



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING April 10, 2007 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 Ordinance Committee met at 12:30 p.m., and the Finance Committee met at 1:00 p.m.)

### PLEDGE OF ALLEGIANCE

Mayor Blum.

### ROLL CALL

Councilmembers present: Brian B. Barnwell, Iya G. Falcone, 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 Susan Tschech.

### CEREMONIAL ITEMS

1. Subject: USS Santa Barbara Plaque Presentation (120.08)

Action: Mayor Blum accepted a plaque commemorating the third USS Santa Barbara Navy ship, donated by Stephen Cannon on behalf of Paul Spampanato.

2. Subject: Proclamation Declaring April 9 - 15, 2007, As National Community Development Week (120.04)

Action: Proclamation presented to Karena Jew, Community Development and Human Services Committee Chair; Kathleen Baushke, Transition House Executive Director; and Mike Foley, Casa Esperanza Executive Director.

Councilmember Williams left the meeting at 2:12 p.m.

3. Subject: Proclamation Declaring April 2007 As Fair Housing Month (120.04)

Action: Proclamation presented to Elizabeth Stotts, City Community Development Programs Specialist.

4. Subject: Proclamation Declaring April 2007 As DMV/Donate Life California Month (120.04)

Action: Proclamation presented to Joe Darga, Ambassador for One Legacy, and Marianne Lopez, representing the Santa Barbara office of the Department of Motor Vehicles.

Councilmember Williams returned to the meeting at 2:19 p.m.

5. Subject: Proclamation Declaring April 2007 As Kite Month (120.04)

Action: Proclamation presented to David Hefferman and Rakesh Bahadur, co-organizers of the Santa Barbara Kite Festival.

## **PUBLIC COMMENT**

Speakers: Kenneth Loch, Michael Self, Bob Hansen, David Homeless, and Andrea Roselinsky.

## **CONSENT CALENDAR (Item Nos. 6 – 13, 16 and 17)**

Motion:

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

Vote:

Unanimous voice vote.

6. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the adjourned regular meeting of March 26, and the regular meeting of March 27, 2007.

Action: Approved the recommendation.

7. Subject: Housing Rehabilitation Loan Program Multifamily Loan And Grant Limits (610.04)

Recommendation: That Council amend the Housing Rehabilitation Loan Program policies to increase the Loan Committee's approval authority for loans and grants for affordable rental units.

(Cont'd)

7. (Cont'd)

Action: Approved the recommendation (April 10, 2007, report from the Community Development Director).

8. Subject: Fiscal Year 2007 Interim Financial Statements For The Eight Months Ended February 28, 2007 (250.02)

Recommendation: That Council accept the Fiscal Year 2007 Interim Financial Statements for the Eight Months Ended February 28, 2007.

Action: Approved the recommendation (April 10, 2007, report from the Finance Director).

9. 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 2007 with Semana Nautica in an amount of \$3,182 for May 1, 2007, to August 31, 2007.

Action: Approved the recommendation; Contract No. 22,402 (April 10, 2007, report from the Finance Director).

10. Subject: Final Community Priority Designation For 500 Niños Drive (640.09)

Recommendation: That Council find that the Santa Barbara Zoological Garden's proposed Master Plan at 500 Niños Drive meets a present need directly related to general welfare, and grant the project a Final Community Priority Designation for 10,000 square feet of floor area.

Action: Approved the recommendation (April 10, 2007, report from the Community Development Director).

11. Subject: Notice Of Completion For The Fish Float North Replacement Project (570.03)

Recommendation: That Council accept the work completed by Cushman Contracting Corporation (Cushman), Contract No. 22,109, for the Fish Float North Replacement Project, Bid No. 3464A, located at the Santa Barbara Harbor, in the final contract amount of \$406,978.80, including approved changes, and approve filing of a Notice of Completion.

Action: Approved the recommendation (April 10, 2007, report from the Public Works Director).

12. Subject: Sole Source Purchase Order For Disposal Fees Associated With The Sanitary Sewer Wet Weather Improvements Project (540.13)

Recommendation: That Council:

- A. Find it in the City's best interest to approve Central Coast Remedial Resources, Inc. (CCRRI) as a vendor to accept the impacted soil from the Sanitary Sewer Wet Weather Capacity Improvements Project, Contract No. 22,207, without bids, as authorized by Municipal Code Section 4.52.080 (k); and
- B. Authorize the General Services Manager to award a Purchase Order Contract to CCRRI in the amount of \$130,859.35, and authorize the General Services Manager to approve expenditures up to \$5,000 to cover any cost increases that may result from extra work.

