



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING October 8, 2002 COUNCIL CHAMBER, DE LA GUERRA PLAZA

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:00 p.m. (The Finance and Ordinance Committees, which are 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, Babatunde Fodayemi, Roger L. Horton, Dan B. Secord, Mayor Blum.

Councilmembers absent: Gregg A. Hart.

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

CEREMONIAL ITEMS

Proclamations

1. SUBJECT: PROCLAMATION DECLARING THE WEEK OF OCTOBER 6 - 13, 2002, AS FIRE PREVENTION WEEK (120.04)

ACTION: Proclamation presented to Gracie Huerta, City of Santa Barbara Fire Department Public Education Coordinator, and Traci Taitt, representing La Cumbre Plaza.

2. SUBJECT: PROCLAMATION DECLARING THE WEEK OF OCTOBER 7 - 13, 2002, AS HARBOR AND SEAFOOD FESTIVAL WEEK (120.04)

ACTION: Proclamation presented to Bob Yost, representing the Ben Page Youth Center, and Pat Donahue, Villa Majella Board of Directors President.

3. SUBJECT: PROCLAMATION DECLARING THE WEEK OF OCTOBER 17 - 20, 2002, AS THE 49TH GIRL SCOUT NATIONAL CONVENTION (120.04)

ACTION: Proclamation presented to Elaine Mah, Director of Girl Scouts of Tres Condados, and Girl Scouts Sandy and Marlee Taylor.

PUBLIC COMMENT

SPEAKERS: Mac Bakewell.

CONSENT CALENDAR (Item Nos. 4 - 15)

The titles of all resolutions related to Consent Calendar items were read.

MOTION:

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

VOTE:

Unanimous voice vote (Absent: Councilmember Hart).

4. SUBJECT: MINUTES

RECOMMENDATION: That Council waive the reading and approve the minutes of the regular meeting of September 24, 2002.

ACTION: Approved the recommendation.

5. SUBJECT: SALARY INCREASES FOR GENERAL, CONFIDENTIAL, TREATMENT & PATROL, AND SUPERVISOR EMPLOYEES (410.06)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 02-076, the Position and Salary Control Resolution for Fiscal Year 2002-2003, Affecting the General, Confidential, Treatment & Patrol, and Supervisor Salaries Effective October 5, 2002.

SPEAKERS:

Staff: Assistant City Administrator Joan Kent.

ACTION: Approved the recommendation; Resolution No. 02-118 (October 8, 2002, Assistant City Administrator's report).

6. SUBJECT: CONFIRMING THE NAME OF A PRIVATE ROAD KNOWN AS "SEA CLIFF" ADJACENT TO BRAEMAR DRIVE (530.04)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Acknowledging the Name of and Confirming the Non-Public Status of That Certain Private Road Commonly Known and Named "Sea Cliff," Located Southerly of Braemar Drive and Easterly of Yankee Farm Road, Within the City Limits of the City of Santa Barbara, and Providing for the Recordation of This Resolution.

ACTION: Approved the recommendation; Resolution No. 02-119 (October 8, 2002, Public Works Director's report).

7. SUBJECT: RECORDS DESTRUCTION - AIRPORT DEPARTMENT (160.06)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Certain Records Held by the Airport Department.

ACTION: Approved the recommendation; Resolution No. 02-120 (October 8, 2002, Airport Director's report).

8. SUBJECT: RENEWAL OF COOPERATIVE AGREEMENT FOR SURFACE WATER GAUGING STATIONS AND GROUNDWATER MONITORING (540.10)

RECOMMENDATION: That Council authorize the City Administrator to execute a joint funding agreement in the amount of \$68,750, between the City of Santa Barbara (City) and the United States Geological Survey (USGS) for water resources investigations for the period of November 1, 2002, through October 31, 2003.

ACTION: Approved the recommendation; Agreement No. 20,797 (October 8, 2002, Public Works Director's report).

