



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING March 2, 2004 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the joint meeting of the Council and the Redevelopment Agency to order at 2:01 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: 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 MARCH 7, 2004, AS ARBOR DAY (120.04)

ACTION: Proclamation presented to Santa Barbara Beautiful President Desmond O'Neill.

3. SUBJECT: PROCLAMATION DECLARING MARCH 2004 AS AMERICAN RED CROSS MONTH (120.04)

ACTION: Proclamation presented to Joannie Green, American Red Cross board member.

2. SUBJECT: PROCLAMATION DECLARING MARCH 2004 AS THE 75TH ANNIVERSARY OF TOASTMASTERS INTERNATIONAL CLUB FIVE (120.04)

ACTION: Proclamation presented to Sam Alfano, Toastmasters International Club Five representative.

4. SUBJECT: EMPLOYEE RECOGNITION - SERVICE AWARD PINS (410.01)

RECOMMENDATION: That Council authorize James L. Armstrong, City Administrator, to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through March 31, 2004.

DOCUMENTS:

March 2, 2004, Assistant City Administrator's report.

SPEAKERS:

Staff: City Administrator James Armstrong, Award Recipient Pauline Reyes.

By consensus, the Council approved the recommendation. The following employees were recognized:

25-Year Pin

Pauline Reyes, Public Works

20-Year Pin

Paul Cochet, Public Works

15-Year Pin

Susan Reardon, Community Development

Martha Shute, Finance

Gina Sunseri, Fire

Mary Gerges, Library

Kenneth McConathy, Police

Scott Naganuma, Police

Tien Huynh, Public Works

Erik Engebretson, Waterfront

10-Year Pin

Ralph Molina, Airport

5-Year Pin

Maryanne Knight, Administrative Services

Geoffrey Lancaster, Community Development

Leah Watts, Library

Fran Cruz, Public Works

Adam Ziets, Public Works

PUBLIC COMMENT

SPEAKERS: Ken Loch and Breonna Shippy.

CONSENT CALENDAR (Item Nos. 5 – 14 and 16 – 18)

The title of the resolution related to Item No. 12 was read.

MOTION:

Councilmembers Falcone/Secord 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 special meeting of February 18, 2004.

ACTION: Approved the recommendation.

6. SUBJECT: NOTICE OF COMPLETION FOR SLURRY SEAL (530.04)

RECOMMENDATION: That Council accept the work completed by Roy Allan Slurry Seal, Incorporated (Roy Allan), Contract No. 21,071, for the Slurry Seal 2003/2004 Project (Area E), Bid No. 3361, located at various locations as shown on the Area E Street List, in the final contract amount of \$846,113.92, including approved changes, and approve filing of a Notice of Completion.

ACTION: Approved the recommendation (March 2, 2004, Public Works Director's report).

7. SUBJECT: CONTRACT FOR DESIGN OF AIRFIELD DRAINAGE SYSTEM IMPROVEMENTS (560.04)

RECOMMENDATION: That Council authorize the Public Works Director to execute a contract with Mead & Hunt, Inc. (Mead), in the amount of \$130,000 for design services, and authorize the Public Works Director to approve expenditures of up to \$13,000 for extra services of Mead that may result from necessary changes in the scope of work.

ACTION: Approved the recommendation; Contract No. 21,292 (March 2, 2004, Public Works Director's report).

8. SUBJECT: CONTRACT FOR SIDEWALK INFILL (530.04)

RECOMMENDATION: That Council:

- A. Award and authorize the Public Works Director to execute a contract with Nye and Nelson, Incorporated (Nye & Nelson), in their low bid amount of \$406,839, for construction of the Sidewalk Infill Project FY 2003, Bid No. 3350; and
- B. Authorize the Public Works Director to approve expenditures up to \$48,820 to cover any cost increases that may result from contract change orders for extra work, and differences between estimated bid quantities and actual measured quantities for payment.

SPEAKERS:

Staff: Principal Civil Engineer John Schoof.

ACTION: Approved the recommendations; Contract No. 21,293 (March 2, 2004, Public Works Director's report).

9. SUBJECT: LEASE AGREEMENT WITH TOPSIDE (330.04)

RECOMMENDATION: That Council approve and authorize the City Administrator to execute a Lease Amendment with Harbor Enterprises Inc., doing business as Topside, to permit a seasonal allocation of base rent for the retail store at 217-D Stearns Wharf.

ACTION: Approved the recommendation; Agreement No. 21,294 (March 2, 2004, Waterfront Director's report).

