



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING November 9, 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 2:00 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.

CEREMONIAL ITEM

1. SUBJECT: PROCLAMATION DECLARING NOVEMBER 15, 2004, AS SANTA BARBARA'S AMERICA RECYCLES DAY (120.04)

ACTION: Proclamation presented to Stephen MacIntosh, Acting Environmental Programs Supervisor, City of Santa Barbara.

PUBLIC COMMENT

SPEAKERS: Richard Robinson, Ken Loch, and Frank Becchio.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

INFORMATION: Mayor Blum mentioned that she presented a letter of recognition to Tom Umenhofer for his 12 years of service on LAFCO.

COUNCIL AND STAFF COMMUNICATIONS

INFORMATION:

- Councilmember Barnwell spoke about the results of Measure B.
- Mayor Blum thanked everyone who worked on Measure A on behalf of the Council and future candidates.

CONSENT CALENDAR (Item Nos. 2 – 5, 8 and 9)

Item Nos. 6 and 7 appear in the Redevelopment Agency minutes.

The title of the resolution related to Item No. 3 was read.

MOTION:

Council/Agency members Secord/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 special meeting of October 25, 2004, and the regular meeting of October 26, 2004.

ACTION: Approved the recommendation.

3. SUBJECT: RECORDS DESTRUCTION FOR FINANCE 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 Records Held by the Accounting, Risk Management, and Treasury Divisions of the Finance Department.

ACTION: Approved the recommendation; Resolution No. 04-092 (November 9, 2004, report from the Finance Director; proposed resolution).

4. SUBJECT: APPROVAL OF PARCEL MAP AND AGREEMENTS FOR 3965 VIA LUCERO (640.08)

RECOMMENDATION: That Council:

- A. Approve and authorize the City Administrator to record Parcel Map No. 20,670 by Habitat for Humanity of Southern Santa Barbara County, for a one-lot subdivision for residential condominium purposes, located at 3965 Via Lucero, Assessor Parcel Number 057-233-027, finding the map in conformance with the General Plan and applicable specific plans of the City; and
- B. Approve and authorize the City Administrator to execute and record an Agreement Relating to Subdivision Map Conditions Imposed on Real Property.

ACTION: Approved the recommendations; Agreement No. 21,539 (November 9, 2004, report from the Public Works Director).

5. SUBJECT: SIDEWALK SALES REQUEST (530.04)

RECOMMENDATION: That Council approve pursuant to Section 9.48.010(B)(1) of the Santa Barbara Municipal Code, a request by all retail businesses fronting the 1100, 1200 and 1300 blocks of State Street, and the 00 blocks of East and West Victoria Street, and the 00 blocks of East and West Anapamu Street, to conduct sidewalk sales, subject to the conditions specified in the Council Agenda Report, during business hours during the period of time as follows:

- November 13, 2004, through November 14, 2004;
- December 11, 2004, through December 12, 2004; and
- January 8, 2005, through January 9, 2005.

SPEAKERS:

Staff: Transportation Manager Browning Allen.

ACTION: Approved the recommendation (November 9, 2004, report from the Public Works Director).

NOTICES

8. The City Clerk has on Thursday, November 4, 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.
9. City Council site visits are scheduled on Monday, November 8, 2004, at 1:30 p.m. to the properties located at 257 San Nicolas Avenue and 2047 Chino Street, which are the subjects of appeal hearings set for November 9, 2004, at 2:00 p.m.

This concluded the Consent Calendar.

FINANCE COMMITTEE REPORT

10. SUBJECT: FINANCE COMMITTEE AGENDA, NOVEMBER 9, 2004, 1:00 P.M., IN ROOM 15 FOR CONSIDERATION OF THE FISCAL YEAR 2005 FIRST QUARTER REVIEW (SEE ITEM NO. 12) (120.03)

11. SUBJECT: REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dan Secord reported that the Committee met to review the Fiscal Year 2005 Interim Financial Statements for the Three Months Ended September 30, 2004, which are being presented to the Council as Item No. 12.

12. SUBJECT: FISCAL YEAR 2005 FIRST QUARTER REVIEW (250.02)

RECOMMENDATION: That Council:

- A. Receive a report from staff on the status of revenues and expenditures, in relation to budget, as of September 30, 2004;
- B. Accept the Fiscal Year 2005 Interim Financial Statements for the Three Months Ended September 30, 2004; and
- C. Decrease General Fund property tax estimated revenues by \$661,337 and increase estimated revenues for booking fee reimbursements by \$217,000 to adjust for the actual impacts of the final State adopted budget.