9. SUBJECT: NOTICE OF COMPLETION - PAVEMENT PREPARATION, FY 2001-2002 AND FY 2002-2003 (530.04)

RECOMMENDATION: That Council accept the work completed by R. Burke Corporation, Contract No. 20,697, for the Pavement Preparation FY 2001-2002 and FY 2002-2003 (Areas C & D), Bid No. 3342, located at various locations as listed on the attached street list, in the final contract amount of \$146,860.39, including approved changes, and approve filing of a Notice of Completion.

ACTION: Approved the recommendation (October 8, 2002, Public Works Director's report).

10. SUBJECT: PROFESSIONAL SERVICES CONTRACT FOR ORTEGA PARK EXPANSION (570.05)

RECOMMENDATION: That Council authorize the Public Works Director to execute a professional services contract with Flowers and Associates, Incorporated (Flowers) in the amount of \$62,963 for engineering design services for the Ortega Park Expansion; and authorize the Public Works Director to approve expenditures of up to \$6,296 for extra services of Flowers that may result from necessary changes in the scope of work.

ACTION: Approved the recommendation; Contract No. 20,798 (October 8, 2002, Public Works Director's report).

11. SUBJECT: LEASE AGREEMENT WITH AIRBORNE FREIGHT CORPORATION, AT THE AIRPORT (330.04)

RECOMMENDATION: That Council approve and authorize the City Administrator to execute a one-year Lease Agreement with Airborne Freight Corporation, a Delaware Corporation, for 2,248 square feet of Building 312, 10,470 square feet of improved land, and 1,562 square feet of parking, 1501 Cecil Cook Place, at the Santa Barbara Airport, commencing August 1, 2002, and ending July 31, 2003, for a total monthly rental of \$4,200, exclusive of utilities.

ACTION: Approved the recommendation; Agreement No. 20,799 (October 8, 2002, Airport Director's report).

12. SUBJECT: FEASIBILITY/CONCEPTUAL DESIGN STUDY FOR RESTORATION OF ARROYO BURRO ESTUARY (540.14)

RECOMMENDATION: That Council:

- A. Terminate the existing professional services contract (No. 20538) with URS Corporation in the amount of \$99,435 to conduct a feasibility study and prepare preliminary design plans for the restoration of the Arroyo Burro Estuary; and
- B. Approve and authorize the Parks and Recreation Director to execute a new professional services contract with URS Corporation in the amount of \$158,001 to conduct an expanded feasibility/conceptual design study and prepare preliminary design plans for the restoration of the Arroyo Burro Estuary.

SPEAKERS:

Staff: Creeks Restoration/Clean Water Manager Jill Zachary.

ACTION: Approved the recommendations; Contract No. 20,800 (October 8, 2002, Parks and Recreation Director's report).

13. SUBJECT: PROFESSIONAL SERVICE CONTRACT TO PERFORM REVENUE LEASE AUDITS AT THE AIRPORT (560.01)

RECOMMENDATION: That Council approve and authorize the City Administrator to execute an agreement between the City and Pyne, Waltrip, Lippert & Decker, LLP, to perform revenue lease audit services at the Airport for the fiscal year ending June 30, 2003, in an amount not to exceed \$35,500.

ACTION: Approved the recommendation; Agreement No. 20,801 (October 8, 2002, Airport Director's report).

14. SUBJECT: INCREASE PURCHASE ORDER NO. 362,700 FOR WESTSIDE RESIDENTIAL STREET SWEEPING (530.04)

RECOMMENDATION: That Council:

- A. Authorize the General Services Manager to issue a Change Order in the amount of \$40,302, Purchase Order No. 362,700, to Continental Janitorial Services for extended and expanded Westside residential street sweeping services;
- B. Authorize the Public Works Director to increase the revised Purchase Order No. 362,700 by up to five percent (5%), or \$6,070.10, to cover unanticipated expenses for continued street sweeping through June 30, 2003; and
- C. 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.