10. SUBJECT: LEASE AGREEMENT WITH SERVEXCEL CORPORATION (330.04)

RECOMMENDATION: That Council approve and authorize the Airport Director to execute a two-year Lease Agreement with Servexcel Corporation, a California Corporation, dba Santa Barbara Window Cleaning, dba We Do Windows, for 798 square feet of Building 311 at 1407 Norman Firestone Road, at the Santa Barbara Airport, commencing February 1, 2004, and ending January 31, 2006, for a total monthly rental of \$653, exclusive of utilities.

ACTION: Approved the recommendation; Agreement No. 21,295 (March 2, 2004, Airport Director's report).

11. SUBJECT: WESTSIDE URBAN RUNOFF ULTRAVIOLET TREATMENT PROJECT (530.04)

RECOMMENDATION: That Council:

- A. Approve and authorize the Parks and Recreation Director to execute a professional services contract with URS Corporation in the amount of \$96,758.00 to complete final design drawings and technical specifications for the Westside Drain Stormwater Treatment Project; and
- B. Authorize the Parks and Recreation Director to increase those services by 10 percent, or \$9,675, if additional services are needed to meet the project objectives.

SPEAKERS:

Staff: Creeks Restoration/Clean Water Manager Jill Zachary.

ACTION: Approved the recommendations; Contract No. 21,296 (March 2, 2004, Parks and Recreation Director's report).

12. SUBJECT: POSITION AND SALARY CONTROL RESOLUTION AMENDMENT FOR THE PUBLIC WORKS DEPARTMENT (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. 03-049, the Position and Salary Control Resolution for Fiscal Year 2003-2004, Affecting the Public Works Department Effective March 2, 2004.

ACTION: Approved the recommendation; Resolution No. 04-011 (March 2, 2004, Public Works Director's report; proposed resolution).

13. SUBJECT: CONTRACT FOR AIRPORT FINANCIAL SERVICES (560.01)

RECOMMENDATION: That Council authorize the Airport Director to execute a Contract with Leigh Fisher Associates for Phase 2 Airport financial feasibility services, in an amount not to exceed \$135,000.

SPEAKERS:

Staff: Assistant Airport Director Hazel Johns, City Administrator James Armstrong.

ACTION: Approved the recommendation; Contract No. 21,297 (March 2, 2004, report from the Airport and Finance Directors).

14. SUBJECT: SET A DATE FOR PUBLIC HEARING REGARDING APPEALS OF APPROVALS FOR 3339 CLIFF DRIVE AND 3349 CLIFF DRIVE

RECOMMENDATION: That Council:

- A. Set the date of April 6, 2004, at 2:00 p.m. for hearing the appeal filed by James and Kari Ann Gerlach of the Planning Commission approval, with revised conditions, of an application for property owned by Noel and Karen MacDonald and located at 3339 Cliff Drive, APN 047-082-015, A-1 One-Family Residence and SD-3 Coastal Overlay Zones, General Plan Designation: Residential, One Unit per Acre/Bluff. The project site is located in the Hillside Design District and in the appealable jurisdiction of the Coastal Zone, and the improvements proposed include first-floor and second-story additions to an existing one-story residence and a new detached three-car garage. The discretionary application required for the project is a Coastal Development Permit;
- B. Set the date of April 6, 2004, at 2:00 p.m. for hearing the appeals filed by Kathleen Weinheimer, Attorney representing Noel and Karen MacDonald, of the Planning Commission and Architectural Board of Review approvals of an application for property owned by James and Kari Ann Gerlach and located at 3349 Cliff Drive, APN 047-082-014, A-1 One-Family Residence and SD-3 Coastal Overlay Zones, General Plan Designation: Residential, One Unit per Acre. The project site is located in the Hillside Design District and in the appealable jurisdiction of the Coastal Zone, and the improvements proposed include first-floor and second-story additions to an existing one-story residence and a new three-car garage with attached workshop. The discretionary applications required for the project are a Modification, Neighborhood Preservation Ordinance Compliance, and a Coastal Development Permit; and
- C. Set the date of April 5, 2004, at 1:30 p.m. for a site visit to the properties located at 3339 and 3349 Cliff Drive.

ACTION: Approved the recommendations (January 23, January 30, and February 18, 2004, letters of appeal).

Agenda Item No. 15 appears in the Redevelopment Agency minutes.

NOTICES

16. The City Clerk has on Thursday, February 26, 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.
17. The City Council will hold a public hearing on Tuesday, March 23, 2004, at 6:00 p.m. to consider Community Development and Human Services Committee Funding Recommendations for Fiscal Year 2005.

