



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING August 22, 2006 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: Iya G. Falcone, Roger L. Horton, Grant House, Helene Schneider, Das Williams, Mayor Blum.

Councilmembers absent: Brian B. Barnwell.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Lori Cole.

PUBLIC COMMENT

Speakers: David Daniel Diaz, Michael Self, Anne Fortuna, Michael Venegas, Roxana Gamboa, Geraldine Santamaria, Kenneth Loch.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Horton mentioned his attendance at the First 5 Commission meeting in Santa Barbara.
- Councilmember Falcone commented on the following: 1) the Explorers' comments; 2) her attendance, along with Councilmember Schneider and Mayor Blum at the new police officer swear-in ceremony; 3) her attendance at the Santa Barbara County Association of Governments meeting, which she attended in Mayor Blum's absence; 4) her communication with Caltrans about the Castillo and Haley Streets underpass; and 5) her attendance at today's press conference in front of City Hall recommitting to Measure D.
- Councilmember Williams spoke about the following: 1) his attendance at a meeting of energy stakeholders discussing wind power; 2) the People's Self-Help Housing Donor Appreciation event, which he attended; and 3) the meeting of the Ladera Group addressing gang-related issues that he, Mayor Blum and Councilmember Schneider attended.
- Councilmember Schneider commented on the following: 1) her participation in the Bohnett Park clean up sponsored by the Creeks Division and Parks Department; 2) her attendance with Councilmember House at the Alzheimer's Association Memory Walk at Chase Palm Park; and 3) that she spoke on behalf of Mayor Blum at the Yanonali Community Gardens to thank Von's for their generous compost donation.
- Councilmember House reported on the following: 1) the ability to reuse some of the food that Von's donates through the Foodbank; and 2) that the Airport Commission welcomed new members at their last meeting.
- Mayor Blum commented on the following: 1) her attendance at the Police Academy graduation; 2) California State Senator Barbara Boxer's appearance in Santa Barbara where she spoke against oil drilling in the channel; and 3) the Pacific Coast Business Times' recognition of six small businesses.

ITEM REMOVED FROM THE CONSENT CALENDAR

5. Subject: Rejection Of Bid For Pedregosa Area Storm Drain, Phase 1A, Bid No. 3394 (530.04)

Recommendation: That Council reject the bid for the construction of Pedregosa Area Storm Drain, Phase 1A, Bid No. 3394.

Documents:

August 22, 2006, Public Works Director's report.

Speakers:

Staff: Principal Engineer John Ewasiuk.

Member of the Public: Hillary Hauser, Heal the Ocean.

(Cont'd)

5. (Cont'd)

Motion:

Councilmembers Schneider/Horton to approve the recommendation, directing Staff to work with Heal the Ocean to identify other funding sources for this project.

Vote:

Unanimous voice vote (Absent: Councilmember Barnwell).

CONSENT CALENDAR (Item Nos. 1-4, and 6-9)

The titles of the ordinance and resolution related to Item Nos. 2 and 4, respectively, were read.

Motion:

Councilmembers Schneider/Williams to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote (Absent: Councilmember Barnwell).

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the special meeting of August 7, 2006, and the regular meeting of August 8, 2006.

Action: Approved the recommendation.

2. Subject: Adoption Of Ordinance For Assignment Of Lease With Deli Sushi Go Go (330.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving an Assignment of Lease Agreement No. 20,453 from David Kim and Wal Jo Kim, d.b.a. Deli Sushi Go Go, to Kyung Wang and Sarah Wang, for the 198 Square-Foot Restaurant Located at 119-B Harbor Way, Commencing on September 22, 2006.

Action: Approved the recommendation; Ordinance No. 5395; Agreement No. 22,189.

3. Subject: Notice Of Completion For Local Roads Rehabilitation Project (530.04)

Recommendation: That Council accept the work completed by Granite Construction Company, Contract No. 21,806, for the Local Roads Rehabilitation Project, Bid No. 3432, in the final contract amount of \$1,319,669.39 and approve filing of a Notice of Completion.

Action: Approved the recommendation (August 22, 2006, Public Works Director's report).

4. Subject: Mountain Drive Water Main Extension - Acceptance Of Improvements and Easements (540.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting Public Street Easements Located at 1325 West Mountain Drive (Assessor's Parcel No. 021-050-027) and 1421 West Mountain Drive (Assessor's Parcel No. 021-050-023), and Accepting Water Main Improvements in the 1100 to 1300 Blocks of West Mountain Drive Constructed Pursuant to Agreement No. 21,758.

Action: Approved the recommendation; Resolution No. 06-074 (August 22, 2006, Public Works Director's report; proposed resolution).

6. Subject: July 2006 Investment Report (260.02)

Recommendation: That Council accept the July 2006 Investment Report.

Action: Approved the recommendation (August 22, 2006, Finance Director's report).

