



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING March 21, 2006 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Marty Blum called the joint meeting of the Council and the Redevelopment Agency to order at 2:02 p.m. (The Ordinance Committee met at 12:00 p.m. The Finance Committee, which ordinarily meets 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, Grant House, Helene Schneider, Das Williams, Mayor Blum.

Councilmembers absent: None.

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

### CEREMONIAL ITEMS

1. **Subject: Proclamation Declaring March 20 - 26, 2006, As Orchid Week (120.04)**

Action: Proclamation presented to Dr. Al Svoboda, board president of the Santa Barbara International Orchid Show.

### PUBLIC COMMENT

Speakers: Don MacNevin.

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

### Information:

- Councilmember Horton mentioned the following events: 1) the St. Patrick's Day celebration sponsored by Santa Barbara's sister city Dingle, Ireland; and 2) the retirement party given for Patrick Davis, Executive Director of the Santa Barbara County Arts Commission.
- Councilmember Falcone reported on a session of the recent National League of Cities' conference regarding cities' regional collaboration.
- Councilmember House commented on the transportation improvements afforded by the forthcoming Summerland/Ortega Hill project.
- Councilmember Schneider reported on a meeting with California Senator Barbara Boxer regarding several major City and regional issues.
- Councilmember Williams remarked on the following meetings/events: 1) a visit made by the Cachuma Conservation Release Board to the sites of several restoration projects; 2) awards for the 50 most influential Latinos; 3) a meeting of the Youth Council regarding funding for the teen center design; and 4) adoption of a living wage ordinance by the City of Ventura.
- Councilmember Barnwell commented on the conclusion of meetings of the Neighborhood Preservation Ordinance Update Steering Committee, and a Harbor Commission meeting regarding budget issues.
- Mayor Blum mentioned a tree planting made courtesy of Santa Barbara's sister city Dingle, Ireland; she also reported on a letter sent to the Toyota Co. regarding the company's decision not to provide hybrid vehicles to public agencies or rental car companies.

## **CONSENT CALENDAR (Item Nos. 2 – 6, 8 and 10)**

The titles of all resolutions related to Consent Calendar items were read.

### Motion:

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

### Vote:

Unanimous roll call vote.

## **2. Subject: Resolution Of Tax Exchange Agreement (330.03)**

Recommendation: That the City Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara in the Matter of Providing for a Negotiated Exchange of Property Tax Revenues Pertaining to the Lengsfelder Reorganization, a Detachment From the City of Santa Barbara and Annexation to the Santa Barbara County Fire Protection District.

Action: Approved the recommendation; Resolution No. 06-015 (March 21, 2006, Community Development Director's report; proposed resolution).

**3. Subject: Approval Of Map And Execution Of Agreement For 422 - 448 Santa Fe Lane (640.08)**

Recommendation: That Council:

- A. Approve and authorize the City Administrator to record Final Map No. 20,708 by Vintage at the Mesa, Inc., a California Corporation, for a subdivision located at 422-448 Santa Fe Lane, Assessor's Parcel Nos. 035-191-001, -043, -044, -045, -046, -047, -048 and -049, and portions of 035-180-037, -038, -039, -040; and -041, and find the Final Map in conformance with the General Plan for the City of Santa Barbara (City);
- B. Approve and authorize the City Administrator to execute and record an Agreement Relating to Subdivision Map Conditions Imposed on Real Property; and
- C. Adopt, by reading of title only, and authorize the City Clerk to record, A Resolution of the Council of the City of Santa Barbara Accepting Easements for Public Trail Purposes Over Real Properties Located at 1701-1704, 1706 and 1708 La Vista Del Oceano Drive, 422-448 Santa Fe Lane, and Vacant Property Known as Santa Barbara County Assessor's Parcel No. 035-180-027.

Action: Approved the recommendations; Agreement No. 21,955; Resolution No. 06-016 (March 21, 2006, Public Works Director's report; proposed resolution).

