



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING February 15, 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: City Administrator/Clerk James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Brenda Alcazar.

PUBLIC COMMENT

SPEAKERS: Norman Salzman and Richard Robinson.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

INFORMATION:

- Councilmember Horton mentioned that he attended a retirement party for Rita Madden, Community Action Commission Director; he also attended the Chinese New Year service of the Chinese Association as Mayor Pro Tempore.
- Councilmember Schneider said that she attended the Chinese New Year celebration of Santa Barbara Sister Cities Weihai, China.
- Councilmember Williams reported on his attendance at the Creeks Advisory Committee meeting; he also attended a memorial service for community activist Katie Donovan.
- Councilmember Barnwell spoke about the JASON Project, a real-time science exploration that was telecast at the Santa Barbara Maritime Museum.
- Councilmember Falcone thanked the Airport Department for their presentation on the Airport Expansion Project last week.

CONSENT CALENDAR (Item Nos. 1 – 12)

The titles of the ordinance and resolution, Item Nos. 2 and 6, were read.

MOTION:

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

VOTE:

Unanimous roll call vote.

1. **SUBJECT: MINUTES**

RECOMMENDATION: That Council waive the reading and approve the minutes of the special and regular meetings of February 1, 2005.

ACTION: Approved the recommendation.

2. **SUBJECT: ADOPTION OF ORDINANCE PERTAINING TO REZONE AND GENERAL PLAN MAP AMENDMENT FOR 422-448 SANTA FE LANE (640.09)**

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 28.12 (Zone Map) of Title 28 of the Municipal Code Pertaining to the Rezoning of Property in the Alta Mesa Neighborhood.

ACTION: Approved the recommendation; Ordinance No. 5344.

3. **SUBJECT: CONTRACT FOR CONCEPTUAL ENGINEERING DESIGN FOR THE CABRILLO BOULEVARD BRIDGE OVER MISSION CREEK (530.03)**

RECOMMENDATION: That Council:

- A. Authorize the Public Works Director to execute a service contract with Bengal Engineering, Inc. (Bengal), in an amount not to exceed \$118,630, for conceptual engineering design of a new bridge to replace the existing Cabrillo Boulevard Bridge over Mission Creek; and
- B. Authorize the Public Works Director to approve expenditures of up to \$11,863 for extra services performed by Bengal that may result from necessary changes in the scope of work.

SPEAKERS:

Staff: Assistant Public Works Director/City Engineer Pat Kelly, Community Development Director Paul Casey.

ACTION: Approved the recommendations; Contract No. 21,621 (February 15, 2005, Public Works Director's report).

4. SUBJECT: ACCEPTANCE OF USED OIL BLOCK GRANT FUNDS (630.01)

RECOMMENDATION: That Council:

- A. Accept a Used Oil Recycling Block Grant - Tenth Cycle in the amount of \$24,014 for Fiscal Year 2005;
- B. Authorize the City General Services Manager to issue a Purchase Order in the amount of \$24,014 to the Community Environmental Council (CEC) for the development of educational and promotional activities; and
- C. Increase Fiscal Year 2005 Miscellaneous Grants Fund estimated revenue and appropriations by \$24,014 for the Used Oil Recycling Block Grant.

ACTION: Approved the recommendations; Agreement No. 21,622 (February 15, 2005, Public Works Director's report).

5. SUBJECT: RENTAL AGREEMENT FOR HILDA RAY HOUSE (570.05)

RECOMMENDATION: That Council authorize the Acting Parks and Recreation Director to enter into an agreement with Tatum Marie Hernandez, for a month-to-month rental agreement for the Hilda Ray House at Hilda McIntyre Ray Park, starting March 1, 2005.

ACTION: Approved the recommendation; Agreement No. 21,623 (February 15, 2005, Parks and Recreation Director's report).

6. SUBJECT: POSITION AND SALARY CONTROL RESOLUTION AMENDMENT FOR THE ADMINISTRATIVE SERVICES DEPT (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. 04-047, the Position and Salary Control Resolution for Fiscal Year 2005, Affecting the Human Resources and Information Systems Divisions of the Administrative Services Department Effective February 15, 2005.

ACTION: Approved the recommendation; Resolution No. 05-012 (February 15, 2005, Assistant City Administrator's report; proposed resolution).

7. SUBJECT: CONTRACT INCREASE FOR THE ARROYO BURRO RE-STUDY PROJECT (530.03)

RECOMMENDATION: That Council authorize the Community Development Director to increase the existing contract with Penfield & Smith, Inc. (Contract No. 20,461), by \$10,000 to provide engineering services for the Arroyo Burro Re-Study Project, for a revised contract total that shall not exceed \$110,000.

ACTION: Approved the recommendation; Contract No. 20,461.1 (February 15, 2005, Community Development Director's report).

