



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING December 6, 2005 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:00 p.m. (The Finance Committee met at 1:00 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, Roger L. Horton, Helene Schneider, Dan B. Secord, Das Williams, Mayor Blum.

Councilmembers absent: None.

Staff present: Assistant City Administrator Joan M. Kent, City Attorney Stephen P. Wiley, Deputy City Clerk Brenda Alcazar.

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, 2005.

Documents:

December 6, 2005, Assistant City Administrator's report.

Speakers:

Staff: Assistant City Administrator Joan M. Kent, Acting Fire Chief Mitch Vaugh.

(Cont'd)

1. (Cont'd)

Action: Approved the recommendation. The following employees were recognized:

25-Year Pin

Mitchell B. Vaughn, Fire Chief, Fire
Richard L. Glaus, Deputy Police Chief, Police
John W. Dutcher, Police Officer, Police

20-Year Pin

Alice J. Karleskint, Public Safety Dispatch Supervisor, Police

15-Year Pin

Susan R. Gonzalez, Human Resources Analyst, Administrative Services
Stephen L. Dal Zuffo, Programmer Analyst, Administrative Services
Patricia A. Vogel, Engineering Technician II, Public Works
Michael E. Kildun, Parking Coordinator, Public Works
Jeffrey L. Nye, Automotive Service Writer, Public Works
Rodolfo Villanueva, Water Treatment Chief Operations, Public Works

10-Year Pin

Mitchell A. Jan, Police Sergeant, Police
Jason T. Valenzuela, Custodian, Public Works

5-Year Pin

Jose L. Rojas, Grounds Maintenance Worker II, Parks & Recreation

2. Subject: Proclamation Declaring Santa Barbara A City Of One (120.04)

Action: Proclamation read.

3. Subject: Proclamation Recognizing Citizens Planning Association & Citizens Planning Foundation's 45th Anniversary

Action: Proclamation presented to Citizens Planning Association President Louise Boucher.

PUBLIC COMMENT

Speakers: Michael Self.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Secord reported on his and Councilmembers Falcone and Barnwell's attendance at the Multi-Jurisdictional Solid Waste Task Force meeting in Solvang; one item on the agenda was the City of Santa Maria's proposal for a new landfill.

(Cont'd)

Information (Cont'd):

- Councilmember Falcone reported that the Multi-Jurisdictional Solid Waste Task Force also discussed a proposed feasibility study for a south coast materials recovery facility, and they heard a report on how a County split would impact solid waste collection.
- Councilmember Horton spoke about a meeting with City of Ventura Deputy Mayor Christy Weir to discuss issues of interest to both Cities, including commuter rail. He also met with members of an organization called SCORE, Counselors to America's Small Business.
- Councilmember Schneider reported on her attendance at a conference sponsored by Housing California, a statewide advocacy group dealing with housing and issues of homelessness, where they are discussing various funding opportunities coming up in Sacramento.
- Councilmember Williams commented on a tour he took of the Victoria Hotel, which is operated by People's Self Help Housing.

CONSENT CALENDAR (Item Nos. 4 – 16)

The titles of the ordinances related to Item Nos. 6 and 12 were read.

Motion:

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

Vote:

Unanimous roll call vote.

4. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the adjourned regular meeting of November 14, 2005, the regular meetings of November 15, 2005, and November 22, 2005, and the regular meeting of November 29, 2005 (cancelled due to lack of a quorum).

Action: Approved the recommendation.

5. Subject: Fiscal Year 2006 Interim Financial Statements For The Four Months Ended October 31, 2005 (250.02)

Recommendation: That Council accept the Fiscal Year 2006 Interim Financial Statements For The Four Months Ended October 31, 2005.

Action: Approved the recommendation (December 6, 2005, Finance Director's report).

(Cont'd)

6. Subject: Introduction of Ordinance For Lease Agreement With The Chandlery (330.04)

Recommendation: That Council:

- A. Approve and authorize the Waterfront Director to execute a five-year lease with one five-year option, with The Chandlery on the Breakwater, Incorporated, for 483 square feet of office space located at 125 Harbor Way, Suites 3, 4 and 5, at a base rent of \$1,304 per month, subject to annual Cost of Living increases; and
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Five-Year Lease With One Five-Year Option, With The Chandlery on the Breakwater, Incorporated, Commencing on February 1, 2006, for 483 Square Feet of Office Space Located at 125 Harbor Way, Suites 3, 4 and 5, at a Base Rent of \$1,304 Per Month, Subject to Annual Cost of Living Increases.

Action: Approved the recommendations (December 6, 2005, Waterfront Director's report; proposed ordinance).

