



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING July 13, 2004 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 2:00 p.m. (The Finance and Ordinance Committees, which are ordinarily scheduled to meet 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, Dan B. Secord, Das Williams, Mayor Blum.

Councilmembers absent: Helene Schneider.

Staff present: City Administrator/Clerk James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Brenda Alcazar.

### CEREMONIAL ITEMS

1. SUBJECT: EMPLOYEE RECOGNITION - SERVICE AWARD PINS (410.01)

RECOMMENDATION: That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through July 31, 2004.

#### DOCUMENTS:

July 13, 2004, Assistant City Administrator's report.

#### SPEAKERS:

Staff: City Administrator James L. Armstrong.

(Cont'd)

1. (Cont'd)

By consensus, the Council approved the recommendation. The following employees were recognized:

25-Year Pin

Ruth A. Mason, Senior Office Specialist, Fire

20-Year Pin

Connie Styrwoll, Human Resources Analyst, Administrative Services

Carol Carpenter, Housing Loan Officer, Community Development

15 – Year Pin

Janet McGinnis, Assistant City Attorney I, City Attorney

Alice Haferkamp, Office Specialist II, Police

Larry Doria, Maintenance Crew Leader, Public Works

Chito Macario, Senior Wastewater Collection Systems Operator, Public Works

Sandy Dietz, Maintenance Coordinator, Airport

10- Year Pin

Marylinda Arroyo, Police Officer, Police

Alexander Cruz, Police Officer, Police

John Stoney, Police Officer, Police

5-Year Pin

Christopher Bell, City TV Production Specialist, City Administrator

Sandee Brown, Buyer, Finance

Victoria Johnson, Project Engineer I, Public Works

**PUBLIC COMMENT**

SPEAKERS: No one wished to speak.

**CONSENT CALENDAR** (Item Nos. 2 – 11, and 13 – 16)

Item No. 12 appears in the Redevelopment Agency Minutes.

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

**MOTION:**

Council/Agency members Horton/Barnwell to approve the Consent Calendar as recommended.

**VOTE:**

Unanimous roll call vote (Absent: Council/Agency member Schneider).

(Cont'd)

2. SUBJECT: MINUTES

RECOMMENDATION: That Council waive the reading and approve the minutes of the adjourned regular meeting of June 21, 2004, the regular meeting of June 22, 2004, the adjourned regular meeting of June 28, 2004, and the regular meeting of June 29, 2004.

ACTION: Approved the recommendation.

3. SUBJECT: ADMINISTRATIVE CITATION PROGRAM UPDATE AND UNPAID FINES CERTIFICATION (640.04)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Certifying the Amounts of Liens/Special Assessments Sought to be Collected From Property Owners for Unpaid Administrative Fines.

ACTION: Approved the recommendation; Resolution No. 04-057 (July 13, 2004, Community Development Director's report; proposed resolution).

4. SUBJECT: CONTRACT FOR COST OF SERVICE STUDY (560.01)

RECOMMENDATION: That Council authorize the Airport Director to execute a fixed price contract with Kennedy/Jenks Consultants in the amount of \$44,000 to prepare a Water and Sewer Cost of Service Study for the Santa Barbara Airport.

ACTION: Approved the recommendation; Contract No. 21,450 (July 13, 2004, Airport Director's report).

5. SUBJECT: AIRFIELD SAFETY PROJECTS ENVIRONMENTAL COMPLIANCE SERVICES (560.04)

RECOMMENDATION: That Council:

- A. Authorize the Airport Director to execute a contract with URS Corporation (URS) in the amount of \$155,555 for environmental compliance services associated with the Airfield Safety Projects; and
- B. Authorize the Airport Director to approve expenditures of up to \$15,500 for extra services of URS that may result from necessary changes in the scope of work.

ACTION: Approved the recommendations; Contract No. 21,451 (July 13, 2004, Airport Director's report).

6. SUBJECT: GRANT AND CONTRACT FOR THE HOPE DRAIN AND HALEY STORM DRAIN DIVERSION PROJECT (530.04)

RECOMMENDATION: That Council:

- A. Accept and authorize the Parks and Recreation Director to enter into an amended Clean Beaches Initiative Grant Agreement between the City and the State Water Resources Control Board (SWRCB) to increase grant funds by \$615,000;
- B. Increase appropriations and estimated revenues by \$615,000 in the Creeks Restoration and Water Quality Improvement Program Capital Fund; and
- C. Approve and authorize the Parks and Recreation Director to execute a professional services contract with URS Corporation in the amount of \$115,748 to complete final design drawings and technical specifications for the Hope Drain and Haley Street Drain Dry Weather Flow Diversion to Sewer Project.