ACTION: Approved the recommendations; Resolution No. 02-121 (October 8, 2002, Public Works Director's report).

NOTICES

15. The City Clerk has on Thursday, October 3, 2002, at 3:00 p.m. posted this agenda in the Office of the City Clerk and on the City Hall Public Notice Board on the outside balcony of City Hall.

This concluded the Consent Calendar.

RECESS

2:20 p.m. - 2:21 p.m., during which time the first portion of the Redevelopment Agency meeting was held.

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY SESSION

The City Council and the Redevelopment Agency convened in joint session at 2:21 p.m.

16. SUBJECT: HISTORY OF STATE STREET (110.07)

RECOMMENDATION: That the City Council and the Redevelopment Agency hear a presentation by former Mayor Hal Conklin on the history and evolution of State Street.

DOCUMENTS:

October 8, 2002, report from Mayor/Chairperson Blum.

DISCUSSION:

Mr. Conklin showed slides depicting the progress of several major development projects along State Street, including Stearns Wharf, Paseo Nuevo, and the arts district. His presentation demonstrated the community's longstanding culture of citizen-led efforts to improve the City.

The City Council and Redevelopment Agency joint session concluded at 3:05 p.m. The Redevelopment Agency meeting was adjourned at 3:05 p.m. The Council meeting remained in session.

ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

17. SUBJECT: CONTRACT FOR ANNEX YARD AT YANONALI STREET – POLLUTION PREVENTION IMPROVEMENTS, BID NO. 3348 (540.14)

RECOMMENDATION: That Council:

- A. Reject the bid protest dated September 20, 2002, from Lash Construction, Incorporated, for the Annex Yard and Yanonali Street – Pollution Prevention Improvements, Bid No. 3348;
- B. Award and authorize the Public Works Director to execute a contract with Elevation General Engineering, Incorporated (Elevation General Engineering), in their low bid amount of \$120,000, for construction of the Annex Yard at Yanonali Street – Pollution Prevention Improvements, Bid No. 3348, and authorize the Public Works Director to approve expenditures up to \$14,400 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;
- C. Authorize the General Services Manager to issue a Purchase Order to MNS Engineers, Incorporated (MNS Engineers), in the amount of \$9,800 for construction support services, and authorize the General Services Manager to approve expenditures of up to \$980 for extra services of MNS Engineers that may result from necessary changes in the scope of work; and

(Cont'd)

17. (Cont'd)

- D. Authorize the General Services Manager to issue a Purchase Order to Fugro West, Incorporated (Fugro), in the amount of \$1,920 for material testing services, and authorize the General Services Manager to approve expenditures of up to \$192 for extra services of Fugro that may result from necessary changes in the scope of work.

DOCUMENTS:

October 8, 2002, Public Works Director's report.

SPEAKERS:

Staff: Principal Civil Engineer John Schoof.

MOTION:

Councilmembers Secord/Horton to approve the recommendations;
Contract No. 20,802.

VOTE:

Unanimous voice vote (Absent: Councilmember Hart).

RECESS

3:11 p.m. - 3:23 p.m. Mayor Blum was absent when the Council reconvened. Mayor Pro Tempore Fairly presided during the remainder of the meeting.

PUBLIC HEARINGS

18. SUBJECT: APPEAL OF ARCHITECTURAL BOARD OF REVIEW FINAL APPROVAL OF THE APPLICATION OF MORGAN AND NANCY DELUCIA FOR CONSTRUCTION OF ADDITIONS TO AN EXISTING RESIDENCE LOCATED AT 398 W. MOUNTAIN DRIVE, APN 019-012-017, A-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, ONE UNIT PER ACRE (640.07)

RECOMMENDATION: That Council deny the appeal and uphold the Architectural Board of Review Final Approval of additions located at 398 W. Mountain Drive, making the findings in the Council Agenda Report.