8. SUBJECT: SET A DATE FOR PUBLIC HEARING REGARDING PLANNING COMMISSION APPROVAL FOR HIGHWAY 101 OPERATIONAL IMPROVEMENTS

RECOMMENDATION: That Council set the date of March 29, 2005, at 2:00 p.m. for hearing the appeal filed by the California Department of Transportation (Caltrans) of the Planning Commission approval of an application for property owned by the State of California and located within the two-mile Highway 101 corridor between the Milpas Street and Cabrillo Boulevard/Hot Springs Road interchanges. The project involves the construction of improvements to enhance traffic merging, circulation and safety through this highway segment and on adjacent surface street connections. The appeal relates to Conditions of Approval imposed by the Planning Commission. Discretionary applications required for the project are a Coastal Development Permit and Design Review and Approval.

ACTION: Approved the recommendation (December 22, 2004, letter of appeal).

NOTICES

9. The City Clerk has on Thursday, February 10, 2005, 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.
10. Cancellation of a City Council site visit scheduled on Monday, February 14, 2005, at 1:30 p.m. to the property located at 1900 Lasuen Road.
11. Cancellation of the regular Redevelopment Agency meeting of February 15, 2005, due to lack of business.
12. Cancellation of the regular City Council meeting of February 22, 2005, due to lack of a quorum.

This concluded the Consent Calendar.

FINANCE COMMITTEE REPORT

13. SUBJECT: FINANCE COMMITTEE AGENDA, FEBRUARY 15, 2005, 1:00 P.M., IN ROOM 15 FOR CONSIDERATION OF THE FISCAL YEAR 2005 MID-YEAR REVIEW (SEE AGENDA ITEM NO. 15) (120.03)
14. SUBJECT: REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dan Secord reported that the Committee heard a presentation regarding the Fiscal Year 2005 Mid-Year Review, which will be presented to the Council as Agenda Item No. 15.

Councilmember Williams left the meeting at 2:16 p.m.

15. SUBJECT: FISCAL YEAR 2005 MID-YEAR REVIEW (230.04)

RECOMMENDATION: That Council:

- A. Hear a report from staff on the status of revenues and expenditures in relation to budget as of December 31, 2004;
- B. Accept the Fiscal Year 2005 Interim Financial Statements for the Six Months Ended December 31, 2004;
- C. Increase appropriations in the Fiscal Year 2005 Water Fund budget by \$300,000 from unappropriated reserves for the purchase of a new loader and a specialized solids mixing accessory for use at the Cater Treatment Plant; and
- D. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 04-047, the Position and Salary Control Resolution for Fiscal Year 2005, Affecting the Parks and Recreation Department Effective February 19, 2005.

DOCUMENTS:

- February 15, 2005, report from the Finance Director.
- Proposed Resolution.

The title of the resolution was read.

SPEAKERS:

Staff: Accounting Manager Rudolf Livingston, Treasury Manager Cynthia Odell, Community Development Director Paul Casey, Acting Parks and Recreation Director Nancy Rapp.

Councilmember Williams entered the meeting at 2:24 p.m.; Councilmember Williams left the meeting at 2:46 p.m.

MOTION:

Councilmembers Horton/Secord to approve the recommendations; Resolution No. 05-013.

VOTE:

Unanimous roll call vote (Absent: Councilmember Williams).

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ADMINISTRATOR

16. SUBJECT: THREE-YEAR MEMORANDUM OF UNDERSTANDING WITH THE FIREFIGHTERS ASSOCIATION (440.02)

RECOMMENDATION: That Council:

- A. Ratify the Memorandum of Understanding between the City and the Santa Barbara City Firefighters' Association for the period of July 1, 2004, through June 30, 2007, by introducing and subsequently adopting, 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 Firefighters Association;
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 04-047, the Position and Salary Control Resolution for Fiscal Year 2005, Affecting the Fire Association Salaries Effective January 8, 2005;
- C. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Municipal Code Section 3.16.200 Pertaining to the Certification of Eligibles for the City Fire Department; and
- D. Increase appropriations by \$250,836 in the Fiscal Year 2005 Fire Department General Fund budget to account for the increased salary and benefit costs associated with the adoption of the Firefighters Association Memorandum of Understanding, and increase estimated Fire Department revenues by \$28,842 for the Airport Department's reimbursement of the increased cost of Aircraft Rescue and Fire Fighting (ARFF) services.

DOCUMENTS:

- February 15, 2005, report from the City Administrator.
- Proposed Ordinances.
- Proposed Resolution.

The titles of the ordinances and resolution were read.

Councilmember Williams entered the meeting at 2:50 p.m.

SPEAKERS:

Staff: Employee Relations Manager Kristine Schmidt.

MOTION:

Councilmembers Horton/Falcone to approve the recommendations; Resolution No. 05-014.

VOTE:

Unanimous roll call vote.

PARKS AND RECREATION DEPARTMENT

17. SUBJECT: ELINGS PARK FOUNDATION ANNUAL REPORT AND FINANCIAL STATEMENT (570.05)

RECOMMENDATION: That Council:

- A. Receive the Elings Park Foundation Annual Report and Financial Statement for calendar year 2003 as submitted by the Elings Park Foundation; and
- B. Appoint Nancy L. Rapp, Acting Parks and Recreation Director, as a non-voting advisory member of the Elings Park Foundation Board.

DOCUMENTS:

February 15, 2005, report from the Acting Parks and Recreation Director.