ACTION: Approved the recommendations; Agreement No. 21,452; Contract No. 21,453 (July 13, 2004, Acting Parks and Recreation Director's report).

7. SUBJECT: CONTRACT FOR ARROYO BURRO ESTUARY RESTORATION FINAL DESIGN PLANS (540.14)

RECOMMENDATION: That Council:

- A. Approve and authorize the Parks and Recreation Director to execute a professional services agreement with URS Corporation in the amount of \$84,040 to prepare final design plans and construction specifications for the restoration of the Arroyo Burro Estuary; and
- B. Authorize the Parks and Recreation Director to increase these services by 10 percent, or \$8,404, to cover any cost increases that may result from final design review and permit requirements.

ACTION: Approved the recommendations; Agreement No. 21,454 (July 13, 2004, Acting Parks and Recreation Director's report).

8. SUBJECT: MAINTENANCE AGREEMENT WITH THE DOWNTOWN ORGANIZATION (530.04)

RECOMMENDATION: That Council approve and authorize the Parks and Recreation Director to execute an agreement in the amount of \$578,585 with the Downtown Organization (DO) for landscape maintenance, sidewalk cleaning, and general maintenance of surfaces of the 00-1200 blocks of State Street and various cross streets from July 1, 2004, through June 30, 2005.

(Cont'd)

8. (Cont'd)

**SPEAKERS:**

Staff: City Administrator James L. Armstrong, Assistant Parks and Recreation Director Jeff Cope.

**ACTION:** Approved the recommendation; Agreement No. 21,455 (July 13, 2004, Acting Parks and Recreation Director's report).

9. **SUBJECT: SIDEWALK VENDING REQUEST FROM OLD SPANISH DAYS (180.02)**

**RECOMMENDATION:** That Council:

- A. Approve a request from Old Spanish Days for permission to conduct sidewalk sales at fixed locations and with roving vendors on State Street during the 2004 Old Spanish Days Fiesta Parade and Celebration pursuant to section 9.48.010(B)(5) of the Santa Barbara Municipal Code; and
- B. Approve a request from Old Spanish Days for permission to conduct sidewalk sales along the southern sidewalk of Cabrillo Boulevard from Castillo Street to State Street and on the first block of East De La Guerra Street, pursuant to section 9.48.010(B)(4) of the Santa Barbara Municipal Code.

**ACTION:** Approved the recommendations (July 13, 2004, Acting Parks and Recreation Director's report).

10. **SUBJECT: LEASE AGREEMENTS FOR FRANKLIN NEIGHBORHOOD CENTER, WESTSIDE COMMUNITY CENTER, AND LOUISE LOWRY DAVIS RECREATION CENTER (330.04)**

**RECOMMENDATION:** That Council approve and authorize the Parks and Recreation Director to execute the following lease agreements for space at the following locations:

- Franklin Neighborhood Center  
Santa Barbara City College Continuing Education  
Cornelia Moore Dental Foundation Clinic  
Endowment for Youth  
Brotherhood of Santa Barbara
- Westside Community Center  
Independent Living Resources Center  
Santa Barbara Special Olympics  
Work Inc./UCP
- Louise Lowry Davis Recreation Center  
United Cerebral Palsy Association of Los Angeles, Ventura, and Santa Barbara Counties

(Cont'd)

10. (Cont'd)

ACTION: Approved the recommendations; Agreement Nos. 21,456 – 21,463 (July 13, 2004, Acting Parks and Recreation Director's report).

11. SUBJECT: TOBACCO PREVENTION PROGRAM (570.06)

RECOMMENDATION: That Council:

- A. Accept a grant for tobacco prevention activities from the Santa Barbara County Health Department in the amount of \$5,000; and
- B. Increase estimated revenue in the amount of \$5,000 and appropriate the funds to the Fiscal Year 2005 Miscellaneous Grant Fund.

ACTION: Approved the recommendations (July 13, 2004, Police Chief's report).