**4. Subject: Proposed Acceptance Of Santa Fe Place As A City Street (530.04)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting the Irrevocable Offer of Dedication of a Public Street Easement Underlying the Existing Private Street Now Commonly Known as "Santa Fe Place" Located Within the SHIFCO Senior Housing Complex Owned by The Housing Authority of the City of Santa Barbara.

Action: Approved the recommendation; Resolution No. 06-017 (March 21, 2006, Public Works Director's report; proposed resolution).

**5. Subject: Authorization For Increased Expenditures And Notice Of Completion For El Estero Wastewater Treatment Plant Improvement Project (540.13)**

Recommendation: That Council:

- A. Authorize an increase in the Public Works Director's authority to approve expenditures for extra work by \$4,935 to \$39,935, for the El Estero Wastewater Treatment Plant Secondary Clarifiers, Weirs, Launderers, and Scum Collectors Improvement Project, Contract No. 21,682; and

(Cont'd)

**5. (Cont'd)**

- B. Accept the work completed by Schock Contracting Corporation for the El Estero Wastewater Treatment Plant Secondary Clarifiers, Weirs, Launderers, and Scum Collectors Improvement Project, Contract No. 21,682, located at 520 East Yanonali Street, in the final contract amount of \$389,823, including approved changes, and approve filing of a Notice of Completion.

Action: Approved the recommendations (March 21, 2006, Public Works Director's report).

**6. Subject: Issuance Of Purchase Order For Laboratory Services For Cater Water Treatment Plant Pilot Study (540.10)**

Recommendation: That Council authorize the General Services Manager to issue a purchase order to Montgomery Watson Harza Laboratories (MWH), for analytical work required for the Cater Advanced Treatment Technology Pilot Study, in an amount not to exceed \$220,000.

Action: Approved the recommendation (March 21, 2006, Public Works Director's report).

**8. Subject: Approval Of Parcel Map And Execution Of Agreement For 617 Garden Street (640.08)**

Recommendation: That Council:

- A. Approve and authorize the City Administrator to record Parcel Map No. 20,723 by The Mental Health Association In Santa Barbara County, a California non-profit corporation, for a subdivision located at 617 Garden Street, Assessor's Parcel No. 031-152-028, and find the Parcel Map in conformance with the General Plan for the City of Santa Barbara (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. 21,956 (March 21, 2006, Public Works Director's report).

Agenda Item No. 9 appears in the Redevelopment Agency minutes.

## NOTICES

10. The City Clerk has on Thursday, March 16, 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.

This concluded the Consent Calendar.

## **ITEM REMOVED FROM CONSENT CALENDAR**

Councilmembers Horton and House stated they would abstain from voting on the following item due to conflicts of interest relating to their residence within the proposed assessment district.

### **7. Subject: Wildland Fire Suppression Assessment District (290.00)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Preliminarily Initiating Proceedings for the Formation of an Assessment District Pursuant to Article XIII(D) of the California Constitution and Government Code Section 50078, "Fire Suppression Assessments," for the Wildland Fire Suppression Assessment District, Describing the Proposed Improvements, and Ordering the Preparation and Filing of an Engineer's Report Describing the Wildland Fire Suppression Assessment District and the Proposed Method and Distribution of the Assessment in More Detail.

Documents:

- March 21, 2006, report from the Fire Chief.
- Proposed Resolution.

The title of the resolution was read.

Motion:

Councilmembers Williams/Schneider to approve the recommendation;  
Resolution No. 06-018.

Vote:

Unanimous roll call vote (Abstentions: Councilmembers Horton, House).

## **REPORT FROM THE ORDINANCE COMMITTEE**

Ordinance Committee Chair Iya Falcone reported that stakeholders for the proposed Private Sewer Lateral Inspection Program have reached consensus on the triggers to be used to require inspections. The Committee forwarded to Council both the overall program as well as the separate issue of a grid system approach to the inspection of all City laterals.

