



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING April 26, 2005 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 2:02 p.m. (The Finance Committee met at 12:00 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: City Administrator/Clerk James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Susan Tschech.

### CEREMONIAL ITEMS

1. SUBJECT: PROCLAMATION DECLARING APRIL 2005 AS AUTISM AWARENESS MONTH (120.04)

ACTION: Proclamation presented to Patty Gaultney, Co-president of the Autism Society of America - Santa Barbara.

### CHANGES TO THE AGENDA

#### Item Removed from Agenda

The Council agreed with City Administrator James Armstrong's recommendation to cancel the site visit referenced in the following item:

12. A City Council site visit is scheduled on Monday, May 2, 2005, at 1:30 p.m. to the property located at 2928 Arriba Way, which is the subject of an appeal hearing set for May 3, 2005, at 2:00 p.m.

## **PUBLIC COMMENT**

SPEAKERS: Andrea Roselinsky, Scott Wenz, Thomas Dwyer, and Sharon Brownett.

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

### **INFORMATION:**

- Councilmember Horton commented on a "Preschool for All" program being sponsored by the Santa Barbara County First 5 Commission.
- Councilmember Schneider reported on her attendance at a retreat recently held on "contemplative dialogue" and its application to homelessness issues.
- Councilmember Williams remarked that he had spent Earth Day guarding a beach population of snowy plovers.
- Councilmember Falcone commented on the following events/meetings: 1) the Earth Day celebration held Saturday, April 23; 2) a meeting of the Creeks Advisory Committee at which the Fiscal Year 2006 proposed budget for the City's creeks program was discussed; and 3) the next meeting of the Channel Counties Division of the League of California Cities, to be held Friday, April 29.
- Councilmember Barnwell reported on the event held recently to recognize Gabriela Mistral.
- Mayor Blum noted that the 10,000<sup>th</sup> City tree had been planted this afternoon in the vicinity of City Hall.

## **CONSENT CALENDAR (Item Nos. 2 – 9 and 11)**

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

### **MOTION:**

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

### **VOTE:**

Unanimous roll call vote.

## **2. SUBJECT: MINUTES**

**RECOMMENDATION:** That Council waive the reading and approve the minutes of the regular meetings of April 5, and April 12, 2005.

**ACTION:** Approved the recommendation.

3. SUBJECT: CONTRACT FOR CONSTRUCTION OF SIDEWALK REPAIRS AND ACCESS RAMPS (530.04)

RECOMMENDATION: That Council:

- A. Award and authorize the Public Works Director to execute a contract with Cinary Construction Company (Cinary), in their low bid amount of \$465,316.40, for construction of the Sidewalk Repairs and Access Ramps, Bid No. 3412; and
- B. Authorize the Public Works Director to approve expenditures up to \$55,838 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.

ACTION: Approved the recommendations; Contract No. 21,699 (April 26, 2005, Public Works Director's report).

4. SUBJECT: ADOPTION OF ORDINANCES FOR MEMORANDUM OF UNDERSTANDING WITH GENERAL AND TREATMENT AND PATROL UNITS (440.02)

RECOMMENDATION: That Council:

- A. Adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting the Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara City Employees' Association (General Unit); and
- B. Adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting the Memorandum of Understanding Between the City of Santa Barbara and the Patrol Officers' and Treatment Plants' Bargaining Units (TAP Units).

ACTION: Approved the recommendations; Ordinance Nos. 5354 and 5355; Agreement Nos. 21,700 and 21,701.

5. SUBJECT: ADOPTION OF ORDINANCES FOR UNREPRESENTED MANAGERS AND ATTORNEYS SALARY ADJUSTMENTS (440.03)

RECOMMENDATION: That Council:

- A. Adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Setting Forth a Salary Plan for Fiscal Years 2005 through 2008 for Unrepresented Managers and Professional Attorneys; and
- B. Adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Setting Forth a Salary Plan for Fiscal Years 2005 through 2007 for Unrepresented Fire Managers.

ACTION: Approved the recommendations; Ordinance Nos. 5356 and 5357.

6. SUBJECT: ADOPTION OF ORDINANCE FOR CITY ADMINISTRATOR AND CITY ATTORNEY SALARY ADJUSTMENTS (440.03)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Setting Forth a Salary Plan for Fiscal Years 2005 through 2008 for the City Administrator and the City Attorney.

ACTION: Approved the recommendation; Ordinance No. 5358.

