



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING December 14, 2004 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:03 p.m. (The Ordinance Committee met at 12:30 p.m. The Finance Committee met at 12:45 p.m.)

PLEDGE OF ALLEGIANCE

Mayor Blum.

ROLL CALL

Councilmembers present: Brian B. Barnwell, Iya G. Falcone, Roger L. Horton, Helene Schneider, Dan B. Secord, Das Williams, Mayor Blum.

Councilmembers absent: None.

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

CHANGES TO THE AGENDA

City Administrator James L. Armstrong stated that the dollar amount in recommendation B of Item No. 5 is incorrectly shown as \$13,680 and should be changed to \$13,860.

PUBLIC COMMENT

Peter Marin and Robert Ludwick.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

INFORMATION:

- Councilmember Horton reported on his attendance at the Santa Barbara County Housing Trust Fund meeting and stated that several grants were received from local foundations.
- Councilmember Barnwell reported on his attendance at the Single Family Design Guidelines Group meeting.
- Councilmember Schneider reported on her attendance at the City/County Homeless Advisory Committee meeting where they received an update on the Forum on Homelessness.
- Councilmember Falcone spoke about an assignment given to her and the Council from Vieja Valley School students.
- Councilmember Williams mentioned that he recently met with leaders in Ventura County regarding Wal-Mart's attempt to locate a site in the City of Ventura.

CONSENT CALENDAR (Item Nos. 1 – 11, and 13-17)

The titles of the resolutions related to Item Nos. 2 and 6 were read.

MOTION:

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

VOTE:

Unanimous roll call vote.

1. SUBJECT: MINUTES

RECOMMENDATION: That Council waive the reading and approve the minutes of the regular meeting of November 30, 2004 (cancelled due to lack of a quorum).

ACTION: Approved the recommendation.

2. SUBJECT: EXECUTION OF EASEMENTS FOR A WATER LINE FRONTING THE 1900 AND 2000 BLOCKS OF LAS CANOAS ROAD (540.06)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving and Authorizing the Public Works Director to Execute Easement Purchase Agreements for Waterlines Upon the Real Properties Commonly Known as 1978 Las Canoas Road, 1980 Las Canoas Road, 1990 Las Canoas Road, 2000 Las Canoas Road, and 2010 Las Canoas Road, and Accepting Said Easements.

(Cont'd)

2. (Cont'd)

ACTION: Approved the recommendation; Resolution No. 04-098; Agreement Nos. 21,568 – 21,572 (December 14, 2004, report from the Public Works Director; proposed resolution).

3. SUBJECT: APPROVAL OF PARCEL MAP AND AGREEMENT FOR 1511 CLIFF DRIVE (640.08)

RECOMMENDATION: That Council:

- A. Approve and authorize the City Administrator to record Parcel Map 20,695, by Jeffrey C. and Laura R. Seawards, for a two-lot subdivision for residential purposes located at 1511 Cliff Drive, Assessor's Parcel Number 045-031-005, and find the map in conformance with the General Plan and applicable specific plans of 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. 21,573 (December 14, 2004, report from the Public Works Director).

4. SUBJECT: APPROPRIATION OF REGIONAL SURFACE TRANSPORTATION PROGRAM FUNDS FOR BIKE IMPROVEMENTS (530.04)

RECOMMENDATION: That Council:

- A. Accept the Regional Surface Transportation Program (RSTP) funding, in the amount of \$350,000; and
- B. Increase the estimated Fiscal Year 2005 Streets Capital Program Fund revenues by \$350,000 and appropriate this amount to the Fiscal Year 2005 Streets Capital Program.

SPEAKERS:

Staff: Transportation Manager Browning Allen.

ACTION: Approved the recommendations (December 14, 2004, report from the Public Works Director).

5. SUBJECT: GRANT FROM UNITED STATES BUREAU OF RECLAMATION TO FUND A WATERLESS URINAL RETROFIT PROGRAM (540.13)

RECOMMENDATION: That Council:

- A. Accept a grant from the U.S. Bureau of Reclamation in the amount of \$13,860, for implementation of a Waterless Urinal Retrofit Program; and

(Cont'd)

5. (Cont'd)

- B. Increase the estimated 2004-2005 Water Fund revenues by ~~\$13,680~~ \$13,860, and appropriate the same to the 2004-2005 Water Fund Operating Budget.

ACTION: Approved the recommendations as corrected (December 14, 2004, report from the Public Works Director).