18. The Mayor recently sent the following advocacy letters expressing the City's position, consistent with the Council-adopted Legislative Platform, on pending state or federal legislation: (160.02)
- February 10, 2004: Senator McClintock and Assemblymember Jackson; Support for Workers' Compensation Reform.
 - February 11, 2004: California Public Utilities Commissioners Michael Peevy, Susan Kennedy, Geoffrey Brown, Carl Wood, and Loretta Lynch; Interim Opinion Adopting Funding for 2004-05 Energy Efficiency Programs.
 - February 18, 2004: Secretary of Transportation Norman Mineta; Support for granting America West's application for slots and exemptions to the DCA perimeter rule.
 - February 19, 2004: Senators Feinstein and Boxer, Congresswoman Capps, and Major General Strock of the U.S. Army Corps of Engineers; Support for funding required for Santa Barbara Harbor Dredging.

This concluded the Consent Calendar.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

INFORMATION:

- Councilmember Schneider mentioned that the process to update the Neighborhood Preservation Ordinance has begun; she also commented that the City/County Homeless Advisory Committee had discussed issues related to the homeless with the Mayor of Goleta.
- Councilmember Barnwell remarked that the Milpas Association had met recently to begin the work to resolve issues existing in the neighborhood where the Homeless Center is located; he also mentioned the effort to retain federal funding for harbor dredging.
- Councilmember Falcone requested that her current assignment as liaison to the Youth Council be transferred to Councilmember Williams.
- Councilmember Williams stated that the Youth Council has formulated a recommendation for the siting of a community youth center; he also mentioned a study to be undertaken of urban runoff from land use.

Agenda Item Nos. 19 and 20 appear in the Redevelopment Agency minutes.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ADMINISTRATOR

21. SUBJECT: NATIONAL GUARD ARMORY PROJECT (330.03)

RECOMMENDATION: That Council:

- A. Recognize the Park and Recreation Community (PARC) Foundation as the sponsor for the community's combined efforts to acquire the National Guard Armory property located at 730 East Canon Perdido Street for conversion to community benefit uses;

(Cont'd)

21. (Cont'd)

- B. Approve a grant of \$25,000 to the PARC Foundation as partial funding for the first phase of the project; and
- C. Authorize the City Administrator to execute, in a form prepared by the City Attorney's Office, a grant agreement with the PARC Foundation that outlines the general scope and intent of the PARC Foundation's role as sponsor and the City's involvement in support of the project.

DOCUMENTS:

- March 2, 2004, City Administrator's report.
- February 27, 2004, letter from the Committee to Restore Santa Barbara Elementary School District.

SPEAKERS:

- Staff: Special Projects Manager Don Olson.
- Parks & Recreation Community Foundation: Board President James Petrovich, Board Member Larry Crandell.
- Santa Barbara Conservancy: John Pitman.

MOTION:

Councilmembers Secord/Barnwell to approve the recommendations; Agreement No. 21,298.

VOTE:

Unanimous voice vote.

RECESS

3:36 p.m. – 3:48 p.m.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (Cont'd)

COMMUNITY DEVELOPMENT DEPARTMENT

22. SUBJECT: WATERFRONT AREA HOTEL AND RELATED COMMERCE ZONES (640.09)

RECOMMENDATION: That Council:

- A. Consider options for addressing land use and zoning issues in a portion of the City's Waterfront area Hotel and Related Commerce (HRC-2) Zone; and
- B. Initiate a limited-scope Local Coastal Plan Amendment to create an Ocean-Oriented Commercial (OC) zone for the interior portion of the HRC-2 zone.

(Cont'd)

22. (Cont'd)

DOCUMENTS:

- March 2, 2004, Community Development Director's report.
- March 2, 2004, letter from the Citizens Planning Association of Santa Barbara County, Inc.

SPEAKERS:

- Staff: Project Planner Liz Limón, City Planner Bettie Hennon, Community Development Director Paul Casey, City Attorney Stephen Wiley.
- Members of the Public: Catherine McCammon, League of Women Voters of Santa Barbara; Naomi Kovacs, Citizens Planning Association; Connie Hannah; Nils Hammerbeck, "Focus on the Funk Zone" Arts Festival; Dan Ancona.

MOTION:

Councilmembers Schneider/Barnwell to approve the recommendations.

VOTE:

Unanimous voice vote.