## REDEVELOPMENT AGENCY REPORTS

### 11. Subject: Construction Contract For Public Restrooms At 914 State Street And Comprehensive Downtown Public Restroom Program Status Report (530.01)

#### Recommendation:

- A. That the Agency Board authorize the expenditure of \$383,675 for the construction of the public restrooms at 914 State Street;
- B. That Council authorize the Public Works Director to execute a contract with W.T. Thomson, Incorporated, in the amount of \$305,606 for construction of the public restrooms at 914 State Street;
- C. That Council authorize the Public Works Director to approve expenditures up to \$45,841 to cover any cost increases that may result from contract change orders for extra work;
- D. That Council authorize the Public Works Director to execute a contract with Poirer and David Architects for the construction phase design services for the restrooms at 914 State Street in an amount not to exceed \$27,233, and authorize the Public Works Director to approve expenditures up to \$2,723 for extra services of Poirer and David Architects that may result from necessary changes in the scope of work;
- E. That Council authorize the General Services Manager to issue a purchase order to Pacific Materials Laboratory in the amount of \$2,066 for material testing, and authorize the General Services Manager to approve expenditures of up to \$206 for extra services from Pacific Materials Laboratory that may result from necessary changes in the scope of work;
- F. That the Agency Board and Council receive a status report on the Comprehensive Downtown Public Restroom Program; and
- G. That Council authorize the City Administrator to execute the Agreements for Visitor Restroom Program Participation with program participants subject to approval by the City Attorney.

#### Documents:

- March 21, 2006, report from the Public Works Director and the Community Development Director/Deputy Director.
- PowerPoint presentation prepared and made by Staff.

#### Speakers:

Staff: Redevelopment Supervisor Brian Bosse.

#### Motion:

Council/Agency members House/Horton to approve the recommendations; City Council Contract Nos. 21,957 (recommendation B) and 21,958 (recommendation D); City Council Agreement Nos. 21,940(a) – (c) (recommendation G).

#### Vote:

Unanimous voice vote.

## MAYOR AND COUNCIL REPORTS

### 12. Subject: Municipal Election Reform (110.03)

Recommendation: That Council:

- A. Consider municipal election reform; and
- B. Form a Council Subcommittee, consisting of the Mayor and two Councilmembers, to consider how mayoral and council elections are financed, by:
  - Meeting with interested citizens to discuss municipal election reform; and
  - Submitting a report with its recommendations, if any, to the Council on municipal election reform within sixty (60) days.

Documents:

- March 21, 2006, report from Mayor Blum and Councilmember Barnwell.
- March 15, 2006, letter from Reining in Corporate Power.

Speakers:

Members of the Public: David Wass; Dorothy Holland, Women's International League for Peace; Patricia Hiles, Reining in Corporate Power; David Pritchett.

Motion:

Councilmembers Horton/Falcone to appoint Mayor Blum and Councilmembers Barnwell and Horton to the Municipal Election Reform Subcommittee.

Vote:

Unanimous voice vote.

## RECESS

3:18 p.m. – 3:28 p.m. Councilmember House was absent when the Council reconvened; he would not be present for the following item due to a conflict of interest related to his residence in proximity to the subject property.

## PUBLIC HEARINGS

### 13. Subject: Appeal Of Architectural Board Of Review Decision For 812 Largura Place (640.07)

Recommendation: That Council deny the appeal and uphold the Architectural Board of Review decision to grant Preliminary Approval of the proposed additions to an existing residence in the Hillside Design District, making the findings pursuant to the Neighborhood Preservation Ordinance (SBMC §22.68.060).

(Cont'd)

**13. (Cont'd)**

Documents:

- March 21, 2006, Community Development Director's report.
- Affidavit of Publication.

Public Comment Opened:

3:29 p.m.

Speakers:

- Staff: Design Review Supervisor Jaime Limón, Principal Engineer John Ewasiuk.
- Appellant: Attorney Tony Fischer, Linda Cahill, Mike Cahill.
- Applicant: Architect Armando Arias, Bob Mulcahy, Douglas Fell.
- Member of the Public: Carol Pigeon.

