



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING June 25, 2002 COUNCIL CHAMBER, DE LA GUERRA PLAZA

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### CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:02 p.m. (The Finance Committee met at 1:30 p.m. The Ordinance Committee, which is ordinarily scheduled to meet at 1:00 p.m., did not meet on this date.)

### PLEDGE OF ALLEGIANCE

Mayor Blum.

### ROLL CALL

Councilmembers present: Iya G. Falcone, Babatunde Fodayemi, Gregg A. Hart, Roger L. Horton, Dan B. Secord, Mayor Blum.

Councilmembers absent: H. P. Fairly.

Staff present: City Administrator/Clerk James L. Armstrong, City Attorney Daniel J. Wallace, Deputy City Clerk Brenda Alcazar.

### PUBLIC COMMENT

SPEAKERS: Ken Loch, Dr. John A. Clark, Trevor Martinson, Mickey Flacks, Paul Lamberton, Steve Cushman, Don Phillips, and David Fortson.

### ITEMS REMOVED FROM CONSENT CALENDAR

3. SUBJECT: UPDATE TO SMOKING ORDINANCE (800.07)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the City Council of the City of Santa Barbara Amending Chapter 9.20 of the Santa Barbara Municipal Code Pertaining to the Prohibition of Smoking in Certain Public Areas. (Introduced on June 18, 2002)

(Cont'd)

3. (Cont'd)

DOCUMENTS:

- Previous documents submitted on June 18, 2002.
- June 25, 2002, letter from Sheila Lodge.
- Proposed Ordinance.

The title of the ordinance was read.

MOTION:

By consensus, the Council agreed to vote to adopt the ordinance;  
Ordinance No. 5243.

VOTE:

Majority roll call vote (Noes: Councilmember Secord; Abstention: Mayor Blum; Absent: Councilmember Fairly).

4. SUBJECT: CABLE FRANCHISE, PUBLIC AND EDUCATIONAL ACCESS  
(510.04)

RECOMMENDATION: That Council:

- Adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the November 1997 Cable Services Franchise with CoxCom, Inc., A Delaware Corporation (introduced on June 18, 2002);
- Direct the City Administrator to negotiate a grant agreement with the South Coast Community Media Access Center for the provision of public and educational access television programming in the City of Santa Barbara effective January 1, 2003; and
- Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Dissolving the Public Access Advisory Committee Established by Resolution No. 89-038.

DOCUMENTS:

- Previous documents submitted on June 18, 2002.
- June 25, 2002, Deputy City Administrator's report.
- Proposed Ordinance.
- Proposed Resolution.

The titles of the ordinance and resolution were read.

SPEAKERS:

- Staff: Administrative Analyst Kristine Schmidt.
- Member of the Public: Elizabeth Robinson.

(Cont'd)

4. (Cont'd)

MOTION:

Councilmembers Secord/Horton to approve recommendation A;  
Ordinance No. 5244.

VOTE:

Unanimous roll call vote (Absent: Councilmember Fairly).

MOTION:

Councilmembers Secord/Horton to approve recommendations B and C;  
Resolution No. 02-072.

VOTE:

Unanimous roll call vote (Absent: Councilmember Fairly).

9. SUBJECT: SIDEWALK AREA INVENTORY AND CONDITION SURVEY –  
AWARD OF CONTRACT (530.04)

RECOMMENDATION: That Council approve and authorize the City  
Administrator to execute a contract with Harris and Associates (Harris) for  
sidewalk-area inventory services, at a total fee amount not to exceed \$79,610.

DOCUMENTS:

June 25, 2002, Public Works Director's report.

SPEAKERS:

- Staff: Supervising Transportation Engineer Derek Rapp.
- Members of the Public: Bruce Rittenhouse, Ken Saks.

MOTION:

Councilmembers Hart/Falcone to approve the recommendation; Contract  
No. 20,675.

VOTE:

Majority voice vote (Noes: Councilmembers Horton, Secord; Absent:  
Councilmember Fairly).