7. Subject: Set A Date For Public Hearing Regarding Architectural Board Of Review Preliminary Approval For 216 E. Calle Laureles

Recommendation: That Council:

- A. Set the date of October 10, 2006, at 2:00 p.m. for hearing the appeal filed by Carolyn Griffith and Robert Taylor of the Architectural Board of Review's Preliminary Approval of an application for property owned by Paula S. Schaefer and located at 216 E. Calle Laureles, Assessor's Parcel Number 053-091-011, E-3 One-Family Residence Zone/SD-2 Special District Zone, General Plan Designation: Residential, 5 Units per Acre. The project proposes a two-story addition and second-story deck to an existing one-story, single family residence; and
- B. Set the date of October 9, 2006, at 1:30 p.m. for a site visit to the property located at 216 E. Calle Laureles.

Action: Approved the recommendations (July 27, 2006, letter of appeal).

NOTICES

8. The City Clerk has on Thursday, August 17, 2006, 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. Cancellation of the regular City Council meeting of August 29, 2006, and the regular City Council and Redevelopment Agency meetings of September 5, 2006, due to lack of a quorum.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Roger Horton reported that the Committee met to review the July 2006 Investment Report, which was approved by the Council as part of this Agenda's Consent Calendar (Item No. 6).

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

10. Subject: Proposal For \$15,000 To Support Development And Implementation Of A Transfer Of Development Rights Program For Santa Barbara County (650.11)

Recommendation: That Council consider appropriating \$15,000 from Fiscal Year 2007 Appropriated Reserves to support the development and implementation of a Transfer of Development Rights Program for the County of Santa Barbara.

Documents:

August 22, 2006, report from the Community Development Director.

Speakers:

Staff: Community Development Director Paul Casey.

Motion:

Councilmembers Falcone/Williams to approve the recommendation.

Vote:

Unanimous voice vote (Absent: Councilmember Barnwell).

PUBLIC WORKS DEPARTMENT

11. Subject: Public Hearing To Consider Proposed Underground Utility District No. 10 (530.07)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Establishing Underground Utility District No. 10.

Documents:

- August 22, 2006, report from the Public Works Director.
- Proposed Resolution.
- Affidavit of Publication.

The title of the resolution was read.

Public Comment Opened:

3:01 p.m.

(Cont'd)

11. (Cont'd)

Speakers:

Staff: Public Works Director Anthony Nisich, Principal Engineer Homer Smith, City Attorney Stephen Wiley.

Public Comment Closed:

3:13 p.m.

Motion:

Councilmembers Horton/Williams to approve the recommendation;
Resolution No. 06-075.

Vote:

Unanimous roll call vote (Absent: Councilmember Barnwell).

RECESS

3:13 p.m. – 3:21 p.m.

MAYOR AND COUNCIL REPORTS

12. Subject: Notification When Pesticides Are Used Within Santa Barbara City Limits

Recommendation: That Council authorize the Mayor to send a letter to the County of Santa Barbara and the State of California requesting that the City be notified when spraying or depositing pesticides within or proximate to the City limits.

Documents:

August 22, 2006, report from Councilmembers Falcone, Barnwell, and Williams.

Speakers:

Members of the Public: Estelle Foster; Nancy Black, Pesticide Awareness and Alternatives Coalition; Bert Bertrando; Jack Ruskey; Greg Chittick; Wendy Kaysing, Pesticide Awareness and Alternatives Coalition; Teresa Bacci; Eric Cardenas, Integrated Pest Management Committee; Susan Shields; John Caulfield; Harold Powell.

Motion:

Councilmembers House/Horton to approve the recommendation, directing Staff to incorporate Councilmembers' comments into the letter and also directing the City Attorney to investigate the City's ability to compel the State to abide by statutes and program protocols.

Vote:

Unanimous voice vote (Absent: Councilmember Barnwell).

BOARD AND COMMISSION REPORTS

13. Subject: Dissolution Of Sister Cities Palma De Mallorca, Spain, And Yalta, Ukraine (130.03)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara, California, dissolving the Sister City affiliation with Palma de Mallorca, Spain; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara, California, dissolving the Sister City affiliation with Yalta, Ukraine.

Documents:

- August 22, 2006, report from the Santa Barbara Sister Cities Board.
- Proposed Resolutions.

The titles of the resolutions were read.

Speakers:

- Staff: City Administrator's Office Supervisor Linda Gunther.
- Santa Barbara Sister Cities Board: Takako Wakita.

Motion:

Councilmembers Horton/Falcone to approve the recommendations; Resolution Nos. 06-076 and 06-077.

Vote:

Unanimous roll call vote (Absent: Councilmember Barnwell).

RECESS

Mayor Blum recessed the meeting at 4:26 p.m. in order for the Council to reconvene in closed session for Item No. 14.

CLOSED SESSIONS

14. Subject: Conference With Legal Counsel - Pending Litigation (160.03)

Recommendation: That Council hold a closed session to consider litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. The litigation is Michael Tocher vs. City Of Santa Barbara, et al., U.S. District Court Case Number CV 05-7050 CAS (SSx).

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

(Cont'd)

14. (Cont'd)

Documents:

August 22, 2006, report from the City Attorney.

Time:

4:26 p.m. - 4:45 p.m.

No settlement approved.

ADJOURNMENT

Mayor Blum adjourned the meeting at 4:45 p.m.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER

MARTY BLUM
MAYOR

ATTEST:

LORI COLE
DEPUTY CITY CLERK