



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING September 16, 2003 COUNCIL CHAMBER, 735 ANACAPA STREET

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### 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 is 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, Gregg A. Hart, Roger L. Horton, Dan B. Secord, Mayor Blum.

Councilmembers absent: None.

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

### CHANGES TO THE AGENDA

#### Item Removed From Agenda

At the request of Acting City Administrator Joan M. Kent, the following item was continued to a future date:

1. SUBJECT: PRESENTATION OF 2003 CALIFORNIA CITIES HELEN PUTNAM AWARD FOR EXCELLENCE (180.01)

### CEREMONIAL ITEMS

2. SUBJECT: PROCLAMATION DECLARING SEPTEMBER 14-20, 2003, AS REHABILITATION WEEK (120.04)

ACTION: Proclamation presented to Frank Newton, Ph.D., Director of Public Relations, Rehabilitation Institute of Santa Barbara.

3. SUBJECT: PROCLAMATION DECLARING SEPTEMBER 15-21, 2003, AS WEEK OF THE BLUES (120.04)

ACTION: Proclamation presented to Leo J. Schumaker, Jr., Santa Barbara Blues Society.

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 September 30, 2003.

DOCUMENTS:

September 16, 2003, Assistant City Administrator's report.

SPEAKERS:

Staff: Acting City Administrator Joan M. Kent, Senior Planner Jan Hubbell, Fire Engineer John Carrillo, Police Officer Tony Ballestrin, Police Sergeant Kim Fryslie, Police Officer Leonard Gomez, Police Sergeant Don Knapp.

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

25-Year Pin

Jan Hubbell, Senior Planner I, Community Development

John Carrillo, Fire Engineer, Fire

Tony Ballestrin, Police Officer, Police

Kim Fryslie, Police Sergeant, Police

Leonard Gomez, Police Officer, Police

Don Knapp, Police Sergeant, Police

Tom Rigali, Police Lieutenant, Police

Cathy "Laurel" Perman, Water Treatment Plant Operator III, Public Works

20-Year Pin

Marty Magner, Duplicating Supervisor, Finance

15-Year Pin

Jim Ella, Police Officer, Police

Karen Zuniga, Office Specialist II, Police

10-Year Pin

Nancy Goodman, Office Specialist II, Administrative Services

Alan Cooper, Senior Building Inspector, Community Development

5-Year Pin

Jason Haber, Redevelopment Specialist, Community Development

## **REQUEST FROM THE PUBLIC**

### **5. SUBJECT: DONATION FROM GOLETA VALLEY CYCLING CLUB (460.01)**

RECOMMENDATION: That Council:

- A. Receive a donation from the Goleta Valley Cycling Club in the amount of \$200 for new bicycle helmets for employee bicycle training; and
- B. Appropriate the funds to the Public Works Department, Transportation Planning's budget for purchase of bicycle helmets.

DOCUMENTS:

- August 20, 2003, letter from Kathleen Boehm.
- September 16, 2003, Assistant City Administrator's report.
- 24<sup>th</sup> Annual People Powered Ride registration form submitted by Kathleen Boehm on September 16, 2003.

SPEAKERS:

Goleta Valley Cycling Club: Kathleen Boehm, President.

ACTION: By consensus, the Council approved the recommendations.

## **PUBLIC COMMENT**

SPEAKERS: Bruce Rittenhouse, Ken Loch, Scott Wenz, and Michael Magne.

## **CONSENT CALENDAR (Item Nos. 6 – 19)**

The titles of the resolution and ordinances related to the Consent Calendar were read.

MOTION:

Councilmembers Horton/Secord to approve the recommendations.

VOTE:

Unanimous voice vote.

### **6. SUBJECT: MINUTES**

RECOMMENDATION: That Council waive the reading and approve the minutes of the regular meetings of August 12 (cancelled due to lack of quorum), August 19, August 26, September 2 (cancelled due to lack of quorum) and September 9 (cancelled due to lack of quorum), 2003.

ACTION: Approved the recommendation.