10. SUBJECT: CONTRACT AUTHORIZATION FOR URS CORPORATION TO  
PREPARE FINAL DESIGN DRAWINGS AND TECHNICAL SPECIFICATIONS  
FOR THE OLD MISSION CREEK RESTORATION PROJECT AT BOHNETT  
PARK (570.05)

RECOMMENDATION: That Council authorize the Parks and Recreation Director  
to negotiate and execute a professional services contract with URS Corporation  
in an amount not to exceed \$72,256 for final design drawings and technical  
specifications for the restoration of Old Mission Creek at Bohnett Park.

(Cont'd)

10. (Cont'd)

DOCUMENTS:

- June 25, 2002, Parks and Recreation Director's report.

SPEAKERS:

- Staff: City Administrator James Armstrong.
- Member of the Public: Bruce Rittenhouse.

MOTION:

Councilmembers Fodayemi/Horton to approve the recommendation;  
Contract No. 20,676.

VOTE:

Unanimous voice vote (Absent: Councilmember Fairly).

**CONSENT CALENDAR** (Item Nos. 1, 2, 5 – 8, and 11 – 19)

MOTION:

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

VOTE:

Unanimous voice vote (Absent: Councilmember Fairly).

1. SUBJECT: MINUTES

RECOMMENDATION: That Council waive the reading and approve the minutes  
of the adjourned regular meeting of June 10, 2002 (cancelled due to the lack of a  
quorum), and the regular meeting of June 11, 2002.

ACTION: Approved the recommendation.

2. SUBJECT: FISCAL YEAR 2002 INTERIM FINANCIAL STATEMENTS FOR THE  
ELEVEN MONTHS ENDED MAY 31, 2002 (250.02)

RECOMMENDATION: That Council accept the fiscal year 2002 Interim Financial  
Statements for the Eleven Months Ended May 31, 2002.

ACTION: Approved the recommendation (June 25, 2002, Finance Director's  
report).

5. SUBJECT: PROFESSIONAL SERVICES CONTRACT WITH POST/HAZELTINE ASSOCIATES (640.06)

RECOMMENDATION: That Council authorize the City Administrator to approve a Contract with Post/Hazeltine Associates for professional services for the Planning Division in the total amount of \$62,900 for the Historic Resources Survey of the Lower Riviera Neighborhood.

ACTION: Approved the recommendation; Contract No. 20,668 (June 25, 2002, Community Development Director's report).

6. SUBJECT: RENEWAL OF THE AGREEMENT WITH EASY LIFT TRANSPORTATION, INC., FOR PARATRANSIT SERVICES (670.01)

RECOMMENDATION: That Council authorize the Public Works Director to execute an Agreement with Easy Lift Transportation, Inc. (Easy Lift), for enhanced paratransit services for elderly and mobility impaired persons, in an amount not to exceed \$155,000 for Fiscal Year 2002-2003.

ACTION: Approved the recommendation; Agreement No. 20,669 (June 25, 2002, Public Works Director's report).

7. SUBJECT: AWARD AND EXECUTION OF CONTRACT - 1999-2000 STREET OVERLAY AND RECONSTRUCTION PROJECT, PHASE II, BID NO. 3308 (530.04)

RECOMMENDATION: That Council:

- A. Award and authorize the City Administrator to execute and award a contract with Granite Construction Company (Granite) in their low bid amount of \$768,448, for construction of the 1999-2000 Street Overlay Project, Phase II, Bid No. 3308;
- B. Authorize the Public Works Director to approve expenditures up to \$46,109 to cover any cost increases that may result from contract change orders for extra work, and differences between estimated bid quantities and actual measured quantities for payment;
- C. Authorize the City Administrator to execute a contract with Flowers and Associates, Incorporated (Flowers), for professional services for the management, testing, and inspection of the City's 1999-2000 Street Overlay Project, Phase II, at a total fee not to exceed \$108,163;
- D. Authorize the Public Works Director to approve extra services from Flowers that may result from necessary changes in the scope of work, at a total not-to-exceed amount of \$10,816; and

(Cont'd)

7. (Cont'd)

- E. Authorize the General Services Manager to issue a Purchase Order to RBF Consulting (RBF), in the amount of \$15,840 for professional services related to the 1999-2000 Street Overlay and Reconstruction Project, Phase II, and approve expenditures of up to \$1,584 for extra services of RBF, that may result from necessary changes in the scope of work.