6. SUBJECT: FEDERAL AND/OR STATE FUNDING AGREEMENTS AND APPROPRIATION OF FUNDS (530.04)

RECOMMENDATION: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Public Works Director to Execute Master Agreements, Program Supplement Agreements, Fund Exchange Agreements, Fund Transfer Agreements and Any Amendments Thereto With the California Department of Transportation, and to Administer the Local Agency-State Agreement for Federal Funded Projects (Master Agreement No. 05-5007) and/or State Funded Projects (Master Agreement 000008);
- B. Accept the Safe Routes to School (SR2S) funding in the amount of \$450,000; and
- C. Increase the estimated Fiscal Year 2005 Streets Capital Program Fund revenues by \$450,000, and appropriate this amount to the Fiscal Year 2005 Streets Capital Program.

ACTION: Approved the recommendations; Resolution No. 04-099; Agreement No. 21,574 (December 14, 2004, report from the Public Works Director; proposed resolution).

7. SUBJECT: PURCHASE OF ONE CUSTOM SPARTAN FIRE ENGINE AND ONE CUSTOM HEAVY RESCUE VEHICLE (520.03)

RECOMMENDATION: That Council:

- A. Find it in the City's best interest to waive the formal bid procedure as authorized by Municipal Code 4.52.080(k) and authorize the General Services Manager to issue a purchase order to Hi-Tech Emergency Vehicle Service, Inc., in the amount of \$361,670.42 for the assembly and delivery of one custom Spartan Fire Engine meeting the same specifications as the vehicle assembled and delivered to the Roseville Fire Department, California;

(Cont'd)

7. (Cont'd)

- B. Find it in the City's best interest to waive the formal bid procedure as authorized by Municipal Code 4.52.080(k) and authorize the General Services Manager to issue a purchase order to SVI Trucks in the amount of \$497,687.55 for the assembly and delivery of one custom Spartan Heavy Rescue vehicle meeting the same specifications as the vehicle assembled and delivered to the Beverly Hills Fire Department, California; and
- C. Appropriate \$459,358 from the Unappropriated Reserves of the Vehicle Replacement Fund to Fiscal Year 2005 Vehicle Replacement Fund capital budget to fund a portion of the fire apparatus replacement.

ACTION: Approved the recommendations (December 14, 2004, report from the Acting Fire Chief).

8. SUBJECT: AIRPORT MASTER ENVIRONMENTAL ASSESSMENT
ARCHAEOLOGICAL RESOURCES UPDATE (630.02)

RECOMMENDATION: That Council approve and authorize the Airport Director to execute a contract in an amount not to exceed \$41,275 with Applied Earthworks to update the Master Environmental Assessment (MEA) for Archaeological Resources at the Airport.

ACTION: Approved the recommendation; Contract No. 21,575 (December 14, 2004, report from the Airport Director).

9. SUBJECT: LICENSE AGREEMENT WITH THE SANTA BARBARA SWIM
CLUB (330.08)

RECOMMENDATION: That Council approve and authorize the Acting Parks and Recreation Director to execute a license agreement with the Santa Barbara Swim Club for the use of Los Baños del Mar Swimming Pool.

ACTION: Approved the recommendation; Agreement No. 21,576 (December 14, 2004, report from the Acting Parks and Recreation Director).

10. SUBJECT: SET A DATE FOR PUBLIC HEARING REGARDING PLANNING COMMISSION APPROVAL FOR 218 SANTA CRUZ BOULEVARD

RECOMMENDATION: That Council:

- A. Set the date of February 8, 2005, at 2:00 p.m. for hearing the appeal filed by The Conceptual Motion Company, Agent for property owners Lesley and Scott Wiscomb, of the Planning Commission approval of an application for property located at 218 Santa Cruz Boulevard, Assessor's Parcel Number 045-132-022, E-3 Single-Family Residential/SD-3 Coastal Overlay Zones, General Plan Designation: Residential, 5 Units per Acre. The project proposes the construction of an 859 square-foot addition to an existing 1,611 square-foot single-family residence, and the discretionary applications required are a Modification and a Coastal Development Permit. The appeal relates to a Condition of Approval requiring the construction of sidewalk, curb, and parkway; and
- B. Set the date of February 7, 2005, at 1:30 p.m. for a site visit to the property located at 218 Santa Cruz Boulevard.

ACTION: Approved the recommendations.

