams returned at 8:42 p.m.

- 20. (Cont'd)
- 24. (Cont'd)

SPEAKERS (Cont'd):

- Staff: Library Director Carol Keator, City Administrator James L. Armstrong.
- Members of the Public: John Allen, Arts & Crafts Show; Michael Champe; Jeff Kennedy; Don Mac Nevin; Arts & Crafts Show: Shelly Szekely, Lindsay Wahlborg, Hal Wahlborg, Marilyn Loperfido, Harriette Davis; Walter Hamilton, SEIU Local 620, AFL-CIO, Harley Augustino.

Councilmembers Barnwell and Williams left the meeting at 8:59.

DISCUSSION:

Reports from Public Works and Library staff were presented and members of the public spoke to the proposed fee increase for the Arts & Crafts show as well as staffing requirements for Parks and Recreation. Reports by Community Development and Parks and Recreation Department were continued to a future date.

By consensus, the Council continued the public hearing to June 8, 2004.

ADJOURNMENT

Mayor Blum adjourned the meeting at 9:54 p.m.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC
CITY CLERK SERVICES MANAGER

MARTY BLUM
MAYOR

ATTEST: _____
SUSAN TSCHECH
DEPUTY CITY CLERK

ATTEST: _____
BRENDA ALCAZAR
DEPUTY CITY CLERK