Public Comment Closed:

4:12 p.m.

Motion:

Councilmembers Barnwell/Schneider to approve the recommendation.

Vote:

Unanimous voice vote (Absent: Councilmember House).

**RECESS**

4:24 p.m. – 4:31 p.m. All Councilmembers were present.

**CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

COMMUNITY DEVELOPMENT DEPARTMENT

**14. Subject: Consideration For Annexation Of 900-1100 Las Positas Road (Veronica Meadows Specific Plan) (680.04)**

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Initiating Proceedings For a Reorganization of Boundaries, Annexation to the City of Santa Barbara, Detachment From the Goleta Water District, and Detachment From the Santa Barbara County Fire Protection District, Amending the General Plan Map of the City of Santa Barbara, Amending the Local Coastal Plan of the City of Santa Barbara, Enacting an Amendment to Title 28 of the Santa Barbara Municipal Code to Enact a New Chapter, Chapter 28.50, a Specific Plan For the Veronica Meadows Specific Plan (The "SP-9 Zone"),

(Cont'd)

**14. (Cont'd)**

- A. (Cont'd)  
Making Necessary Environmental Findings, and Approving a Statement of Overriding Considerations Under the California Environmental Quality Act, For Property Located at 900-1100 Las Positas Road, Assessor Parcel Numbers 047-010-011, 047-010-016, 047-061-026 and a Portion of 047-010-053;
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Making Environmental Findings and Approving a Public Street Waiver, Lot Line Adjustment, Coastal Development Permit and Tentative Subdivision Map For an Application of Peak Las Positas Partners, 900-1100 Block of Las Positas Road (Veronica Meadows Specific Plan) (MST99-00608); and
- C. Direct staff to prepare an easement authorizing the use of a City-owned parcel (APN 047-010-009) for the construction of the bridge and the construction and future maintenance of the creek restoration element of the project, finding the proposed uses of the City parcel to be accessory to and compatible with the park and recreation uses to which the property is devoted.

(Continued from March 8, 2006)

**Documents:**

March 21, 2006, Community Development Director's report.

**Speakers:**

- Staff: Community Development Director Paul Casey, City Attorney Stephen Wiley, City Planner Bettie Weiss.
- Creeks Advisory Committee: Member David Pritchett.
- Applicant: Attorney Steven Amerikaner.
- Members of the Public: Gary Shumaker, Betty Shumaker, Amanda DeLucia, Walter Knapp, Daniel McCarter, Randy Mudge.

**Discussion:**

Staff delineated five issues pertaining to this project: 1) property access (via a vehicle bridge?); 2) appropriate density; 3) creek restoration; 4) creek setbacks; and 5) private vs. public road. All Councilmembers voiced their opinions as to how the current project does or does not address their individual preferences for project features corresponding to these issues.

Recess: 6:08 p.m. – 6:16 p.m.

**Speakers (Cont'd):**

Applicant: Attorney Steven Amerikaner.

(Cont'd)

**14. (Cont'd)**

Motion:

Councilmembers Horton/House to take no action on the Staff recommendations and refer the project to the Planning Commission and the Creeks Advisory Committee for recommendations in accordance with Council comments.

Vote:

Unanimous voice vote.

**CHANGES TO THE AGENDA**

Item Removed from Agenda

The Council concurred with City Attorney Stephen Wiley's recommendation that the following item be removed from the Agenda:

**15. 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 Chrystine M. Lawson, etc., et al., v. City of Santa Barbara, et al., USDC Case No. CV 01-2692 GHK (RCx).

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

**COUNCIL AND STAFF COMMUNICATIONS**

Information: Mayor Blum welcomed Christopher Meagher, a reporter for the Santa Barbara Daily Sound, a local start-up newspaper.

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 6:25 p.m.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC  
CITY CLERK SERVICES MANAGER

ATTEST:

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

\_\_\_\_\_  
SUSAN TSCHECH, CMC  
DEPUTY CITY CLERK