ACTION: Approved the recommendations; Contract Nos. 20,670 and 20,671 (June 25, 2002, Public Works Director's report).

8. SUBJECT: AWARD AND EXECUTION OF CONTRACT FOR THE SHEFFIELD WATER QUALITY PROJECT TEMPORARY RESERVOIRS, BID NO. 3327 (540.09)

RECOMMENDATION: That Council:

- A. Authorize the City Administrator to execute a contract with Spiess Construction Company (Spiess) in their low bid amount of \$2,084,540 for construction of the Sheffield Water Quality Project Temporary Reservoirs, Bid No. 3327;
- B. Authorize the Public Works Director to approve expenditures up to \$210,000 to cover any cost increases that may result from contract change orders for extra work;
- C. Authorize the City Administrator to execute a contract with Penfield and Smith Engineers, Inc. (P&S), for \$227,800 to provide construction management services during construction;
- D. Authorize the Public Works Director to approve expenditures to P&S up to \$22,700 to cover any cost increases that may result from contract change orders for extra work;
- E. Authorize the City Administrator to execute a contract with Carollo Engineers (Carollo) for \$105,437 to provide engineering support services during construction;
- F. Authorize the Public Works Director to approve expenditures to Carollo up to \$10,500 to cover any cost increases that may result from contract change orders for extra work; and
- G. Authorize the General Services Manager to issue a Purchase Order to Fugro West Incorporated (Fugro) for \$16,700 to provide geotechnical-engineering services.

ACTION: Approved the recommendations; Contract Nos. 20,672 – 20,674 (June 25, 2002, Public Works Director's report).

11. SUBJECT: NOTICE OF COMPLETION – SLURRY SEAL 2000-2001 (AREA B), CONTRACT NO. 20,382 (530.04)

RECOMMENDATION: That Council accept the work completed by Roy Allan Slurry Seal, Incorporated (Roy Allan), Contract No. 20,382, for the Slurry Seal 2000-2001 (Area B), Bid No. 3311, for the locations shown on the attached list, in the final contract amount of \$1,075,894.89, including approved changes, and approve filing of a Notice of Completion.

ACTION: Approved the recommendation (June 25, 2002, Public Works Director's report).

12. SUBJECT: ACCEPTANCE OF CONTRIBUTIONS FROM THE PARKS AND RECREATION COMMUNITY (PARC) FOUNDATION (570.05)

RECOMMENDATION: That Council:

- A. Accept contributions from the Parks and Recreation Community (PARC) Foundation in the amount of \$46,983 for Parks and Recreation Department programs;
- B. Increase appropriations in the Fiscal Year 2001-2002 Parks and Recreation Miscellaneous Grants Fund in the amount of \$45,627, and estimated revenues in the amount of \$45,627; and
- C. Increase appropriations in the Fiscal Year 2001-2002 Parks and Recreation General Fund in the amount of \$1,356, and estimated revenues in the amount of \$1,356.

ACTION: Approved the recommendations (June 25, 2002, Parks and Recreation Director's report).

13. SUBJECT: LEAGUE OF CITIES AMICUS CURIAE REQUEST (160.05)

RECOMMENDATION: That Council authorize the City to participate as "friend of the court" (amicus curiae) with respect to **Valley Outdoor v. County of Riverside**.

ACTION: Approved the recommendation (June 25, 2002, City Attorney's report).

14. SUBJECT: SET A DATE FOR PUBLIC HEARING (640.07)

RECOMMENDATION: That Council:

- A. Reschedule the public hearing originally set for July 2, 2002, at 2:00 p.m., to July 23, 2002, at 2:00 p.m., for hearing the appeal filed by Beverly Roland of the Planning Commission's denial of an appeal of the Modification Hearing Officer's decision to approve an application for property owned by Tim and Martha Townsend, and located at 334 E. Padre Street, APN 025-331-007, E-1 One-Family Residence Zone, General Plan Designation: Residential, 3 Units per Acre. The project proposes a second-story addition to an existing residence. Discretionary applications required are Modifications to permit the addition to 1) exceed solar access limitations, and 2) be located within the required front yard setback; and
- B. Reschedule the site visit to the property located at 334 E. Padre Street, originally set for July 1, 2002, at 1:30 p.m., to July 22, 2002, at 1:30 p.m.