7. SUBJECT: ACCEPTANCE OF CRITICAL INFRASTRUCTURE PROTECTION GRANT FROM CALIFORNIA OFFICE OF HOMELAND SECURITY (520.04)

RECOMMENDATION: That Council:

- A. Accept a Critical Infrastructure Protection Grant from the California Office of Homeland Security in the amount of \$76,891 to reimburse the Police and Airport Departments for overtime salary expenses for increased security related to the conflict with Iraq; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing Acceptance of a Critical Infrastructure Protection Grant from the California Office of Homeland Security.

SPEAKERS:

Staff: Acting City Administrator Joan M. Kent, Assistant to the City Administrator for Organizational Development Nina Johnson.

ACTION: Approved the recommendations; Resolution No. 03-089 (September 16, 2003, Assistant City Administrator's report).

8. SUBJECT: CONTRACT FOR SAN ROQUE PARK WATER WELL CONSTRUCTION PROJECT (540.10)

RECOMMENDATION: That Council:

- A. Award and authorize the Public Works Director to execute a contract with Bakersfield Well and Pump Company (BW&P) in their corrected low bid amount of \$405,603, for construction of the San Roque Park Water Well Construction Project (2003) - Phase 1, Bid No. 3368-A; and
- B. Authorize the Public Works Director to approve expenditures up to \$81,120 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.

SPEAKERS:

Staff: Principal Civil Engineer John Schoof.

ACTION: Approved the recommendations; Contract No. 21,130 (September 16, 2003, Public Works Director's report).

9. SUBJECT: AIRLINE OPERATING PERMIT WITH HORIZON AIR (560.02)

RECOMMENDATION: That Council approve and authorize the Airport Director to execute an Airline Operating Permit with Horizon Air, a Washington Corporation, for 118 square feet of exclusive use Airline Terminal Space, at a monthly rental of \$516 plus a prorated share of the Joint Use Baggage Claim and Holdroom areas at \$579 per month, for a total monthly rental of \$1,095, at the Santa Barbara Airport, commencing July 1, 2003, and ending September 30, 2003.

ACTION: Approved the recommendation; Agreement No. 21,131 (September 16, 2003, Airport Director's report).

10. SUBJECT: LEASE AGREEMENT WITH MLC AUTOMOTIVE, INC., DBA MEL CLAYTON FORD (330.04)

RECOMMENDATION: That Council approve and authorize the Airport Director to execute a month-to-month lease agreement with MLC Automotive, Inc., a California Corporation, dba Mel Clayton Ford, for 8,734 square feet of land at 6160 Robert Kiester Place and 24,450 square feet of land at 20 Jack Peres Place, at the Santa Barbara Airport, commencing August 1, 2003, for a total monthly rental of \$3,651, exclusive of utilities.

ACTION: Approved the recommendation; Agreement No. 21,132 (September 16, 2003, Airport Director's report).

11. SUBJECT: ADOPTION OF ORDINANCE FOR SHORELINE BEACH CAFE LEASE AMENDMENT (330.04)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving Amendment Number Three to Lease Agreement No. 17,387 with Kevin Boss, Randall Rowse, and Beachrok, Inc., d.b.a. Shoreline Beach Cafe, Adjusting the Seasonal Allocation of Base Rent Payments. (Introduced on August 26, 2003)

ACTION: Approved the recommendation; Ordinance No. 5288; Agreement No. 21,133.

12. SUBJECT: ADOPTION OF ORDINANCE FOR MODIFICATIONS TO SOLID WASTE PROGRAM (630.01)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara to Approve and Authorize the City Administrator to Execute Amendment No. 1 to Agreement Nos. 20,432 and 20,433 for Solid Waste Collection and Disposal With BFI Waste Systems of North America, Inc., and MarBorg Industries. (Introduced on August 26, 2003)

ACTION: Approved the recommendation; Ordinance No. 5289; Agreement Nos. 20,432.1 and 20,433.1.

13. SUBJECT: ADOPTION OF ORDINANCE FOR AGREEMENT FOR DELIVERY OF RECYCLED WATER (540.13)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the User Agreement Between the City of Santa Barbara and NMC Parking, LLC, for Delivery of the City's Recycled Water to the NMC Parking Irrigation System Located at 2 North Calle Cesar Chavez, Santa Barbara County Assessor's APN 017-030-014. (Introduced on August 26, 2003)

ACTION: Approved the recommendation; Ordinance No. 5290; Agreement No. 21,134.