11. SUBJECT: ABATEMENT OF FIRE HAZARD AT 1323 ONTARE ROAD (520.03)

RECOMMENDATION: That Council:

- A. Receive a report from the Fire Department regarding the cost of abating a fire hazard at 1323 Ontare Road (Assessor's Parcel Number 055-24-007);
- B. Appropriate \$5,205.36 to the Fire Department budget from the General Fund Appropriated Reserves to cover the cost of abating a fire hazard at 1323 Ontare Road; and
- C. Set the date and time of January 11, 2005, at 2:00 p.m. for a hearing to confirm charges incurred by the City for abatement of a fire hazard at 1323 Ontare Road pursuant to Chapter 8.08 of the Santa Barbara City Municipal Code.

ACTION: Approved the recommendations (December 14, 2004, report from the Acting Fire Chief).

Item No. 12 appears in the Redevelopment Agency minutes.

NOTICES

- 13. The City Clerk has on Thursday, December 9, 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 letter of resignation from Westside Center Advisory Committee Member Maruja Estay; the unscheduled vacancy will be part of the next City Advisory Group recruitment. (580.03)
15. Receipt from the Housing Authority of the City of Santa Barbara of its 2004 Annual Report. (660.03)
16. City Advisory Group Recruitment:
 - A. The City Clerk's Office will accept applications through Friday, January 21, 2005, at 5:00 p.m. to fill vacancies on the Metropolitan Transit District Board;
 - B. The City Council will conduct interviews of applicants for these vacancies on Tuesday, February 1, 2005, at 4:00 p.m. (Estimated Time); and
 - C. The City Council will make appointments to fill these vacancies on Tuesday, February 15, 2005.
17. Cancellation of the regular City Council and Redevelopment Agency meeting of December 21, 2004, and the regular City Council meeting of December 28, 2004, due to lack of a quorum.

This concluded the Consent Calendar.

ORDINANCE COMMITTEE AND FINANCE COMMITTEE REPORTS

ORDINANCE COMMITTEE

18. SUBJECT: ORDINANCE COMMITTEE AGENDA, DECEMBER 14, 2004, 12:30 P.M., IN COUNCIL CHAMBERS TO CONSIDER PROPOSED ORDINANCE AMENDING SANTA BARBARA MUNICIPAL CODE CHAPTER 9.48 PERTAINING TO SELLING MERCHANDISE, AND CHAPTER 9.12 PERTAINING TO PARADE PERMITS AND REGULATIONS (120.03)
19. SUBJECT: REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Helene Schneider reported that the Committee met to discuss a proposal to update the Municipal Code pertaining to sidewalk vending and community events; the ordinance will be forwarded to the Council within a month.

FINANCE COMMITTEE

20. SUBJECT: SPECIAL FINANCE COMMITTEE AGENDA, DECEMBER 14, 2004, 12:45 P.M., IN ROOM 15 (120.03)
 - A. Vehicle License Fee Gap Loan Financing Program; and
 - B. Review General Fund Multi-Year Forecast.

21. SUBJECT: REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dan Secord reported that the Finance Committee met to discuss the Vehicle License Fee Gap Loan Financing Program and said that it will be brought to the Council soon; he also reported that the Committee reviewed the General Fund Multi-Year Forecast through 2009.

REDEVELOPMENT AGENCY REPORTS

22. SUBJECT: LOANS TO PEOPLES' SELF-HELP HOUSING CORPORATION FOR DEVELOPMENT OF AFFORDABLE HOUSING ADJACENT TO THE NEW GRANADA GARAGE (660.04)

RECOMMENDATION:

- A. That the City Council approve a permanent City loan in the amount of \$1,162,000 in Federal Home Investment Partnerships Program (HOME) funds that will replace and rescind an undisbursed \$480,000 HOME loan for the project, and authorize the City Administrator to execute the loan agreement, rescission agreement and related documents in a form acceptable to the City Attorney;
- B. That the Redevelopment Agency Board approve a short-term predevelopment loan of \$90,000 in State Housing Enabled by Local Partnerships (HELP) funds and authorize the Executive Director to execute the loan agreement and related documents in a form acceptable to Agency Counsel;
- C. That the Redevelopment Agency Board forgive a previous predevelopment loan of \$60,000 in HELP funds plus accrued interest, direct staff to increase appropriations from Redevelopment Agency Housing Setaside unappropriated reserves in order to repay the State, and authorize the Executive Director to execute a loan rescission agreement and related documents in a form acceptable to Agency Counsel; and
- D. That the City Council and Redevelopment Agency Board authorize the City Administrator and Executive Director to execute an amendment to the memorandum of understanding that was executed in 2001 for the project in order to reflect changes in the design, location and cost of the project, in a form acceptable to the City Attorney and Agency Counsel.