ACTION: Approved the recommendations (May 10, 2002, letter of appeal).

NOTICES

- 15. The City Clerk has on Friday, June 21, 2002, at 3:00 p.m. posted this agenda in the Office of the City Clerk and on the City Hall Public Notice Board on the outside balcony of City Hall.
- 16. Finance Committee meeting, June 25, 2002, at 1:30 p.m. in Room 15 for consideration of the Investment Report for May 2002. (120.03)
- 17. The City Council will conduct a site visit on Monday, July 1, 2002, at 1:30 p.m. to Bohnett Park, 1302 San Andres Street, which is the subject of an appeal hearing set for July 2, 2002, at 6:00 p.m. (570.08)
- 18. Cancellation of the regular Redevelopment Agency meetings of July 2, 2002, and July 9, 2002, at 2:00 p.m. (620.01)
- 19. Cancellation of the regular City Council meeting of July 9, 2002, due to the lack of a quorum. (120.09)

This concluded the Consent Calendar.

**REPORT FROM FINANCE COMMITTEE**

20. SUBJECT: REPORT FROM THE FINANCE COMMITTEE

ACTION: Finance Committee Chair Dan Secord reported that the Committee met to receive the May 2002 Investment Report and recommended that it be presented to Council at this time (see Item No. 21).

## **ADMINISTRATIVE AND ATTORNEY REPORTS**

### **FINANCE DEPARTMENT**

21. SUBJECT: MAY 2002 INVESTMENT REPORT (260.02)

RECOMMENDATION: That Council accept the May 2002 Investment Report.

DOCUMENTS:

June 25, 2002, Finance Director's report.

SPEAKERS:

Staff: Treasury Manager Cynthia Odell.

ACTION:

By consensus, the Councilmembers accepted the report.

### **PUBLIC WORKS DEPARTMENT**

23. SUBJECT: CALTRANS PRESENTATION ON PLANNED HIGHWAY 101 OPERATIONAL IMPROVEMENTS (670.07)

RECOMMENDATION: That Council hear a presentation from Gregg Albright, Caltrans' District 5 Director, regarding the status of the Highway 101 Operational Improvements.

DOCUMENTS:

- June 25, 2002, Public Works Director's report.
- March 26, 2001, Deputy Directive Number DD-64 submitted by Gregg Albright.
- November 29, 2001, Director's Policy Number 22 submitted by Gregg Albright.
- June 14, 2002, memorandum from Director Jeff Morales submitted by Gregg Albright.
- June 25, 2002, "Summary of Alternatives" and maps submitted by Gregg Albright.

SPEAKERS:

- Staff: Transportation Planning Manager Browning Allen, Supervising Transportation Planner Rob Dayton.
- Caltrans: District 5 Director Gregg Albright, Project Manager Rob Miller.

ACTION:

The Council heard the presentation.

22. SUBJECT: ADOPTION OF FISCAL YEAR 2003 OPERATING AND CAPITAL BUDGET (230.05)

RECOMMENDATION: That Council:

