



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING November 2, 2004 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:00 p.m. (The Ordinance Committee, which is ordinarily scheduled to meet at 12:30 p.m., and the Finance Committee, which is ordinarily scheduled to meet at 1:00 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Pro Tempore Iya G. Falcone.

ROLL CALL

Councilmembers present: Brian B. Barnwell, Roger L. Horton, Helene Schneider, Dan B. Secord, Mayor Pro Tempore Falcone.

Councilmembers absent: Das Williams, Mayor Blum.

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

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 November 30, 2004.

DOCUMENTS:

November 2, 2004, Assistant City Administrator's report.

SPEAKERS:

Staff: City Administrator James Armstrong.

(Cont'd)

1. (Cont'd)

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

25-Year Pin

Robert Lowry, Police

20-Year Pin

Charles Brown, Public Works

John Krohta, Airport

15-Year Pin

Karen Dickson, Police

David Whitham, Police

David Hedges, Police

Nancy Stecki, Public Works

10-Year Pin

John Gordon, Public Works

5-Year Pin

Samuel Blackwell, Community Development

Brian Gronnebeck, Community Development

Darrell Shon, Public Works

PUBLIC COMMENT

SPEAKERS: Ken Loch; Jane Brown, who introduced herself as the newly-appointed Southern California Edison Region Manager for Public Affairs.

CONSENT CALENDAR (Item Nos. 2 – 12)

The titles of the ordinance and resolution related to Item No. 3 were read.

MOTION:

Councilmembers Secord/Horton to approve the Consent Calendar as recommended.

VOTE:

Unanimous roll call vote (Absent: Councilmember Williams, Mayor Blum).

2. **SUBJECT: MINUTES**

RECOMMENDATION: That Council waive the reading and approve the minutes of the special meeting of October 7, 2004, as corrected, the regular meeting of October 19, 2004, and the special meeting of October 22, 2004.

ACTION: Approved the recommendation.

3. SUBJECT: ADOPTION OF ORDINANCE AND RESOLUTION FOR 2109 CLIFF DRIVE REZONE AND MAP AMENDMENTS (640.09)

RECOMMENDATION: That Council:

- A. Adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 28.12 (Zone Map) of Title 28 of the Municipal Code Pertaining to the Rezoning of Property in the West Mesa Neighborhood; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending the General Plan Map and Coastal Plan Map for a Certain Property Located in the West Mesa Neighborhood.

ACTION: Approved the recommendations; Ordinance No. 5338; Resolution No. 04-091.

4. SUBJECT: COMMUNITY ENVIRONMENTAL COUNCIL CONTRACT FOR YOUTH WATERSHED EDUCATION PROGRAM (540.14)

RECOMMENDATION: That Council approve and authorize the Acting Parks and Recreation Director to execute a one-year professional services contract with the Community Environmental Council in the amount of \$41,385, for the provision of youth watershed education programs.

SPEAKERS:

Staff: Creeks Restoration/Clean Water Manager Jill Zachary.

ACTION: Approved the recommendation; Contract No. 21,533 (November 2, 2004, Acting Parks and Recreation Director's report).

5. SUBJECT: NOTICE OF COMPLETION FOR SEWER MAIN IMPROVEMENT PROJECT (540.13)

RECOMMENDATION: That Council accept the work completed by Lash Construction, Incorporated (Lash), Contract No. 20,898, for the 2000-2003 Sewer Main Improvement Project, Bid No. 3312, at various locations as shown on the attached list, in the final contract amount of \$1,704,954.79, including approved changes, and approve filing of a Notice of Completion.

SPEAKERS:

Staff: Principal Engineer John Schoof, Wastewater System Manager Rebecca Bjork.

ACTION: Approved the recommendation (November 2, 2004, Public Works Director's report).

6. SUBJECT: ASSIGNMENT OF LEASE AGREEMENT NO. 18,326, BREAKWATER T'S (330.04)

RECOMMENDATION: That Council:

- A. Find Harbor Enterprises, Inc., a tenant in good standing for the purpose of assigning Lease Agreement No. 18,326 for Breakwater T's at 119-C Harbor Way;
- B. Approve and authorize the City Administrator to execute a Consent to Assignment of Lease Agreement No. 18,326 to Brophy & Sons, Inc.; and
- C. Approve and authorize the City Administrator to execute an amendment to Lease Agreement No. 18,326.

ACTION: Approved the recommendations; Agreement No. 21,534 (November 2, 2004, Waterfront Director's report).