SPEAKERS:

- Staff: Acting Parks and Recreation Director Nancy Rapp.
- Elings Park Foundation: President Bruce Giffin.

MOTION:

Councilmembers Secord/Barnwell to approve the recommendations.

VOTE:

Unanimous voice vote.

PUBLIC HEARINGS

18. SUBJECT: CONTINUANCE OF APPEAL OF PLANNING COMMISSION APPROVAL FOR EL ENCANTO HOTEL, 1900 LASUEN ROAD (640.07)

RECOMMENDATION: That Council:

- A. Continue the public hearing to May 10, 2005, at 6:00 p.m., per Appellant's e-mail communication dated January 26, 2005; and
- B. Continue the site visit to May 9, 2005, at 1:30 p.m. to the property located at 1900 Lasuen Road.

DOCUMENTS:

January 26, 2005, e-mail communication from Paul Cashman.

MOTION:

Councilmembers Secord/Schneider to approve the recommendations.

VOTE:

Unanimous voice vote.

MAYOR AND COUNCIL REPORTS

19. SUBJECT: METROPOLITAN TRANSIT DISTRICT BOARD APPOINTMENTS
(140.05)

RECOMMENDATION: That Council make appointments to the Metropolitan Transit District Board.

DOCUMENTS:

February 15, 2005, report from the Assistant City Administrator.

SPEAKERS:

- Members of the Public: Ana Reza, Pueblo; Dan Milstein, Santa Barbara County Action Network.
- Staff: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley.

NOMINEES:

Mark Bradley, John Britton, Logan Green, Annie McGill, Tom Roberts, Barry Siegel.

VOTE:

- For Britton: Mayor Blum, Councilmembers Schneider, Secord, Williams.
- For Green: Mayor Blum, Councilmembers Falcone, Schneider, Williams.
- For McGill: Councilmembers Barnwell, Horton.
- For Roberts: Councilmembers Barnwell, Falcone, Secord.
- For Siegel: Councilmember Horton.

APPOINTMENTS:

By majority vote, the Council appointed Logan Green, and reappointed John Britton for terms expiring March 6, 2009; Logan Green's appointment is effective March 7, 2005.

20. SUBJECT: INTERVIEW AND APPOINTMENT OF YOUTH INTERN
APPLICANT TO PARK AND RECREATION COMMISSION (570.08)

RECOMMENDATION: That Council:

- A. Interview applicant Kevin Spracher for the position of Youth Intern on the Park and Recreation Commission; and
- B. Request that Mayor Blum appoint Kevin Spracher to the position of Youth Intern on the Park and Recreation Commission through September 2005.

DOCUMENTS:

February 15, 2005, report from the Acting Parks and Recreation Director.

(Cont'd)

20. (Cont'd)

SPEAKERS:

- Staff: Recreation Supervisor Susan Young.
- Applicant: Kevin Spracher.

MOTION:

Councilmembers Secord/Horton to approve the recommendations.

VOTE:

Unanimous voice vote.

RECESS

Mayor Blum recessed the meeting at 3:09 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 23, 21, and 22. City Attorney Stephen P. Wiley stated there would be no reportable action taken during the closed sessions.

CLOSED SESSIONS

23. SUBJECT: CONFERENCE WITH LABOR NEGOTIATOR (440.05)

RECOMMENDATION: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to the City's labor negotiators, Linda Jensen, Liebert Cassidy Whitmore, and Kristy Schmidt, Employee Relations Manager, regarding negotiations with the Police Officers' Association, General Employees' Bargaining Unit, and Treatment and Patrol Bargaining Units.
Scheduling: Duration, 75 minutes; anytime
Report: None anticipated

DOCUMENTS:

February 15, 2005, report from the Assistant City Administrator.

TIME:

3:10 p.m. – 4:15 p.m.

Councilmember Secord left the meeting at 3:45 p.m.

No report made.

21. SUBJECT: PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/ RELEASE-
GOVERNMENT CODE SECTION 54957 (440.05)

RECOMMENDATION: That Council hold a closed session for a Public
Employee Discipline/Dismissal/Release per Government Code Section 54957.

Title: Santa Barbara Police Officer Matthew Barrall.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

DOCUMENTS:

February 15, 2005, City Attorney's report.

TIME:

4:16 p.m. – 4:47 p.m. Councilmember Secord was absent.

No report made.

22. SUBJECT: CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION
(160.03)

RECOMMENDATION: That Council hold a closed session to consider pending
litigation pursuant to subsection (a) of section 54956.9 of the Government Code
and take appropriate action as needed. The pending litigation is *City of Santa
Barbara v. Wilbur Smith & Associates*, Ventura County Superior Court Case
No. 226424.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

DOCUMENTS:

February 15, 2005, City Attorney's report.

TIME:

4:48 p.m. – 5:03 p.m. Councilmember Secord was absent.

No report made.

ADJOURNMENT

Mayor Blum adjourned the meeting at 5:03 p.m.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER

ATTEST:

MARTY BLUM
MAYOR

BRENDA ALCAZAR, CMC
DEPUTY CITY CLERK