- A. Adopt, by reading of title only:
1. A Resolution of the Council of the City of Santa Barbara Adopting the Budget for Fiscal Year 2003 by Appropriating Moneys for the Use and Support of Said City from the Funds and to the Purposes Herein Specified;
  2. A Resolution of the Council of the City of Santa Barbara Establishing the City's Appropriation Limitation for Fiscal Year 2003;
  3. A Resolution of the Council of the City of Santa Barbara Authorizing the Continuation of Capital and Special Project Appropriations to Fiscal Year 2003;
  4. A Resolution of the Council of the City of Santa Barbara Authorizing Classified and Unclassified Permanent and Permanent Part-Time Positions in the City's Service Effective July 1, 2002, and Providing a Schedule of Salaries for the Same in Accordance with the Operating Budget for the 2002-03 Fiscal Year;
  5. A Resolution of the Council of the City of Santa Barbara Establishing Rates in the Public Parking Facilities at the Santa Barbara Municipal Airport and Rescinding Resolution No. 00-064;
  6. A Resolution of the Council of the City of Santa Barbara Establishing Fees Provided in Municipal Code Chapters 22, 27, 28, and California Administrative Title 24, 25, and State Health and Safety Codes, and Rescinding Resolution No. 01-065;
  7. A Resolution of the Council of the City of Santa Barbara Pertaining to Fees and Charges for Parks and Recreation Department Programs and Services, Park Reservations, Facility Use, Use of the Santa Barbara Golf Club, Use of City-Owned Public Tennis Courts, Santa Barbara Arts and Crafts Show Permits, and City Employee Discounts, and Rescinding Resolution Nos. 00-060, 01-067, 01-068, 01-069, 01-070, and 01-071;
  8. A Resolution of the Council of the City of Santa Barbara Establishing and Revising Fees Related to Services Rendered by Public Works Department Personnel and for the Use of City Facilities, and Rescinding Resolution No. 01-073;
  9. A Resolution of the Council of the City of Santa Barbara Establishing and Revising Fees and Rates Related to Sewer Service and Pretreatment Monitoring, and Rescinding Resolution No. 01-074;
  10. A Resolution of the Council of the City of Santa Barbara Establishing and Revising Fees Related to Water Service Rates, Non-Metered Private Fire Services, Water Service Connections, Water Meters, and Metered Fire Hydrant Service Connections, and Rescinding Resolution No. 01-075; and

(Cont'd)

22. (Cont'd)

- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Section 4.24.050 of Chapter 4.24 of the Municipal Code to Provide that Revenues from Utility Tax on Water Service be Deposited into the General Fund.

DOCUMENTS:

- June 25, 2002, Finance Director's report.
- June 25, 2002, Adopted Operating and Capital Budget Fiscal Year 2003.
- Proposed Resolutions.
- Proposed Ordinance.

The titles of the resolutions and ordinance were read.

SPEAKERS:

Staff: Assistant Finance Director Robert Samario.

MOTION:

Councilmembers Secord/Horton to approve the recommendations;  
Resolution Nos. 02-073 – 02-082.

VOTE:

Unanimous roll call vote (Absent: Councilmember Fairly).

**MAYOR AND COUNCIL MATTERS**

27. SUBJECT: CITY ADVISORY GROUP APPOINTMENTS (140.05)

RECOMMENDATION: That Council make appointments to the City Advisory Groups.

DOCUMENTS:

- June 25, 2002, Assistant City Administrator's report.
- June 28, 2002, letter from Walter Hamilton, Executive Director, SEIU, Local 620.

CIVIL SERVICE COMMISSION:

NOMINEES:

Ann Levine; Euell Ryles; William Simms.

VOTE:

- For Levine: Councilmembers Hart, Secord.
- For Ryles: Mayor Blum.
- For Simms: Councilmembers Falcone, Folleyemi, Horton.

(Cont'd)

27. (Cont'd)

CIVIL SERVICE COMMISSION (Cont'd):

ACTION:

By majority vote, the Council appointed William Simms (Absent: Councilmember Fairly).

APPOINTMENT:

William Simms was appointed for a term expiring December 31, 2004.

FRANKLIN CENTER ADVISORY COMMITTEE:

NOMINEES:

Euell Ryles

MOTION:

Councilmembers Secord/Horton to appoint Euell Ryles.

VOTE:

Unanimous voice vote (Absent: Councilmember Fairly).

NOMINEES:

Marjorie Brandon; Maurya Murphy.

VOTE:

- For Brandon: Councilmembers Falcone, Fodayemi.
- For Murphy: Councilmembers Hart, Horton, Secord, Mayor Blum.

ACTION:

By majority vote, the Council appointed Maurya Murphy (Absent: Councilmember Fairly).

APPOINTMENTS:

Euell Ryles was appointed to the Public at large category for a term expiring December 31, 2005; Maurya Murphy was appointed to the Public at large category for a term expiring December 31, 2002.

HOUSING AUTHORITY COMMISSION:

NOMINEES:

Norma Escárcega; Catherine Woodford; Mark Livanec.

VOTE:

- For Woodford: Councilmembers Falcone, Fodayemi, Horton, Secord; Mayor Blum.
- For Livanec: Councilmember Hart.