RECESS

5:12 p.m. – 5:24 p.m.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (Cont'd)

23. SUBJECT: INITIATION OF ANNEXATION FOR HILLSIDE HOUSE (680.04)

RECOMMENDATION: That Council hear a presentation from the applicant on the Hillside House, Housing Authority of the County of Santa Barbara (HACSB), and Bermant Development Company jointly-proposed housing project, and initiate the annexation of 1235 Veronica Springs Road.

DOCUMENTS:

- March 2, 2004, Community Development Director's report.
- March 1, 2004, letter from Suzanne Elledge, representing Assistance League of Santa Barbara.

SPEAKERS:

- Staff: Associate Planner Renee Brooke, Community Development Director Paul Casey.
- Hillside House: Pam Flynt; Carl Steinberg, Bermant Development Co.; Detlev Peikert, Peikert Group Architects.
- Members of the Public: Suzanne Elledge, Assistance League; Shannon O'Bryan; Maria Elena York; Brian Burd.

(Cont'd)

23. (Cont'd)

MOTION:

Councilmembers Falcone/Barnwell to initiate the annexation; include the Assistance League for the annexation of its properties, agreeing to withhold final determination of assessment of public improvements costs until some later time; and agree that 100% of Regional Housing Needs Assessment (RHNA) credit should go to the County of Santa Barbara.

VOTE:

Unanimous voice vote.

RECESS

6:34 p.m. – 6:39 p.m.

CLOSED SESSIONS

25. SUBJECT: CONFERENCE WITH REAL PROPERTY NEGOTIATOR (330.03)

RECOMMENDATION: That Council hold a closed session to consider instructions to City staff and the City Attorney regarding real property located at the Airport and bounded by Hollister Avenue, Lopez Road, Botello Road and Love Place, owned by the City of Santa Barbara (Parcel 22 of the Airport Specific Plan Map [City Parcel Map No. 20,608]). Instructions to negotiator will direct staff to negotiate possible amendments to the terms of a 50-year ground lease option (pursuant to the authority of section 54956.8 of the Government Code) approved pursuant to a Disposition and Development Agreement approved by the City Council as City Agreement No. 19,872 on April 4, 2000. The allowed uses and rent terms are under negotiation. Negotiations will be conducted by City staff with Andrew Bermant and Barton E. Clemens representing the Bermant Development Company. City negotiators are: Karen Ramsdell, Airport Director; Robert Peirson, Finance Director; and Stephen P. Wiley, City Attorney.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

DOCUMENTS:

Previous documents submitted February 24, 2004.

TIME:

6:39 p.m. – 7:41 p.m.

No report made.

RECESS

7:41 p.m. – 7:42 p.m. The City Council reconvened in the Council Chamber. Councilmember Williams was absent.

PUBLIC HEARINGS

24. SUBJECT: APPEAL OF ARCHITECTURAL BOARD OF REVIEW
PRELIMINARY APPROVAL FOR 3408 MADRONA DRIVE (640.07)

RECOMMENDATION: That Council deny the appeal of Reid Davis and uphold the Architectural Board of Review's decision to grant Preliminary Approval of the proposed additions and approve the project pursuant to the Neighborhood Preservation Ordinance (SBMC 22.68.040), making the findings in the Council Agenda Report.

DOCUMENTS:

- March 2, 2004, Community Development Director's report.
- March 2, 2004, written comments of Architectural Board of Review Member James LeCron.
- January 26, 2004, letter of appeal.
- February 15, 2004, letter from Kip and Patty Bradley.
- March 1, 2004, letter from Gloria Buckley.
- Affidavit of Publication.

PUBLIC HEARING OPENED:

7:43 p.m.

SPEAKERS:

- Staff: Senior Planner Jaime Limón.
- Appellant: Reid Davis, Margaret Jose, Kip Bradley.
- Applicant: Candy Hedrick, Rhett Hedrick, Architect Rex Ruskauff.

PUBLIC HEARING CLOSED:

8:33 p.m.

MOTION:

Councilmembers Horton/Barnwell to approve the recommendation.

VOTE:

Majority voice vote (Noes: Mayor Blum; Absent: Councilmember Williams).

CLOSED SESSIONS

25. SUBJECT: CONFERENCE WITH REAL PROPERTY NEGOTIATOR (330.03)

ANNOUNCEMENT:

City Attorney Stephen Wiley reported that the Council met in closed session for Item No. 25; no reportable action was taken during the closed session.

ADJOURNMENT

Mayor Blum adjourned the meeting at 8:34 p.m.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC
CITY CLERK SERVICES MANAGER

ATTEST:

MARTY BLUM
MAYOR

SUSAN TSCHECH
DEPUTY CITY CLERK