DOCUMENTS:

- November 9, 2004, Finance Director's report.
- PowerPoint presentation prepared by staff.

SPEAKERS:

Staff: Treasury Manager Cynthia Odell, City Administrator James L. Armstrong, Accounting Manager Rudolf Livingston.

MOTION:

Councilmembers Horton/Secord to approve the recommendations.

VOTE:

Unanimous voice vote.

Item No. 13 appears in the Redevelopment Agency minutes.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

14. SUBJECT: MILPAS STREET BEAUTIFICATION PROJECT - PROPOSED IMPROVEMENTS (530.04)

RECOMMENDATION: That Council:

- A. Hear a staff report on the Milpas Street Beautification Project and provide direction for approval of final design scope of work; and
- B. Authorize the reprogramming of \$220,000 in funds within the Fiscal Year 2005 Streets Capital Program to cover the cost if Council agrees to add additional pedestrian lighting to the Milpas Beautification Project.

DOCUMENTS:

- November 9, 2004, report from the Public Works Director.
- PowerPoint presentation prepared by staff.
- November 9, 2004, letters from Constantino Frangos and Scott Wenz.

Councilmember Horton left the meeting at 2:52 p.m. and returned at 3:03 p.m.

SPEAKERS:

- Staff: Principal Civil Engineer John Ewasiuk.
- Members of the Public: David Damiano, Santa Barbara Metropolitan Transit District; Constantino Frangos; Robert Ludwick, The Milpas Association; Harold Hattier.

MOTION:

Councilmembers Secord/Williams to approve the recommendations.

VOTE:

Unanimous voice vote.

15. SUBJECT: DOWNTOWN PARKING BUS PASS PROGRAMS (150.05)

RECOMMENDATION: That Council:

- A. Find it in the City's best interest to waive the formal bid process, as authorized by Municipal Code 4.52.080 (k), and authorize the City's General Services Manager to issue a Purchase Order to the Metropolitan Transit District (MTD) to purchase bus tokens, and 10-ride and 30-day bus passes, for a not-to-exceed amount of \$170,000; and
- B. Authorize the City's General Services Manager to issue Purchase Orders and Change Orders to MTD for four subsequent, consecutive years for the Bus Pass Program, in amounts not to exceed the annual appropriated and approved budget for the program, as approved by City Council.

(Cont'd)

15. (Cont'd)

DOCUMENTS:

November 9, 2004, report from the Public Works Director.

SPEAKERS:

Staff: Transportation Manager Browning Allen.

MOTION:

Councilmembers Secord/Williams to approve the recommendations.

VOTE:

Unanimous voice vote.

RECESS

3:56 p.m. – 4:06 p.m. Councilmembers Barnwell and Falcone were absent when the Council reconvened.

MAYOR AND COUNCIL REPORTS

16. SUBJECT: CITY ADVISORY GROUP INTERVIEWS (140.05)

RECOMMENDATION: That Council:

- A. Hold interviews of applicants to various City Advisory Groups at an estimated time of 4:00 p.m.; and
- B. Continue interviews of applicants to November 16, 2004, at 6:00 p.m.
(Estimated Time: 4:00 p.m.)

DOCUMENTS:

- November 9, 2004, Assistant City Administrator's report.
- November 9, 2004, letter from David Vernon Thomas.

SPEAKERS:

The following applicants were interviewed:

Airport Commission:
Paul Trent

Councilmember Barnwell entered the meeting at 4:10 p.m.

Airport Commission (Cont'd):
William Gilbert

Councilmember Falcone entered the meeting at 4:13 p.m.

(Cont'd)

16. (Cont'd)

SPEAKERS (Cont'd):

Architectural Board of Review:

Jé Goolsby

Karl Eberhard

Community Development and Human Services Committee:

Bonnie Elliott

Community Events and Festivals Committee:

Greg Karpain

Downtown Parking Committee:

Marshall Rose

Bill Medel

Kate Schwab

Fire and Police Commission:

Phyllis Dickson

Leonard Atkins

Fire and Police Pension Commission:

Michael Jacobs

Harbor Commission:

Dana Longo

Charles Watson

Historic Landmarks Commission:

Jeanne Martin

Fermina Murray

Louise Boucher

Metropolitan Transit District Board:

Gerald Lorden

Library Board:

David Vernon Thomas

Park Commission and Recreation Commission:

Steve Forsell

Arnoldo González

Ricardo Castellanos

Councilmember Horton left the meeting at 5:13 p.m.