### NOTICES

13. The City Clerk has on Thursday, July 8, 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.

14. Received a communication advising of the vacancy created on the Airport Commission with the departure of Commissioner Krishan G. Singh; the vacancy will be part of a future City Advisory Group recruitment. (560.03)

15. The Mayor (or in her absence the Mayor Pro Tempore) recently sent the following advocacy letters expressing the City's position, consistent with the Council-adopted Legislative Platform, regarding pending state or federal legislation:

- June 10, 2004; Assembly Member Joe Canciamilla; requested amendment of SB 1459 ("Trawl Bill").
- June 15, 2004; Senator Chesbro; urges support of immediate passage of the local government budget/constitutional reform package negotiated by local governments with Governor Schwarzenegger.
- June 15, 2004; David Gunn, President and CEO of National Rail Passenger Corporation; urges support of an additional morning Amtrak service from Los Angeles to San Luis Obispo.
- June 22, 2004; Senator McClintock and Assembly Member Jackson; urges support of immediate passage of the local government budget/constitutional reform package negotiated by local governments with Governor Schwarzenegger and opposition to attempts to alter the ballot measure as proposed. (160.02)

16. A City Council site visit is scheduled on Monday, July 19, 2004, at 1:30 p.m. to the property located at 29 State Street, which is the subject of an appeal hearing set for July 20, 2004, at 2:00 p.m.

This concluded the Consent Calendar.

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

### **INFORMATION:**

- Councilmember Horton reported that the Jobs Housing Policy Steering Committee had its last meeting and will be making a presentation to SBCAG this week; he also mentioned that he attended a meeting of the UNESCO Committee which is a group interested in forming a chapter in Santa Barbara.
- Councilmember Secord mentioned that he is the Council Liaison for SBCAG and Vice Chair of the South Coast Planning Committee and approved of the report that will be presented to SBCAG this week.
- Councilmember Barnwell reported on his attendance at a meeting of the Casa Esperanza Board; he also reported that the Central Coast Water Authority Board is working on plans to initiate conservation measures.
- Councilmember Williams mentioned that Mayor Blum, Councilmember Horton and he met the new Executive Director for the Conference and Visitors Board.
- Councilmember Falcone reported on her attendance at a Legislative Committee meeting where they reviewed 4 pending legislative issues.
- Mayor Blum stated that she attended the Bohnett Family Reunion at Bohnett Park where they collected a donation of \$27,500 for the park.

## **REDEVELOPMENT AGENCY REPORTS**

17. SUBJECT: FINANCIAL PLAN FOR GRANADA GARAGE CONSTRUCTION (550.05)

### **RECOMMENDATION:** That Council and the Redevelopment Agency Board:

- A. Approve a conceptual plan to provide additional funds, as needed, from the Downtown Parking Fund and the Redevelopment Agency Fund in support of the Granada Garage Construction;
- B. Specify that the first \$1 million of required funds comes from the Downtown Parking Fund, and the next \$1 million from the Redevelopment Agency Fund; and
- C. Specify that funds required beyond the \$2 million be funded from the Downtown Parking Fund.

### **DOCUMENTS:**

July 13, 2004, Public Works Director's report.

### **SPEAKERS:**

- Staff: Transportation Manager Browning Allen, Community Development Director/Deputy Director Paul Casey, City Administrator/Executive Director James L. Armstrong, City Attorney/Agency Counsel Stephen P. Wiley, Principal Civil Engineer John Schoof.

(Cont'd)

17. (Cont'd)

**SPEAKERS (Cont'd):**

- Members of the Public: Pueblo: Harley Augustino, Lucero Márquez, Alfredo Luevanos (translated by Lucero Márquez), Consuelo Delgado, Gretchen Begley; Miguel Ramirez; Augustin Gonzales; Uniterian Social Justice Committee: Rita Solinas.

**MOTION:**

Council/Agency members Falcone/Williams to direct staff to provide \$3 million dollars of additional funds, as needed, from the Downtown Parking Fund, and if additional funding is required, that it is funded from the Redevelopment Agency.

**VOTE:**

Majority voice vote (Ayes: Council/Agency members Barnwell, Falcone, Horton, Williams; Noes: Council/Agency member Secord, Mayor/Chair Blum; Absent: Council/Agency member Schneider).