(Cont'd)

27. (Cont'd)

HOUSING AUTHORITY COMMISSION (Cont'd):

ACTION:

By consensus, the Council re-appointed Norma Escárcega; by majority vote, the Council re-appointed Catherine Woodford (Absent: Councilmember Fairly).

APPOINTMENTS:

Norma Escárcega was re-appointed to the Tenant Representative category for a term expiring June 30, 2004; Catherine Woodford was re-appointed to the Public at Large category for a term expiring June 30, 2006.

JOINT PARK COMMISSION AND RECREATION COMMISSION:

NOMINEES:

Esther Baum; Michael Magne.

VOTE:

- For Baum: Mayor Blum.
- For Magne: Councilmembers Falcone, Fodayemi, Hart, Horton, Secord.

ACTION:

By majority vote, the Council appointed Michael Magne (Absent: Councilmember Fairly).

APPOINTMENT:

Michael Magne was appointed to the joint Park Commission and Recreation Commission for a term expiring December 31, 2003.

RECREATION COMMISSION:

NOMINEES:

Esther Baum.

MOTION:

Councilmembers Secord/Horton to appoint Esther Baum.

VOTE:

Unanimous voice vote (Absent: Councilmember Fairly).

APPOINTMENT:

Esther Baum was appointed for a term expiring December 31, 2004.

(Cont'd)

27. (Cont'd)

#### RENTAL HOUSING MEDIATION TASK FORCE

**MOTION:**

Councilmembers Secord/Folayemi to appoint Carrie F. Chong.

**VOTE:**

Unanimous voice vote (Absent: Councilmember Fairly).

**APPOINTMENT:**

Carrie F. Chong was appointed to the Homeowner/County category for a term expiring December 31, 2005.

#### **RECESS**

3:23 p.m. – 3:38 p.m.

#### **JOINT CITY COUNCIL/PLANNING COMMISSION MEETING**

The Planning Commission meeting was called to order at 3:38 p.m. and the meeting continued in joint session.

Planning Commissioners present: Peter J. Ehlen, Grant House, Barbara Chen Lowenthal, Harwood A. White, Vice Chair William T. Mahan, Chair Brian B. Barnwell.

24. **SUBJECT: JOINT MEETING OF THE COUNCIL AND PLANNING COMMISSION - DRAFT REGIONAL HOUSING NEEDS PLAN FOR SANTA BARBARA COUNTY (660.01)**

**RECOMMENDATION:** That the Council and Planning Commission hear a presentation by SBCAG Staff on the Draft Regional Housing Needs Plan for Santa Barbara County.

(Estimated Time: 3:30 p.m.)

**DOCUMENTS:**

- June 25, 2002, Community Development Director's report.
- June 25, 2002, PowerPoint presentation submitted by Michael Powers.

**SPEAKERS:**

- Staff: Community Development Director David Davis.
- Santa Barbara County Association of Governments: Interim Co-Director Michael Powers, Brian Breslan.

**DISCUSSION:**

The Council and Planning Commission heard the presentation.

25. SUBJECT: JOINT MEETING OF THE COUNCIL AND PLANNING COMMISSION - CHARTER SECTION 1508 (MEASURE E) DEVELOPMENT ACTIVITY STATUS REPORT (650.05)

RECOMMENDATION: That Council:

- A. Receive an update on Charter §1508 implementation for non-residential and residential development activity in the City; and
- B. Consider options for managing and allocating square footage for Community Priority projects.  
(Estimated Time: 3:30 p.m.)

DOCUMENTS:

June 25, 2002, Community Development Director's report.

SPEAKERS:

Staff: Community Development Director David Davis, Project Planner Janice Hubbell.

ACTION:

By consensus, the Council approved the recommendations.

**ADMINISTRATIVE AND ATTORNEY REPORTS (Cont'd)**

CITY ADMINISTRATOR

26. SUBJECT: TASK FORCE ON VEHICLE DWELLING (660.04)

RECOMMENDATION: That Council:

- A. Receive the Report and Recommendations of the Task Force on Vehicle Dwelling;
- B. Acknowledge the extraordinary time and effort provided by the Task Force members; and
- C. Direct Staff to return to Council with recommendations for implementation.