Planning Commission:

Addison Thompson

Stella Larson

Lee Moldaver

Councilmember Barnwell left the meeting at 5:35 p.m.

(Cont'd)

16. (Cont'd)

SPEAKERS (Cont'd):

Planning Commission (Cont'd):

John Thyne

Rental Housing Mediation Task Force:

Michael Bifano

Sign Committee:

Tom Nilsen

Sister Cities Board:

George Potter

Water Commission:

Steven Little

Transportation and Circulation Committee:

Loretta Redd

By consensus, the Council agreed to continue the interviews on November 16, 2004, at 6:00 p.m.

City Administrator James L. Armstrong left the meeting at 5:58 p.m. Assistant City Administrator Joan M. Kent entered the meeting at 5:58 p.m.

PUBLIC HEARINGS

17. SUBJECT: APPEAL OF PARK AND RECREATION COMMISSION DENIAL OF TREE REMOVAL AT 2047 CHINO STREET (570.05)

RECOMMENDATION: That Council deny the appeal of Florence Jennings of the Park and Recreation Commission's denial of her request to remove two Red-Flowering Eucalyptus trees in the parkway in front of 2047 Chino Street.

DOCUMENTS:

- November 9, 2004, report from the Acting Parks and Recreation Director.
- PowerPoint presentation prepared by staff.

PUBLIC HEARING OPENED:

5:58 p.m.

SPEAKERS:

Staff: Acting Parks and Recreation Director Nancy Rapp, Arborist David Gress.

Councilmember Falcone left at 6:01 p.m. and returned at 6:09 p.m.

(Cont'd)

17. (Cont'd)

PUBLIC HEARING CLOSED:

6:09 p.m.

MOTION:

Councilmembers Schneider/Secord to deny the appeal.

VOTE:

Unanimous voice vote (Abstention: Councilmember Falcone; Absent: Councilmembers Barnwell, Horton).

18. SUBJECT: APPEAL OF PARK AND RECREATION COMMISSION DENIAL OF TREE REMOVAL AT 257 SAN NICOLAS AVENUE (570.05)

RECOMMENDATION: That Council deny the appeal of Kevin Cunningham of the Park and Recreation Commission's denial of his request to remove a Mexican Fan Palm in the parkway in front of 257 San Nicolas Avenue.

DOCUMENTS:

- November 9, 2004, report from the Acting Parks and Recreation Director.
- PowerPoint presentation prepared by staff.
- Color copies of photos submitted by Kevin Cunningham.
- Color copy of photo submitted by Inge Rose.

PUBLIC HEARING OPENED:

6:10 p.m.

SPEAKERS:

- Staff: Arborist David Gress, Acting Parks and Recreation Director Nancy Rapp, City Attorney Stephen P. Wiley.
- Appellant: Kevin Cunningham.
- Member of the Public: Inge Rose.

PUBLIC HEARING CLOSED:

7:00 p.m.

MOTION:

Councilmembers Secord/Williams to deny the appeal with the understanding that another tree will be planted in the vicinity and once it is established, the City will remove the existing tree.

(Cont'd)

18. (Cont'd)

AMENDMENT MOTION:

Councilmembers Secord/Williams to deny the appeal with the understanding that another tree will be planted in the vicinity and once it is established, as determined by the City Arborist, the City will remove the existing tree.

VOTE:

Majority voice vote (Ayes: Councilmembers Schneider, Secord, Williams; Noes: Councilmember Falcone, Mayor Blum; Absent: Councilmembers Barnwell, Horton).

COUNCIL AND STAFF COMMUNICATIONS

INFORMATION: Councilmember Secord thanked everyone who worked on Measure A on behalf of the Council and future candidates.

ADJOURNMENT

Mayor Blum adjourned the meeting at 7:02 p.m.

SANTA BARBARA CITY COUNCIL

JAMES L. ARMSTRONG
CITY CLERK

MARTY BLUM
MAYOR

ATTEST: _____
BRENDA ALCAZAR, CMC
DEPUTY CITY CLERK