DOCUMENTS:

December 14, 2004, Community Development Director/Executive Director's report.

(Cont'd)

22. (Cont'd)

SPEAKERS:

- Staff: Housing and Redevelopment Manager/Assistant Community Development Director Dave Gustafson, Project Planner Simon Kiefer, Principal Engineer John Schoof, City Attorney/Agency Counsel Stephen P. Wiley.
- People's Self-Help Housing Corporation: Jill Martinez, Scott Figenshow.

MOTION:

Council/Agency members Williams/Falcone to approve the recommendations.

AMENDMENT MOTION:

Council/Agency members Williams/Falcone to approve the recommendations and to direct staff to address remediation of the contaminated soil; Recommendation A: City Council Agreement No. 21,577; Recommendation B: Redevelopment Agency Agreement No. 440; Recommendation C: Redevelopment Agency Agreement No. 441; Recommendation D: City Council Agreement No. 20,485.1 and Redevelopment Agency Agreement No. 383.1.

VOTE:

Unanimous voice vote.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

23. SUBJECT: CHAPALA STREET STREETScape DESIGN GUIDELINES
(530.04)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the Chapala Street Streetscape Design Guidelines.

DOCUMENTS:

- December 14, 2004, report from the Community Development Director.
- Proposed resolution.

SPEAKERS:

- Staff: Housing and Redevelopment Manager/Assistant Community Development Director Dave Gustafson, City Attorney Stephen P. Wiley, Acting Fire Chief Mitch Vaughn.
- Conceptual Motion: David Vanhoy.
- Earthform Design: Sam Maphis.

(Cont'd)

23. (Cont'd)

MOTION:

Councilmembers Secord/Barnwell to approve the recommendation;
Resolution No. 04-100.

VOTE:

Unanimous roll call vote.

PUBLIC WORKS DEPARTMENT

24. SUBJECT: CONTRACT FOR STUDY OF POLLUTANT SOURCES IN LOWER MISSION CREEK AREA (540.14)

RECOMMENDATION: That Council:

- A. Authorize the Public Works Director to execute a contract with the U.S. Department of the Interior, U.S. Geological Survey (USGS), in an amount not to exceed \$86,000, for a study to evaluate sources of microbial contamination in Mission Creek and the nearby surf zone; and
- B. Authorize the Public Works Director to approve extra services that may result from necessary changes in the scope of work at a total amount not to exceed \$8,000.

DOCUMENTS:

- December 14, 2004, report from the Public Works Director.
- December 14, 2004, letter from Heal the Ocean Executive Director Hillary Hauser.

SPEAKERS:

- Staff: Acting Water Resources Manager Steve Mack, Wastewater System Manager Rebecca Bjork.
- Heal the Ocean: Executive Director Hillary Hauser.

MOTION:

Councilmembers Falcone/Schneider to approve the recommendations;
Contract No. 21,578.

VOTE:

Unanimous voice vote.

RECESS

3:50 p.m. – 4:01 p.m. Councilmembers Horton and Secord were absent when the Council reconvened.

BOARD AND COMMISSION REPORTS

27. SUBJECT: PRESENTATION REGARDING SISTER CITY RELATIONSHIP WITH TOBA, JAPAN (130.03)

RECOMMENDATION: That Council hear a presentation from a group of Santa Barbara citizens that visited our Sister City, Toba, Japan.

(Estimated Time: 4:00 p.m.)

DOCUMENTS:

December 14, 2004, Assistant City Administrator's report.

Councilmember Horton entered the meeting at 4:12 p.m.

SPEAKERS:

- Sister Cities Board: Member Takako Wakita.
- Children's Creative Project: Executive Director Kathy Koury, Artist Ann Hefferman.