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

Recommendation: That Council:

- A. Authorize the Waterfront Director to execute an agreement with the California Department of Boating and Waterways accepting a \$73,500 grant for the removal of abandoned recreational boats and associated hazards to navigation; and
- B. Increase Fiscal Year 2006 estimated revenue in the amount of \$73,500 and appropriate the funds to the Waterfront Department's Fiscal Year 2006 Capital Budget.

Action: Approved the recommendations; Agreement No. 21,904 (December 6, 2005, Waterfront Director's report).

8. Subject: Contract With MNS Engineers, Incorporated For Sediment Sampling And Analysis (570.03)

Recommendation: That Council:

- A. Authorize the Waterfront Director to execute a professional services contract with MNS Engineers, Inc. (MNS), in the amount of \$20,733 for sediment sampling and analysis in the Santa Barbara Harbor; and
- B. Authorize the Waterfront Director to approve expenditures of up to \$5,183 for extra services of MNS that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Contract No. 21,905 (December 6, 2005, Waterfront Director's report).

9. Subject: Set A Date For Public Hearing Regarding Appeal Of Planning Commission Approval For 1822 San Pascual Street (640.07)

Recommendation: That Council:

- A. Set the date of February 7, 2006, at 2:00 p.m. for hearing the appeal filed by Carolyn Rice and adjacent neighbors of the Planning Commission approval of an application for property owned by San Pascual Cottages, Inc., and located at 1822 San Pascual Street, Assessor's Parcel No. 043-163-013, R-3 Limited Multiple-Family Residence Zone, General Plan Designation: Residential, 12 Units per Acre. The project involves the demolition of an existing single-family residence, an unpermitted unit, garage, and shed, and the construction of 7 new residential condominiums with 15 covered parking spaces. The discretionary application required is a Tentative Subdivision Map; and
- B. Set the date of February 6, 2006, at 1:30 p.m. for a site visit to the property located at 1822 San Pascual Street.

Action: Approved the recommendations (November 21, 2005, letter of appeal).

10. Subject: Notice Of Completion For Sidewalk Repair And Access Ramps (530.04)

Recommendation: That Council accept the work completed by Cinary Construction, Incorporated (Cinary), Bid No. 3412, Contract No. ~~21,669~~ 21,699 for the Sidewalk Repair and Access Ramps Project, located on outer State Street and Modoc Road, in the final contract amount of \$432,760.33 including approved changes, and approve filing of a Notice of Completion.

Action: Approved the recommendation (December 6, 2005, Public Works Director's report).

11. Subject: Approval Of Parcel Map And Execution Of Agreement For 1624 San Andres Street, 626 And 628 Mulberry Avenue (640.08)

Recommendation: That Council:

- A. Approve and authorize the City Administrator to record Parcel Map No. 20,703, by Mulberry Enterprises, LLC, a California Limited Liability Company, and find the Parcel Map in conformance with the General Plan for the City of Santa Barbara (City); 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. 21,906 (December 6, 2005, Public Works Director's report).

12. Subject: Adoption Of Ordinance Regarding Hourly Employees Memorandum Of Understanding (440.02)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting a Memorandum of Understanding Between the City of Santa Barbara and the Hourly Employees' Bargaining Unit.

Action: Approved the recommendation; Ordinance No. 5379; Agreement No. 21,907.

Item Nos. 13 and 14 appear in the Redevelopment Agency minutes.

NOTICES

15. The City Clerk has on Thursday, December 1, 2005, 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.
16. A City Council site visit scheduled for Monday, December 12, 2005, at 1:30 p.m. to the properties located at 415 Alan Road and 23 Wade Court has been cancelled due to withdrawal of the appeal.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dan Secord reported that the Committee reviewed both the City's and Redevelopment Agency's Fiscal Year 2006 Interim Financial Statements for the Four Months Ended October 31, 2005 (Agenda Item Nos. 5 and 14, respectively). These statements were approved by the Council and Redevelopment Agency Board as part of this Agenda's Consent Calendar.

Councilmember Secord left the meeting at 2:24 p.m.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

17. **Subject: Introduction Of Ordinance For Establishment Of A Staff Hearing Officer And Discretionary Review Process Amendments (650.01)**

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Titles 22, 27 and 28 of the Santa Barbara Municipal Code in Order to Establish a Staff Hearing Officer Position to Act on Certain Discretionary Review Projects and Other Miscellaneous Zoning Amendments;
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Deleting Section 28.45.009 of the Santa Barbara Municipal Code in Its Entirety and Adopting a New Chapter 28.44 of Title 28 of the Santa Barbara Municipal Code Amending the Provisions of the City's Coastal Overlay Zone;
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Initiating a Local Coastal Program Amendment Deleting Section 28.45.009 of the Santa Barbara Municipal Code and Adding a New Chapter 28.44 and Amending Fee Resolution No. 05-060 to Delete Fees for Appeals on Coastal Development Permits; and
- D. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the City of Santa Barbara Creek and Tributaries Map for Tentative Subdivision Maps that Require Planning Commission Action Effective Upon the Effective Date of the Ordinance Establishing the Staff Hearing Officer Position.