14. SUBJECT: ADOPTION OF ORDINANCE FOR ENCROACHMENT PERMIT WITH LAGUNA COTTAGES FOR SENIORS (330.10)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Certain Encroachment Permit with Laguna Cottages for Seniors, a California Corporation, the Owner of the Real Property Located at 818 Garden Street (APN 031-021-015), to Allow Portions of a Structure Footing, Drainage Pipe, and Roof Overhang to Encroach into a Portion of Garden Street. (Introduced on August 26, 2003)

ACTION: Approved the recommendation; Ordinance No. 5291; Agreement No. 21,135.

15. SUBJECT: SET A DATE FOR PUBLIC HEARING REGARDING APPEAL OF PLANNING COMMISSION APPROVAL FOR 1318 SAN ANDRES STREET

RECOMMENDATION: That Council:

- A. Set the date of October 7, 2003, at 2:00 p.m. for hearing the appeal filed by S. Hope Cull of the Planning Commission approval of an application for property owned by Jeff Lockwood and located at 1318 San Andres Street, APN 039-101-008, R-3 Limited Multiple-Family Residential Zone, General Plan Designation: Residential, 12 Units/Acre. The project involves the demolition of two existing single-family residences and construction of five new condominium units on a lot adjacent to Old Mission Creek, and the discretionary applications required are a Tentative Subdivision Map and Modifications; and
- B. Set the date of October 6, 2003, at 1:30 p.m. for a site visit to the property located at 1318 San Andres Street.

ACTION: Approved the recommendations.

16. SUBJECT: SET A DATE FOR PUBLIC HEARING REGARDING APPEAL OF ARCHITECTURAL BOARD OF REVIEW APPROVAL FOR 1960 MISSION RIDGE ROAD

RECOMMENDATION: That Council:

- A. Set the date of October 14, 2003, at 2:00 p.m. for hearing the appeal filed by Jeffrey C. Nelson, Attorney representing Ronald and Catherine Boeddeker, of the Architectural Board of Review preliminary approval of an application for property owned by Kirk and Cecilia Borchardt and located at 1960 Mission Ridge Road, APN 019-083-018, A-1 One-Family Residence Zone, General Plan Designation: Residential, One Unit per Acre. The project involves the construction of additions, including a second story, to an existing single-story residence located within the Hillside Design District, and it requires Neighborhood Preservation Ordinance compliance; and
- B. Set the date of October 13, 2003, at 1:30 p.m. for a site visit to the property located at 1960 Mission Ridge Road.

ACTION: Approved the recommendations.

17. SUBJECT: SET A DATE FOR PUBLIC HEARING REGARDING APPEAL OF ARCHITECTURAL BOARD OF REVIEW APPROVAL FOR 3208 CAMPANIL DRIVE

RECOMMENDATION: That Council:

- A. Set the date of November 18, 2003, at 2:00 p.m. for hearing the appeal filed by Steven A. Amerikaner, Attorney representing neighboring property owners, of the Architectural Board of Review preliminary approval of an application for property owned by the Bollag Family Trust and located at 3208 Campanil Drive, APN 047-110-007, A-1 One-Family Residence Zone, General Plan Designation: Residential, One Unit per Acre. The project is an enforcement case proposing to permit 20 as-built outdoor light standards and fixtures at a single-family residence located within the Hillside Design District, and it requires Neighborhood Preservation Ordinance compliance; and
- B. Set the date of November 17, 2003, at 1:30 p.m. for a site visit to the property located at 3208 Campanil Drive.

ACTION: Approved the recommendations.

## NOTICES

18. Received a letter of resignation from Lower Westside Center Advisory Committee Member Jorge Rodriguez; the unscheduled vacancy will be part of the next City Advisory Group Recruitment. (580.03)

19. The City Clerk has on Thursday, September 11, 2003, 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.

This concluded the Consent Calendar.