Action: Approved the recommendations (April 10, 2007, report from the Public Works Director).

13. Subject: Mission Street Bikeway Project Caltrans Contribution Agreement Amendment No. 1 (530.04)

Recommendation: That Council approve Amendment No. 1 to Contribution Agreement No. 21,812 for the Mission Street Bikeway Project, and authorize the Public Works Director to sign said agreement.

Speakers:

Member of the Public: Dale Francisco, Santa Barbara Safe Streets.

Action: Approved the recommendation; Agreement No. 21,812.1 (April 10, 2007, report from the Public Works Director).

Agenda Item Nos. 14 and 15 appear in the Redevelopment Agency minutes.

## NOTICES

- 16. The City Clerk has on Thursday, April 5, 2007, 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.
- 17. A City Council site visit is scheduled for Monday, April 16, 2007, at 1:30 p.m. to the property located at 1533 W. Valerio Street, which is the subject of a public hearing set for April 17, 2007, at 2:00 p.m.

This concluded the Consent Calendar.

## **REPORT FROM THE ORDINANCE COMMITTEE**

Ordinance Committee Chair Iya Falcone reported that the Committee reviewed and approved several revisions to the proposed updated Neighborhood Preservation Ordinance. The Committee will meet one last time to finalize the ordinance amendments in preparation for submittal to Council in the near future.

## **REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Roger Horton reported that the Committee reviewed and forwarded to Council the Interim Financial Statements for the Eight Months Ended February 28, 2007, for both the City and the Redevelopment Agency. The Council approved both sets of statements as part of this Agenda's Consent Calendar (Item Nos. 8 and 15, respectively).

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

### **PUBLIC WORKS DEPARTMENT**

18. Subject: Contracts For Construction Of Airport Airfield Safety Projects (560.04)

Recommendation: That Council:

- A. Award and authorize the Public Works Director to execute a contract with Granite Construction in the amount of \$12,784,917 for construction of the Santa Barbara Municipal Airport Phase I Taxiway B Realignment, East Runway 7-25 Improvements, and Runway 7-25 Relocation Project, and to approve expenditures up to \$894,944 to cover any cost increases that may result from 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 (P&S) in the amount of \$1,313,634 for construction support services, and to approve expenditures up to \$91,954 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 Applied Earthworks in the amount of \$77,698 for archaeological monitoring during construction, and to approve expenditures up to \$7,769 for extra services that may result from necessary changes in the scope of work;
- D. Authorize the Public Works Director to execute a contract with Mead & Hunt (Mead) in the amount of \$85,500 for construction support services, and approve expenditures up to \$8,550 for extra services that may result from necessary changes in the scope of work;

(Cont'd)

18. (Cont'd)

- E. Authorize the Public Works Director to negotiate, and subsequently execute, a Collectible Work Authorization Agreement with Southern California Gas Company (SCGC), subject to approval by the City Attorney as to form, to provide for the relocation of approximately 4,200 feet of sixteen-inch high pressure gas line, with approximately 1,450 feet that runs within the area of SCGC's reservation-of-rights, with contribution by the City in the shared estimate amount of \$507,500, and approve expenditures up to \$50,750 for extra services that may result from necessary changes in the scope of work; and
- F. Increase appropriations and estimated revenue by \$14,549,064 in the Airport Grants Fund for the Runway Safety Area project, to be funded from the FAA Airport Improvement Program (AIP) Grant No. 03-06-0235-35 (\$3,020,113 Entitlement funding and \$10,801,498 Discretionary funding), and the City's 5% matching portion of \$727,453 to be funded from Passenger Facility Charge (PFC) revenues (\$222,260) and Airport reserves above policy (\$505,193).

Documents:

- April 10, 2007, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

Staff: Assistant Airport Director Hazel Johns, Project Engineer Leif Reynolds.

Motion:

Councilmembers Horton/Williams to approve the recommendations; Contract Nos. 22,403 - 22,406 (recommendations A - D) and Agreement No. 22,407 (recommendation E).

Vote:

Unanimous voice vote.

19. Subject: Expansion Of Resident Permit Parking Area L To Include Greenwell Lane (550.01)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Expanding Parking Permit Area "L" in the Hacienda Drive Residential Area to Include Greenwell Lane.

Documents:

- April 10, 2007, report from the Public Works Director.
- Proposed Resolution.

(Cont'd)

19. (Cont'd)

The title of the resolution was read.

Public Comment Opened:  
2:53 p.m.

Speakers:

- Staff: Transportation Manager Browning Allen, City Administrator James Armstrong.
- Members of the Public: Chris Reed, William Jasper, David Hetyonk.