Documents:

- December 6, 2005, Community Development Director's report.
- Affidavit of Publication.
- Proposed Ordinances.
- Proposed Resolutions.

The titles of the ordinances and resolutions were read.

Public Comment Opened:

2:24 p.m.

Speakers:

- Staff: Project Planner Beatriz Ramirez, City Planner Bettie Weiss.
- Members of the Public: Lee Moldaver, Citizens Planning Association; Berni Bernstein.

(Cont'd)

17. (Cont'd)

Public Comment Closed:
3:02 p.m.

Motion:

Councilmembers Falcone/Barnwell to approve the recommendations;
Resolution Nos. 05-093 and 05-094.

Vote:

Unanimous roll call vote (Absent: Councilmember Secord).

18. Subject: Introduction Of Ordinance For Structural Building Code Amendments To The Municipal Code (640.04)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Santa Barbara Municipal Code Section 22.04.020 Regarding Amendments to the California Building Code (2001 Edition).

Documents:

- December 6, 2005, Community Development Director's report.
- Proposed Ordinance.

The title of the ordinance was read.

Speakers:

Staff: Chief Building Officer George Estrella.

Motion:

Councilmembers Barnwell/Falcone to approve the recommendation.

Vote:

Unanimous voice vote (Absent: Councilmember Secord).

FIRE DEPARTMENT

19. Contract For Wildland Fire Benefit Assessment District Engineer (520.03)

Recommendation: That Council:

- A. Hear a progress report on the status of the Wildland Fire Plan and related recommendations;
- B. Authorize the Fire Chief to negotiate and execute a contract with Shilts Consultants Inc. (SCI), in the amount not to exceed \$54,750 for purposes of assisting the City in evaluating and possibly forming a Wildland Fire Benefit Assessment District including conducting opinion research, analyzing feasibility, developing assessment methodology, preparing an Engineer's Report, balloting and, if successful, levying assessment;

(Cont'd)

19. (Cont'd)

- C. Authorize the Fire Chief to approve expenditures of up to \$6,000 for unforeseen services of SCI that may result from necessary changes in the scope of work; and
- D. Allocate \$60,750 from the Fiscal Year 2006 General Fund Appropriated Reserve to the Fire Department budget to fund the contract with SCI.

Documents:

December 6, 2005, report from the Deputy Fire Chief.

Speakers:

Staff: Acting Fire Chief Mitch Vaughn, Fire Inspector Ann Marx, Fire Inspector Joe Poire.

Motion:

Councilmembers Horton/Barnwell to approve the recommendations; Contract No. 21,908.

Vote:

Unanimous voice vote (Absent: Councilmember Secord).

PARKS AND RECREATION DEPARTMENT

20. Subject: Interview And Appointment Of Youth Intern Applicant To The Park And Recreation Commission (570.08)

Recommendation: That Council:

- A. Interview applicant Laura Spracher for the position of Youth Intern for the Park and Recreation Commission; and
- B. Request that Mayor Blum appoint Laura Spracher to the position of Youth Intern on the Park and Recreation Commission through November 2006.

Documents:

December 6, 2005, report from the Parks and Recreation Director.

Speakers:

Applicant: Laura Spracher.

Motion:

Councilmembers Williams/Horton to approve recommendation B.

Vote:

Unanimous voice vote (Absent: Councilmember Secord).

Appointment:

Mayor Blum appointed Laura Spracher to the Youth Intern position on the Park and Recreation Commission.

RECESS

3:21 p.m. – 3:33 p.m. Councilmembers Falcone and Secord were absent when the Council reconvened.

PUBLIC WORKS DEPARTMENT

21. Subject: Contract For Advanced Treatment Technology Pilot Testing At William B. Cater Water Treatment Plant (540.10)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a contract with Carollo Engineers (Carollo) to perform pilot testing of several advanced water treatment technologies in the amount of \$593,000; and
- B. Authorize the Public Works Director to approve expenditures of up to \$43,000 to Carollo for extra services that may result in necessary changes to the scope of work.

Documents:

December 6, 2005, report from the Public Works Director.

Councilmember Falcone entered the meeting at 3:35 p.m. Councilmember Secord entered the meeting at 4:01 p.m.

Speakers:

Staff: Public Works Director Anthony Nisich, Acting Water Resources Manager Steve Mack.

Motion:

Councilmembers Horton/Williams to approve the recommendations; Contract No. 21,909.

Vote:

Unanimous voice vote.

ADJOURNMENT

Mayor Blum adjourned the meeting at 4:13 p.m.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER

MARTY BLUM
MAYOR

ATTEST: _____
BRENDA ALCAZAR, CMC
DEPUTY CITY CLERK