## **FINANCE COMMITTEE REPORT**

20. SUBJECT: FINANCE COMMITTEE AGENDA, SEPTEMBER 16, 2003, 1:00 P.M., IN ROOM 15 (120.03)
  - A. Cachuma Operation and Maintenance Board Financing of the Bradbury Dam Radial Gates Maintenance and Modification Project; and
  - B. Contract for the Sheffield Water Quality Project Permanent Reservoirs.
21. SUBJECT: REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Gregg Hart reported that the Committee met to discuss authorization of the Cachuma Operation and Maintenance Board to enter into legal agreements and it will be brought forward to Council later. The Committee also discussed funding recommendations for the Sheffield Water Quality Project; a report will be presented next week regarding the status of the project.

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

### **INFORMATION:**

- Councilmember Horton reported on his attendance at the Jobs Housing Policy Steering Committee.
- Councilmember Secord reported on his attendance and participation at the League of California Cities meeting in Sacramento.
- Councilmember Falcone also reported on her attendance at the League of California Cities.

## **COUNCIL AND STAFF COMMUNICATIONS**

### **INFORMATION:**

- Councilmember Horton reported on his attendance at a "Keep the Beat" group meeting whose purpose is to raise funds for public school music education.
- Mayor Blum reported on her attendance at a picnic held by the Community Kitchen where she was presented with a Gold Plate award for the City of Santa Barbara.

## **ADMINISTRATIVE AND ATTORNEY REPORTS**

### **PUBLIC WORKS DEPARTMENT**

22. SUBJECT: CONSIDERATION OF JOINING THE SANTA BARBARA COASTAL VECTOR CONTROL DISTRICT (150.05)

RECOMMENDATION: That Council:

- A. Receive a report from Staff of the services provided by the Santa Barbara Coastal Vector Control District;
- B. Direct staff to move forward with the process of holding a property owner election to join the District; and
- C. Allocate \$20,000 from the Fiscal Year 2004 General Fund Appropriated Reserves to the Fiscal Year 2004 Public Works Environmental Program.

DOCUMENTS:

September 16, 2003, Public Works Director's report.

SPEAKERS:

- Staff: Public Works Director Tony Nisich.
- Santa Barbara Coastal Vector Control District: Manager Mitch Bernstein.

MOTION:

Councilmembers Secord/Horton to approve the recommendations and to direct staff to discuss the possibility of utilizing the 10,000-member survey to extract other information of interest to the City.

VOTE:

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

Councilmember Fairly left the meeting at 3:09 p.m.

### **PUBLIC HEARING**

23. SUBJECT: APPEAL OF PLANNING COMMISSION APPROVAL FOR 2540 CLIFF DRIVE (640.07)

RECOMMENDATION: That Council deny the appeal of Carol and Michael Celmins, and uphold the Planning Commission's decision to approve a street frontage modification and a waiver to allow a driveway to serve more than two lots and a Tentative Subdivision Map for a three-lot subdivision, at 2540 Cliff Drive, pursuant to the Subdivision Ordinance (SBMC §27.07.100), the Zoning Ordinance (SBMC §28.15.080) and Public Streets Requirements (SBMC §22.60.300), making the findings in the Council Agenda Report.

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

(Cont'd)

23. (Cont'd)

**DOCUMENTS:**

- September 16, 2003, Community Development Director's report.
- August 3, 2003, letter of appeal from Mr. and Mrs. Michael Celmins.
- August 3, 2003, letter from Jeffrey and Irina Gritsch.
- September 16, 2003, e-mail communication from Planning Commissioner Jonathan Maguire.
- Affidavit of Publication.

**PUBLIC HEARING OPENED:**

3:09 p.m.

**SPEAKERS:**

- Staff: Senior Planner Jan Hubbell, Fire Inspector Joe Poire, Supervising Transportation Planner Rob Dayton, Acting City Attorney Stephen P. Wiley.
- Appellant: Shaun Silvia.
- Applicant: Todd McChesney, Prudential California Realty.

**PUBLIC HEARING CLOSED:**

3:33 p.m.

**MOTION:**

Councilmembers Secord/Horton to approve the recommendation.

**VOTE:**

Unanimous voice vote (Absent: Councilmember Fairly).

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 3:36 p.m.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC  
CITY CLERK SERVICES MANAGER

ATTEST:

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

\_\_\_\_\_  
BRENDA ALCAZAR  
DEPUTY CITY CLERK