DOCUMENTS:

- June 25, 2002, City Special Projects Manager's report.
- June 24, 2002, letter from Owen Mendoza.
- June 25, 2002, statement to City Council submitted by Sheila Kamhi.

SPEAKERS:

- Staff: City Special Projects Manager Don Olson; Police Officer Andrew Hill.
- Members of the Public: Steve Patchen; Peter Marin; Linda Miller; Alison Adams; Antonio Daniel, Catholic Charities; Sarah Gray; Jim Marino; Ken Saks; Consuelo Delgado; Sheila Kamhi, League of Women Voters of Santa Barbara; Bonnie Raisin; Patricia Hiles; Harley Augustino; Frank Becchio; Fred Terrones.

(Cont'd)

26. (Cont'd)

**MOTION:**

Councilmembers Fodayemi/Horton to approve the recommendations.

**VOTE:**

Majority voice vote (Noes: Councilmember Hart; Absent: Councilmember Fairly).

**MOTION:**

Councilmember Fodayemi/Falcone to direct staff to return to the Council on July 23, with recommendations for the first phase of implementation.

**VOTE:**

Unanimous voice vote (Absent: Councilmember Fairly).

Councilmember Secord stated that he voted yes, but for the record, he is not likely to support it to the extent that it requires a lot of City effort.

**PUBLIC HEARING**

28. SUBJECT: 2002-2003 FISCAL YEAR PARKING BUSINESS IMPROVEMENT AREA - PUBLIC HEARING (550.10)

**RECOMMENDATION:** That Council:

- A. Conduct a Public Hearing at 2:00 p.m., as required under the California Parking and Business Improvement Area (PBIA) Law of 1989, and consider appropriate protests to the 2002-2003 Fiscal Year PBIA Annual Assessment Report; 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 2002-2003; and Confirm Approval of the PBIA Annual Assessment Report for Fiscal Year 2002-2003.

**DOCUMENTS:**

June 25, 2002, Public Works Director's report.

The title of the resolution was read.

**PUBLIC HEARING OPENED:**

5:34 p.m.

(Cont'd)

28. (Cont'd)

**SPEAKERS:**

Staff: Transportation Operations Parking Manager George Gerth;  
Administrative Assistant Lori Pedersen.

**PUBLIC HEARING CLOSED:**

5:35 p.m.

**MOTION:**

Councilmembers Secord/Horton to approve the recommendations;  
Resolution No. 02-083.

**VOTE:**

Unanimous roll call vote (Absent: Councilmember Fairly).

**RECESS**

5:36 p.m. – 6:05 p.m.

Mayor Blum presiding.

Councilmembers present: Falcone, Fodayemi, Hart, Horton, Secord, Mayor Blum.

Councilmembers absent: Fairly.

Staff present: City Administrator/Clerk Armstrong, City Attorney Wallace, Deputy City Clerk Alcazar.

**PUBLIC COMMENT**

**SPEAKERS:**

Steve Petersen, Clint Lefler, Peter Lewis, Joe Andrulaitis, Bill Medel, Don Hughes, Steve McGuire.

**MOTION:**

Councilmember Hart/Horton to allow the time for public comment to exceed 15 minutes.

**VOTE:**

Unanimous voice vote (Absent: Councilmember Fairly).

**SPEAKERS (Cont'd):**

Steve McGuire, Jan Hochhauser, Pippa Davis, Joseph Waters, Ed Lenvik, Sam Maphis, Dwight Lowell, Patrick Boyle, Benjamin Smith, Larry Clark, Gene O'Hagan, David Aidnick, Steve Loujh, Mort Maizlish.

## **PUBLIC HEARING**

29. SUBJECT: APPEAL OF PLANNING COMMISSION'S APPROVAL WITH AMENDED CONDITIONS OF THE APPLICATION OF MARYMOUNT ACADEMY OF SANTA BARBARA FOR THE PROPOSED DEMOLITION OF THE EXISTING NORTH AND EAST WING OF THE ST. CECILIA HALL AND THE COR MARIAE BUILDING, CONSTRUCTION OF A NEW MIDDLE SCHOOL BUILDING, BASKETBALL/VOLLEYBALL COURT SITE, RECREATIONAL AREA, ENHANCEMENTS TO CAMPUS LANDSCAPING, IMPROVEMENTS TO VEHICULAR AND PEDESTRIAN CIRCULATION, AND ADDITIONAL OVERFLOW PARKING AT 2130 MISSION RIDGE ROAD, APN 019-170-012, A-1, SINGLE RESIDENTIAL UNIT ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 1 UNIT PER ACRE (640.07)