Public Comment Closed:  
3:09 p.m.

Motion:

Councilmembers Williams/Barnwell to approve the recommendation.

This motion was withdrawn.

Motion:

Councilmembers Williams/House to continue this item until the end of August, directing Staff to hold discussions with the residents of both Greenwell Lane and the adjacent area not included in Parking Permit Area "L," to consider the possible establishment of and parameters for a new permit parking area (rather than the expansion of the existing Permit Area "L").

Vote:

Unanimous voice vote.

## **RECESS**

3:42 p.m. – 3:55 p.m.

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

### PUBLIC WORKS DEPARTMENT (CONT'D)

20. Subject: Annual Report On Solid Waste Strategic Plan And Related Programs (630.01)

Recommendation: That Council receive an Annual Report detailing the implementation status of the City of Santa Barbara's Solid Waste Strategic Plan and related solid waste programs.

(Cont'd)

20. (Cont'd)

Documents:

- April 10, 2007, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Public Works Director Anthony Nisich, Water Resources Manager Steve Mack, City Administrator James Armstrong, Environmental Programs Supervisor Stephen MacIntosh, City Attorney Stephen Wiley.
- Allied Waste Services: Thor Schmidt.
- MarBorg Industries: Mario Borgatello.

Motion:

Councilmembers Barnwell/Falcone to direct Staff to convene a meeting of the Solid Waste Subcommittee within 30 days to discuss, with the solid waste haulers, the status of efforts to achieve goals of the Solid Waste Strategic Plan as well as compliance with the franchise contracts, and to return to Council within 90 days with a corresponding presentation.

Vote:

Unanimous voice vote.

## **CHANGES TO THE AGENDA**

### Item Continued to Next Meeting

The Council agreed to continue the following item to its April 17, 2007, meeting:

21. Subject: Conference With Legal Counsel - Anticipated Litigation (160.03)

Recommendation: That Council hold a closed session to consider anticipated litigation pursuant to subsection (b) 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, 20 minutes; anytime

Report: None anticipated

## **RECESS**

5:08 p.m. – 5:14 p.m. Councilmember Falcone was absent when the Council reconvened, having stated earlier that she would not participate in the following item due to a conflict of interest related to her ownership of property located proximate to the subject property.

## **PUBLIC HEARINGS**

22. Subject: Appeal Of Planning Commission Decision For 1443 San Miguel Avenue (640.07)

Recommendation: That Council deny the appeal of Shaun and Pam Rai, Renee and Scott Blair, John and Roberta Lawrence, and Doris Blethrow, and uphold the Planning Commission's decision to approve the Coastal Development Permit for the proposed new residence at 1443 San Miguel Avenue, making the findings in the Council Agenda Report and subject to the Conditions of Approval in Planning Commission Resolution 053-06.

(Estimated Time: 4:00 p.m.)

### Documents:

- April 10, 2007, report from the Community Development Director.
- Affidavit of Publication.
- "Supplemental Information" and "Pictures and Letters of Support," submitted by the Appellants.
- Letters supporting the development proposal, submitted by the Applicant.

### Public Comment Opened:

5:15 p.m.

### Speakers:

- Staff: Planning Technician Susan Gantz, Senior Planner Jan Hubbell.
- Planning Commission: Commissioner George Myers.
- Architectural Board of Review: Chair Mark Wienke.
- Appellant: Doris Blethrow, Pamela Rai, Shaun Rai.
- Applicant: Jill Dumain, Kevin Dumain.
- Members of the Public: Bill Klansek, Mary Jane Headlee, Mike Clevenger, Renée Blair, Michael Brown, Inger Loken Budke, Shirley Russell, Ed Russell, Marty Reitzin, Don Farnsworth, Caz Zimmer (on behalf of Mary Rem), Karon Norton, Michael Holliday, Paul Rupp (on behalf of Kent and Suzy Briggs), Bruce Bartlett, Mark Shields, Sara Weber (on behalf of Pam Riffero), Susan Clevenger (on behalf of Mary O'Flynn), Sue Wuertz, Robert Hurlbett, C. Browne, Jason Vedder.

### Public Comment Closed:

6:36 p.m.

### Motion:

Councilmembers House/Barnwell to approve the recommendation.

### Vote:

Unanimous voice vote (Absent: Councilmember Falcone).

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 6:50 p.m. to Monday, April 16, 2007, at 1:30 p.m. for a site visit to the property located at 1533 W. Valerio Street.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC  
CITY CLERK SERVICES MANAGER

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

ATTEST: \_\_\_\_\_  
SUSAN TSCHECH, CMC  
DEPUTY CITY CLERK