DISCUSSION:

By consensus, the Council heard the presentation and saw a slide show of a recent trip to Sister City, Toba, Japan.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

PUBLIC WORKS DEPARTMENT (Cont'd)

25. SUBJECT: CONTRACT FOR CONSTRUCTION OF THE CAMPANIL PUMP STATION IMPROVEMENTS PROJECT (540.09)

RECOMMENDATION: That Council:

- A. Consider and reject the bid protest by Specialty Construction Inc. (Specialty) regarding the alleged non-responsiveness of Schock Contracting Corporation's (Schock) bid;
- B. Authorize the Public Works Director to execute a contract with Schock, in their low bid amount of \$305,601 for construction of the Campanil Pump Station Improvements Project, Bid No. 3382, and authorize the Public Works Director to approve expenditures up to \$30,000 for Schock to cover any cost increases that may result from change orders for extra work; and
- C. Authorize the Public Works Director to execute a contract with Carollo Engineers (Carollo) for \$30,411 to provide engineering support services during construction, and authorize the Public Works Director to approve expenditures to Carollo up to \$3,000 to cover cost increases that may result from change orders for extra work.

(Cont'd)

25. (Cont'd)

DOCUMENTS:

December 14, 2004, report from the Public Works Director.

Councilmember Secord entered the meeting at 4:26 p.m.

SPEAKERS:

Staff: Principal Engineer Homer Smith.

MOTION:

Councilmembers Secord/Barnwell to approve the recommendations;
Contract Nos. 21,579 and 21,580.

VOTE:

Unanimous voice vote.

REQUEST FROM THE PUBLIC

26. SUBJECT: BUILT GREEN SANTA BARBARA PROGRAM (640.04)

RECOMMENDATION: That Council hear a presentation by the Santa Barbara Contractors Association regarding Built Green Santa Barbara.

DOCUMENTS:

- December 14, 2004, Assistant City Administrator's report.
- December 14, 2004, agenda from Santa Barbara Contractor's Association.
- December 14, 2004, PowerPoint presentation prepared by Santa Barbara Contractor's Association.

Councilmember Secord left the meeting at 4:57 p.m.

SPEAKERS:

- Staff: Community Development Director Paul Casey.
- Santa Barbara Contractor's Association: President Joe Campanelli, Executive Director Brandon H. Amyx.

MOTION:

Councilmembers Falcone/Schneider to direct staff to place this item on a future agenda to consider adoption of a resolution approving the program.

VOTE:

Unanimous voice vote (Absent: Councilmember Secord).

PUBLIC HEARING

28. SUBJECT: APPEAL OF THE HISTORIC LANDMARKS COMMISSION PRELIMINARY AND FINAL APPROVAL FOR 13 WEST HALEY STREET (640.07)

RECOMMENDATION: That Council deny the appeal of Trevor Martinson, agent for Holiday Inn Express-Hotel Virginia and Sally Torgeson, upholding the decision of the Historic Landmarks Commission for preliminary and final design review approval of the proposed 653 square-foot, four-story residence with an attached 243 square-foot, one-car garage.

DOCUMENTS:

- December 14, 2004, Community Development Director's report.
- November 8, 2004, letter of appeal from Trevor J. Martinson.
- December 14, 2004, letter from Trevor J. Martinson.
- December 14, 2004, written comments from Marshall Rose.
- Affidavit of Publication.

PUBLIC HEARING OPENED:

5:13 p.m.

Councilmember Secord entered the meeting at 5:30 p.m.

SPEAKERS:

- Staff: City Planner Bettie Weiss.
- Appellant: Trevor Martinson.
- Applicant: Architect Jeff Shelton.
- Members of the Public: Tom Williams.

PUBLIC HEARING CLOSED:

5:32 p.m.

MOTION:

Councilmembers Barnwell/Falcone to approve the recommendation with the following findings: 1) The Historic Landmarks Commission's (HLC) action complied with the provisions of Chapter 22.22 of the Municipal Code and City Guidelines regarding HLC design review hearings; 2) The HLC review only concerned the design of the project, it did not concern compliance with the zoning ordinance or the State Building Code. The only issue on appeal is the design of the project; 3) Code alternates are allowed by the Building Code; and 4) The Building Department will ensure compliance with the Building Code.

VOTE:

Unanimous voice vote.

RECESS

The Mayor recessed the meeting at 5:35 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 29. City Attorney Stephen P. Wiley stated no reportable action is anticipated for the closed session.

CLOSED SESSION

29. 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:

December 14, 2004, Assistant City Administrator's report.

TIME:

5:45 p.m. – 7:15 p.m.

ADJOURNMENT

Mayor Blum adjourned the meeting at 7:15 p.m.

SANTA BARBARA CITY COUNCIL

JAMES L. ARMSTRONG
CITY CLERK

MARTY BLUM
MAYOR

ATTEST: _____
BRENDA ALCAZAR, CMC
DEPUTY CITY CLERK