7. SUBJECT: NOTICE OF COMPLETION FOR AREA E OVERLAY PROJECT (530.04)

RECOMMENDATION: That Council accept the work completed by Granite Construction (Granite), Contract No. 21,215, for the 2004 Area E Overlay Project, Bid No. 3360, in the final contract amount of \$707,094.84, including approved changes of \$40,664.39, and approve filing of a Notice of Completion.

ACTION: Approved the recommendation (November 2, 2004, Public Works Director's report).

8. SUBJECT: LICENSE AGREEMENT FOR OPERATION OF FARMERS MARKETS (180.02)

RECOMMENDATION: That Council approve and authorize the City Administrator to execute a License Agreement with Santa Barbara Certified Farmers Market, Inc., for the operation of the Old Town Farmers Market located in the 500-600 Blocks of State Street, the Downtown Farmers Market located in the Cota Commuter Parking Lot at 119 East Cota Street, and the Coast Village Road Farmers Market located in the 1100-1200 Blocks of Coast Village Road.

ACTION: Approved the recommendation; Agreement No. 21,535 (November 2, 2004, Public Works Director's report).

9. SUBJECT: SET A DATE FOR PUBLIC HEARING REGARDING APPEAL OF PLANNING COMMISSION DECISION FOR 425 STANLEY DRIVE

RECOMMENDATION: That Council:

- A. Set the date of December 7, 2004, at 6:00 p.m. for hearing the appeal filed by Stanley Drive Homeowners of the Planning Commission denial of an appeal of the Modification Hearing Officer's approval of an application for property owned by Kristopher and Samantha Zacharias and located at 425 Stanley Drive, APN 051-273-004, E-3 One-Family Residence Zone, General Plan Designation: Residential, 5 Units per Acre. The project proposes the construction of first-floor additions to an existing single-family residence, and the discretionary application required is a Modification to permit construction within a required 20' front yard setback; and
- B. Set the date of December 6, 2004, at 1:30 p.m. for a site visit to the property located at 425 Stanley Drive.

ACTION: Approved the recommendations (October 18, 2004, letter of appeal).

NOTICES

- 10. The City Clerk has on Thursday, October 28, 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.
- 11. Cancellation of the regular Redevelopment Agency meeting of November 2, 2004, due to lack of business.
- 12. 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.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

13. SUBJECT: CONDITION ASSESSMENT OF DOWNTOWN PARKING LOTS AND STRUCTURES (550.01)

RECOMMENDATION: That Council:

- A. Authorize the Public Works Director to negotiate and execute a Professional Services Agreement with Watry Design, Inc. (Watry), for a not-to-exceed amount of \$45,875, to perform a Condition Analysis of Downtown parking facilities; and

(Cont'd)

13. (Cont'd)

- B. Authorize the Public Works Director to approve expenditures, for a not-to-exceed amount of \$4,500, for extra services that may result from necessary changes in the scope of work.

DOCUMENTS:

November 2, 2004, Public Works Director's report.

SPEAKERS:

Staff: Transportation Manager Browning Allen.

MOTION:

Councilmembers Secord/Horton to approve the recommendations;
Agreement No. 21,536.

VOTE:

Unanimous voice vote (Absent: Councilmember Williams, Mayor Blum).

BOARD AND COMMISSION REPORTS

14. SUBJECT: ESTABLISHMENT OF A POET LAUREATE (610.04)

RECOMMENDATION FROM THE ARTS ADVISORY COMMITTEE: That Council establish a Poet Laureate.

DOCUMENTS:

November 2, 2004, report from the Arts Advisory Committee.

SPEAKERS:

Arts Advisory Committee: Director Patrick Davis.

MOTION:

Councilmembers Schneider/Barnwell to approve the recommendation.

VOTE:

Unanimous voice vote (Absent: Councilmember Williams, Mayor Blum).

RECESS

2:30 p.m. – 2:35 p.m.

CLOSED SESSIONS

15. 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, David Cassidy, Liebert Cassidy Whitmore, 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, and Supervisory Employees' Bargaining Unit.

Scheduling: Duration, 1 hour; anytime
Report: None anticipated

DOCUMENTS:

November 2, 2004, Assistant City Administrator's report.

TIME:

2:35 p.m. – 3:15 p.m.

No report made.

ADJOURNMENT

Mayor Pro Tempore Falcone adjourned the meeting at 3:15 p.m. to Monday, November 8, 2004, at 1:30 p.m. for site visits to 257 San Nicolas Avenue and 2047 Chino Street.

SANTA BARBARA CITY COUNCIL

JAMES L. ARMSTRONG
CITY CLERK

ATTEST:

IYA G. FALCONE
MAYOR PRO TEMPORE

SUSAN TSCHECH, CMC
DEPUTY CITY CLERK