**PUBLIC HEARINGS**

18. SUBJECT: PARKING AND BUSINESS IMPROVEMENT AREA ANNUAL ASSESSMENT REPORT (550.10)

**RECOMMENDATION:** That Council:

- A. Consider appropriate protests to the Parking and Business Improvement Area (PBIA) Annual Assessment Report 2005, as required under the California Parking and Business Improvement Area (PBIA) Law of 1989; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Fixing and Assessing the Parking and Business Improvement Area (PBIA) Assessment Rates for Fiscal Year 2005 and Confirming Approval of the PBIA Annual Assessment Report for Fiscal Year 2005.

**DOCUMENTS:**

- July 13, 2004, Public Works Director's report.
- Proposed Resolution.

**PUBLIC HEARING OPENED:**

3:09 p.m.

The title of the Resolution was read.

(Cont'd)

18. (Cont'd)

**SPEAKERS:**

Staff: Transportation Manager Browning Allen, Administrative Assistant Lori Pedersen.

**PUBLIC HEARING CLOSED:**

3:14 p.m.

**MOTION:**

Councilmembers Horton/Secord to approve the recommendations;  
Resolution No. 04-058.

**VOTE:**

Unanimous roll call vote (Absent: Councilmember Schneider)

Councilmember Secord stated that he would not participate in discussion of Item No. 19 because he owns property in the vicinity of the project.

**RECESS**

3:15 p.m. – 3:25 p.m. Mayor Pro Tempore Iya G. Falcone presiding. Councilmember Secord and Mayor Blum were absent when the Council reconvened.

19. **SUBJECT: APPEAL OF PLANNING COMMISSION AND ARCHITECTURAL BOARD OF REVIEW APPROVALS FOR 3349 CLIFF DRIVE (640.07)**

**RECOMMENDATION:** That Council deny the appeal of Derek Westen, on behalf of Mr. and Mrs. Noel MacDonald, and uphold the Planning Commission's decision to approve the application of James and Kari Ann Gerlach for a Coastal Development Permit, and the Architectural Board of Review's decision to approve a residential addition and improvements in the Hillside Design District, making the findings in the Council Agenda Report.

**DOCUMENTS:**

- July 13, 2004, Community Development Director's report.
- July 12, 2004, letter from Derek A. Westen.
- Affidavit of Publication.

**PUBLIC HEARING OPENED:**

3:15 p.m.

Mayor Pro Tempore Falcone stated that this item was continued from the Council meeting of April 6, 2004.

(Cont'd)

19. (Cont'd)

**SPEAKERS:**

- Staff: City Planner Bettie Hennon, Associate Planner Trish Allen.
- Appellants: Noel MacDonald, Derek Westen, Larry Gurrola.
- Applicant: James Gerlach.

**PUBLIC HEARING CLOSED:**

4:00 p.m.

**MOTION:**

Councilmembers Barnwell/Horton to approve the recommendation.

**VOTE:**

Unanimous voice vote (Absent: Councilmembers Schneider, Secord, Mayor Blum).

**RECESS**

4:01 p.m. – 4:10 p.m.

**CLOSED SESSION**

20. 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, Joan Kent, Assistant City Administrator, and Kristy Schmidt, Employee Relations Manager, regarding negotiations with the Firefighters Association, Police Management Association, Police Officers' Association, General Employees' Bargaining Unit, Treatment and Patrol Bargaining Units, Temporary Employees' Bargaining Unit, and Supervisory Employees' Bargaining Unit.

Scheduling: Duration, 60 minutes; anytime

Report: None anticipated

**DOCUMENTS:**

July 13, 2004, Assistant City Administrator's report.

**TIME:**

4:10 p.m. – 5:20 p.m. Councilmembers Schneider, Secord, and Mayor Blum were absent.

No report made.

**ADJOURNMENT**

Mayor Pro Tempore Falcone adjourned the meeting at 5:20 p.m., to Monday, July 19, 2004, at 1:30 p.m. for a site visit to the property located at 29 State Street.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC  
CITY CLERK SERVICES MANAGER

\_\_\_\_\_ ATTEST: \_\_\_\_\_  
MARTY BLUM  
MAYOR  
BRENDA ALCAZAR  
DEPUTY CITY CLERK

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IYA G. FALCONE  
MAYOR PRO TEMPORE