RECOMMENDATION: That Council deny the appeal of Kathleen Weinheimer, Attorney at Law, representing Mr. and Mrs. Barry Shulman, and uphold the Planning Commission approval of the Marymount Academy of Santa Barbara's proposed Conditional Use Permit and Modifications, making the findings in the Council Agenda Report and subject to the Conditions of Approval in Planning Commission Resolution 029-02.

Affidavit of Publication – Noticed for 6:00 p.m.

### **DOCUMENTS:**

- June 25, 2002, Community Development Director's report.
- June 25, 2002, memorandum from Bettie Hennon, City Planner.
- May 31, 2002, letter of appeal from Kathleen M. Weinheimer.
- June 19, 2002, letter from Kathleen M. Weinheimer.
- June 16, 2002, letter from Lillian Winslow.
- June 17, 2002, letters from Julio Juan Veyna, Marie Louise Peterson, Susan B. Schmidt.
- June 19, 2002, e-mail communication from I. G. Lopez and family.
- June 20, 2002, e-mail communications from Kathleen Kalp, Leslie Kelleher.
- June 20, 2002, letters from Ahmad and Victoria Forouzandeh, Mercedes H. Eichholz.
- June 21, 2002, e-mail communication from June H. Schuerch.
- June 21, 2002, letters from Padric and John Davis, Margaret Moore.
- June 24, 2002, e-mail communications from Ralph Olsen, Walter and Joyce Douglas, Ed and Mary Heron.
- June 24, 2002, letter from Craig and Sherry Madsen.
- June 25, 2002, e-mail communications from Carol Kallman, Stephanie Fuller, Judy Gough.
- Affidavit of Publication.

### **PUBLIC HEARING OPENED:**

6:45 p.m.

(Cont'd)

29. (Cont'd)

**SPEAKERS:**

- Staff: Project Planner Irma Unzueta.
- Appellant: Kathleen Weinheimer, Barry Shulman, Margaret Shulman, Ron Brown.
- Applicant: Suzanne Elledge, Delores Pollack, Jerry Christoff.

**RECESS**

8:07 p.m. – 8:21 p.m.

**SPEAKERS (Cont'd)**

- Applicant: Suzanne Elledge.
- Architectural Board of Review: Commissioner Stephanie Christoff.
- Members of the Public: Jeanne Graffy; Gary Bartick; Anjanette Vail Van Horn; Marymount School: Jeanette Hudgens, Andrew Siegel, Beverly Johnson Trial, Alain Trial; Darol Joseff; John Gherini; Jim Davidson; Dennis Hardy; Mark Linehan; Jim Carberry.
- Staff: Project Planner Barbara Shelton, Project Planner Irma Unzueta, City Planner Bettie Hennon.

**PUBLIC HEARING CLOSED:**

8:58 p.m.

**MOTION:**

Councilmembers Hart/Folayemi to approve the recommendation and the additional findings stated in a memorandum from staff dated June 25, 2002, grant the Final Community Priority Designation, and direct staff to revise Planning Commission Resolution No. 029-02 by deleting condition No. A 7.

**REVISED MOTION:**

Councilmembers Hart/Folayemi to approve the recommendation and the additional findings stated in a memorandum from staff dated June 25, 2002, grant the Final Community Priority Designation, and direct staff to revise Planning Commission Resolution No. 029-02 by deleting condition No. A 7 and revising condition No. F 9 to provide notification 7 days prior to demolition.

**VOTE:**

Unanimous voice vote (Absent: Councilmember Fairly).

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 9:03 p.m. to Monday, July 1, 2002, at 1:30 p.m. for a site visit to Bohnett Park. (See Item No. 17).

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC  
CITY CLERK SERVICES MANAGER

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

ATTEST: \_\_\_\_\_  
BRENDA ALCAZAR  
DEPUTY CITY CLERK