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

DOCUMENTS:

- October 8, 2002, Acting Community Development Director's report.
- August 28, 2002, letter of appeal.
- Letter from the Applicant, received October 4, 2002.
- September 29, 2002, letter from Sally Sphar.
- Affidavit of Publication.

(Cont'd)

18. (Cont'd)

PUBLIC HEARING OPENED:

3:25 p.m.

SPEAKERS:

- Staff: Design Review Supervisor Jaime Limón.
- Architectural Board of Review: Chair Jeffrey Gorrell, Member Carol Gross.
- Appellant: Lorie Sanchez.
- Applicant: Nancy DeLucia, Morgan DeLucia.
- Members of the Public: Janice Cloud, Karen Feuer, Peter Weaver, Daniel Gibbings, Victoria Kearny.

PUBLIC HEARING CLOSED:

4:30 p.m.

MOTION:

Councilmembers Secord/Falcone to grant the appeal without prejudice, stating that the Council is unable to make the findings required to approve the project.

VOTE:

Failed to carry by voice vote (Ayes: Councilmembers Falcone, Secord; Noes: Councilmembers Fodayemi, Horton, Mayor Pro Tempore Fairly; Absent: Councilmember Hart, Mayor Blum).

MOTION:

Councilmembers Horton/Fodayemi to approve the recommendation.

VOTE:

Majority voice vote (Ayes: Councilmembers Fodayemi, Horton, Mayor Pro Tempore Fairly; Noes: Councilmembers Falcone, Secord; Absent: Councilmember Hart, Mayor Blum).

19. SUBJECT: CONTINUED HEARING ON APPEAL OF PLANNING COMMISSION'S APPROVAL, WITH AMENDED CONDITIONS, OF THE APPLICATION OF GARDEN PARTNERS, LLC, FOR DEMOLITION AND NEW CONSTRUCTION AT 1620 GARDEN STREET, APN 027-201-014, R-3, MULTIPLE RESIDENTIAL ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 12 UNITS PER ACRE. (640.07)

(Cont'd)

19. (Cont'd)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Denying the Appeal of Miriam Flacks, Steven Johnson and David Fortson of a Four-Unit Condominium Project Approved by the Planning Commission on April 4, 2002, and Approving the Revised Five-Unit Condominium Project at 1620 Garden Street Subject to Conditions of Approval.

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

DOCUMENTS:

- October 8, 2002, Acting Community Development Director's report.
- Proposed Resolution.
- September 22, 2002, letter with illegible signature.
- October 1, 2002, letter from Susan Manata.
- Affidavit of Publication.

The title of the resolution was read.

PUBLIC HEARING OPENED (Continued from June 19, 2002):

4:39 p.m.

SPEAKERS:

- Staff: Acting Community Development Director Paul Casey, Project Planner Irma Unzueta, Assistant City Attorney Stephen Wiley, City Attorney Daniel Wallace.
- Planning Commission: Chair Brian Barnwell.
- Appellant: Miriam Flacks; David Fortson, Santa Barbara County Action Network.
- Applicant: Attorney Steven Amerikaner, Architect Jan Hochhauser.
- Members of the Public: Kellem de Forest; Pedro Nava, Santa Barbara County Action Network; Jill Kent.

PUBLIC HEARING CLOSED:

5:09 p.m.

MOTION:

Councilmembers Falcone/Horton to approve the recommendation;
Resolution No. 02-122.

VOTE:

Majority roll call vote (Ayes: Councilmembers Falcone, Horton, Secord, Mayor Pro Tempore Fairly; Noes: Councilmember Fodayemi; Absent: Councilmember Hart, Mayor Blum).

ADJOURNMENT

Mayor Pro Tempore Fairly adjourned the meeting at 5:19 p.m.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC
CITY CLERK SERVICES MANAGER

ATTEST:

MARTY BLUM
MAYOR

SUSAN TSCHECH
DEPUTY CITY CLERK

H. P. FAIRLY
MAYOR PRO TEMPORE