7. SUBJECT: SET A DATE FOR PUBLIC HEARING REGARDING APPEAL OF ARCHITECTURAL BOARD OF REVIEW APPROVAL FOR 1600 MIRA VISTA AVENUE

RECOMMENDATION: That Council:

- A. Set the date of June 21, 2005, at 2:00 p.m. for hearing the appeal filed by Daniel Reicker, Agent for Edwin and Laura Allbritton, of the Architectural Board of Review approval (Review After Final) of an application for property owned by Miami County Land Co. and located at 1600 Mira Vista Avenue, APN 019-090-010, E-1 One-Family Residence Zone, General Plan Designation: Residential, 3 Units per Acre. The project involves first- and second-floor additions to an existing one-story residence located in the Hillside Design District, and the appeal relates to the retaining wall component of the project; and
- B. Set the date of June 20, 2005, at 1:30 p.m. for a site visit to the property located at 1600 Mira Vista Avenue.

ACTION: Approved the recommendations (April 6, 2005, letter of appeal).

8. SUBJECT: SET A DATE FOR PUBLIC HEARING REGARDING APPEAL OF HISTORIC LANDMARKS COMMISSION APPROVAL FOR 29 STATE STREET

RECOMMENDATION: That Council:

- A. Set the date of June 28, 2005, at 2:00 p.m. for hearing the appeal filed by the Santa Barbara Urban Creeks Council of the Historic Landmarks Commission's Final Review approval of an application for property owned by Beach Motel Partners, LP, and located at 29 State Street, APN 033-102-015, HRC-2/SD-3 Hotel and Related Commerce/Coastal Overlay Zones, General Plan Designation: Hotel and Related Commerce and Stream/Buffer. The project, which proposes the demolition of an existing commercial building and construction of a new three-story hotel annex, is adjacent to Mission Creek and includes a creek restoration plan; and
- B. Set the date of June 27, 2005, at 1:30 p.m. for a site visit to the property located at 29 State Street.

ACTION: Approved the recommendations (April 8, 2005, letter of appeal).

9. SUBJECT: FEDERAL EMERGENCY MANAGEMENT AGENCY HAZARD MITIGATION PLAN (520.02)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara, to Adopt the Santa Barbara County Multi-Jurisdictional Hazard Mitigation Plan, Including the City of Santa Barbara Prepared Goals, Objectives and Actions for the Santa Barbara Annex (Section 5.9).

ACTION: Approved the recommendation; Resolution No. 05-037 (April 26, 2005, report from the Chief of Police; proposed resolution).

Agenda Item No. 10 appears in the Redevelopment Agency minutes.

### NOTICES

11. The City Clerk has on Thursday, April 21, 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.

This concluded the Consent Calendar.

### **FINANCE COMMITTEE REPORT**

13. SUBJECT: FINANCE COMMITTEE AGENDA, APRIL 26, 2005, 12:00 P.M., IN ROOM 15 (120.03)
- A. Investment Management Review; and
  - B. General Fund Revenues and Multi-Year Forecast.

14. SUBJECT: REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dan Secord reported that the Committee received and forwarded for Council acceptance the First Quarter 2005 Investment Management Review (Agenda Item No. 15). The Committee also reviewed General Fund revenue estimates and assumptions contained in the Proposed Two-Year Financial Plan for Fiscal Years 2006 and 2007, as well as a multi-year forecast for this Fund.

Councilmember Williams left the meeting at 2:31 p.m.

15. SUBJECT: INVESTMENT MANAGEMENT REVIEW (260.02)

RECOMMENDATION: That Council receive and accept the first quarter 2005 Investment Management Review from PFM Asset Management, LLC (PFM).

(Cont'd)

15. (Cont'd)

**DOCUMENTS:**

April 26, 2005, Finance Director's report.

**SPEAKERS:**

PFM Asset Management: Senior Management Consultant Nsesa Kazadi.

**MOTION:**

Councilmembers Secord/Horton to approve the recommendation.

**VOTE:**

Unanimous voice vote (Absent: Councilmember Williams).

Councilmember Williams returned to the meeting at 2:38 p.m.

**REDEVELOPMENT AGENCY REPORTS**

16. **SUBJECT: PROFESSIONAL SERVICES FOR WEST DOWNTOWN IMPROVEMENTS (610.04)**

**RECOMMENDATION:** That Council and the Redevelopment Agency Board:

- A. Authorize the Public Works Director to execute a professional services contract with The Conceptual Motion Company (Conceptual Motion), in an amount not to exceed \$292,064, for conceptual and final design of pedestrian enhancements on Anapamu Street between Highway 101 and State Street, and on Ortega Street between Highway 101 and State Street, to improve the connection between the Westside and downtown; and
- B. Authorize the Public Works Director to approve expenditures up to \$29,206 for extra services performed by Conceptual Motion that may result from necessary changes in the scope of work.

**DOCUMENTS:**

- April 26, 2005, report from the Public Works and Community Development Directors.
- PowerPoint presentation made by Staff.

**SPEAKERS:**

- Staff: Transportation Manager Browning Allen, Assistant Community Development Director/Housing and Redevelopment Manager David Gustafson.
- Member of the Public: Joan Livingston, Westside Study Group.

(Cont'd)

16. (Cont'd)

**MOTION:**

Council/Agency members Barnwell/Falcone to approve the recommendations; Contract No. 21,702.

**VOTE:**

Unanimous voice vote.

**CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

**CITY ADMINISTRATOR**

17. SUBJECT: KYOTO PROTOCOL (630.05)

**RECOMMENDATION:** That Council give direction to the Mayor regarding a request to sign the U.S. Mayors' Climate Protection Agreement.

**DOCUMENTS:**

- April 26, 2005, City Administrator's report.
- Undated letter from the California Democratic Party, submitted by Bob Handy.

**SPEAKERS:**

Members of the Public: Bob Handy, California Democratic Party; Gretchen Begley, PUEBLO; Soumil Mehta, Transportation Alternatives for Livable Communities @ UCSB; Joanna Nobbe, PUEBLO; Katie Maynard, Environmental Affairs Board, UCSB.

**MOTION:**

Councilmembers Horton/Secord to direct the Mayor to sign the Agreement.

**VOTE:**

Unanimous voice vote.

**RECESS**

3:18 p.m. – 3:48 p.m. Councilmember Secord, who had previously stated he would not participate in Agenda Item No. 18 due to a conflict of interest relating to his ownership of property located in proximity to the Cottage Hospital site, was absent.

## **PUBLIC HEARINGS**

18. SUBJECT: SANTA BARBARA COTTAGE HOSPITAL SEISMIC COMPLIANCE AND MODERNIZATION (700.09)

RECOMMENDATION: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the City Council of the City of Santa Barbara Approving the Santa Barbara Cottage Hospital Seismic Compliance and Modernization Project (the "SBCH Project"), Making the Findings Required by the California Environmental Quality Act, Authorizing the Execution of a Development Agreement for the SBCH Project Pursuant to the Authority of Government Code Sections 65864 - 65869.5, Making Certain Charter Section 1508 Determinations for the SBCH Project, Approving a Vesting Parcel Map Pursuant to Section 27.07.100 of the Municipal Code, and Amending the City's Zoning Ordinance, Title 28 of the Santa Barbara Municipal Code, to Enact a New Chapter 28.49, Entitled SP-8 Hospital Zone; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting an Order Vacating and Abandoning a Certain Portion of Castillo Street Between Junipero Street and Pueblo Street, and Providing for Recordation of this Resolution.

DOCUMENTS:

- April 26, 2005, Community Development Director's report.
- Proposed Ordinance and Resolution.
- Affidavit of Publication.

The titles of the Ordinance and Resolution were read.

PUBLIC HEARING OPENED:

3:49 p.m.

SPEAKERS:

- Staff: Project Planner Irma Unzueta, City Attorney Stephen Wiley.
- Santa Barbara Cottage Hospital: Chief Executive Officer Ron Werft; Vice President Ron Biscaro; Marshall Rose, Chair of Cottage Health System Board of Directors.
- Planning Commission: Chair Jonathan Maguire, Commissioner Harwood White, Jr.
- Members of the Public: Scott Wenz, Cars Are Basic; Naomi Kovacs, Citizens Planning Association; Bob Knight; Nicholas Vincent; Robert Reid, MD; Joan Bricher; Joddi Leipner; Pete Jordano; Dr. Angel Iscovich; Nancy Ferguson.

(Cont'd)

18. (Cont'd)

PUBLIC HEARING CLOSED:

4:50 p.m.

MOTION:

Councilmembers Barnwell/Falcone to approve the recommendations, directing Staff to revise Conditions of Approval regarding 1) the construction of a Child Care Facility (to require the use of a solar thermal heating system) and 2) photographic documentation (to require documentation of the new construction); Resolution No. 05-038.

VOTE:

Unanimous roll call vote (Absent: Councilmember Secord).

### ADJOURNMENT

Mayor Blum adjourned the meeting at 5:25 p.m.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC  
CITY CLERK SERVICES MANAGER

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

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