



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING April 25, 2006 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the joint meeting of the Council and the Redevelopment Agency to order at 2:01 p.m. (The Finance Committee met at 12:00 p.m. The Ordinance Committee, which ordinarily meets at 12:30 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 Brenda Alcazar.

CEREMONIAL ITEMS

1. Subject: Proclamation Declaring April 2006 As Autism Awareness Month (120.04)

Action: Proclamation presented to Marcia Eichelberger and Patti Gaultney, Co-Presidents of the Autism Society of America, Santa Barbara Chapter.

2. Subject: Proclamation Declaring April 2006 As Month of the Young Child (120.04)

Action: Proclamation presented to Debi Badger, Board Member of the Santa Barbara Association for the Education of Young Children.

3. Subject: Proclamation Declaring April 17 - 23, 2006, As National Community Development Week (120.04)

Action: Proclamation presented to Cindy Young, Chair, Community Development and Human Services Committee, Rebecca Robertson, Executive Director, Domestic Violence Solutions, and Bill Batty, Executive Director, Family Service Agency.

4. Subject: Proclamation Declaring April 23 - 29, 2006, As Crime Victims' Rights Week (120.04)

Action: Proclamation presented to Megan Rheinschild, Victim/Witness Program Manager, Santa Barbara County District Attorney's Office.

5. Subject: Proclamation Declaring May 1 - 7, 2006, As Week Of The Immigrant - Reconciliation, Dialogue And Action (120.04)

Action: Proclamation presented to Marisela Marquez, Ph.D., President of the Board of Directors, Casa de la Raza.

PUBLIC COMMENT

Speakers: Bob Hansen, Peter Marin, Emily Allen, Robert Ingalls, Nancy Tunnell, Hildy Hoffmann, and David McDermott.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Horton spoke about 1) the Sister Cities International Showcase of Young Artists; and 2) his attendance at the Recording for the Blind and Dyslexic luncheon.
- Councilmember Falcone reported on her attendance at the following meetings: 1) Channel Counties Division of the League of California Cities; and 2) the special City Council meeting with Congressional Representative Lois Capps.
- Councilmember House commented on 1) the Cancer Center's luncheon that he and Councilmembers Schneider and Williams attended; and 2) his attendance at a fund raiser by the Friends of the Library.
- Councilmember Barnwell said that he was the Emcee for a poetry contest at the Library; he also mentioned that he will be attending a 4-day conference in Chicago on form-based zoning next week.
- Councilmember Williams reported on his attendance at 1) the Cachuma Operation and Maintenance Board; 2) a meeting with Mesa residents; and 3) the Earth Day event.

(Cont'd)

Information (Cont'd):

- Councilmember Schneider mentioned her attendance at 1) the meeting of the Subcommittee of Finance for the Ten-Year Plan Process to End Chronic Homelessness; 2) a forum sponsored by the American Institute of Architects to discuss what outer State Street should look like; and 3) a reception at the Granada Theatre.
- Mayor Blum spoke about 1) Presidio Day; 2) Earth Day; 3) an article in El Mundo newspaper where they proclaimed the City of Santa Barbara as the environmental capital of the world; and 4) the naming of the City as Tree City USA for the 27th year in a row.

CONSENT CALENDAR (Item Nos. 6 – 16, and 18 - 21)

The titles of the resolutions and ordinances related to the Consent Calendar were read.

Motion:

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

Vote:

Unanimous roll call vote.

6. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of April 11, 2006.

Action: Approved the recommendation.

7. Subject: Ordinance For Adoption Pertaining To The Creation Of Assessment Districts (530.07)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Section 4.60.100 of the Santa Barbara Municipal Code Pertaining to the Creation of Assessment Districts.

Action: Approved the recommendation; Ordinance No. 5385.

8. Subject: Adoption Of Ordinance And Resolution Pertaining To Mooring And Anchoring In The City Of Santa Barbara Harbor District (570.03)

Recommendation: That Council:

- A. Adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the Municipal Code by Amending Chapter 17.04, Amending Section 17.12.020, Repealing Section 17.13.020, and Amending Chapter 17.20, Pertaining to Mooring and Anchoring in the City of Santa Barbara Harbor District; and

(Cont'd)

8. (Cont'd)

- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Establishing Rules and Regulations for Issuing Mooring Permits in the City of Santa Barbara Mooring Area, Setting Minimum Specifications for Installing, Inspecting and Repairing Such Moorings, and Establishing a List of Contractors Approved to Install and Inspect Such Moorings.

Speakers:

- Staff: Harbor Operations Manager Mick Kronman.
- Members of the Public: Mark Graves, Robert Ingalls.

Action: Approved the recommendations; Ordinance No. 5386; Resolution No. 06-027 (April 25, 2006, report from the Waterfront Director; proposed ordinance and resolution; April 21, 2006, letter from L. Scott Karlin).

9. Subject: Records Destruction For Fire Department (160.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the Fire Department in the Administration Division.

Action: Approved the recommendation; Resolution No. 06-028 (April 25, 2006, report from the Fire Chief; proposed resolution).

10. Subject: Records Destruction For Community Development Department (160.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the Community Development Department in the Planning Division.

Action: Approved the recommendation; Resolution No. 06-029 (April 25, 2006, report from the Community Development Director; proposed resolution).

11. Subject: Housing Rehabilitation Loan Program Loan Limits (610.04)

Recommendation: That Council increase the limits for Housing Rehabilitation Loan Program loans on single-family homes from \$80,000 to \$100,000.

Action: Approved the recommendation (April 25, 2006, report from the Community Development Director).

12. Subject: Contract For Construction Of The Westside Drain Summer Urban Runoff Facility Project (530.04)

Recommendation: That Council:

- A. Award and authorize the Public Works Director to execute a contract with Specialty Construction (Specialty), in their low bid amount of \$657,998, for construction of the Westside Drain Summer Urban Runoff Facility (Westside SURF), Bid No. 3466, and authorize the Public Works Director to approve expenditures up to \$66,000 to cover any cost increases that may result from change orders for extra work;
- B. Authorize the General Services Manager to execute a Purchase Order with URS Corporation, Incorporated (URS), in an amount not to exceed \$18,500, for design engineering services during construction; and
- C. Authorize the General Services Manager to execute a Purchase Order with Pacific Rim Automation, Incorporated (PRA), in an amount not to exceed \$50,848.78, for supplying and installing an automated control system to monitor and run the treatment facility.

Speakers:

Staff: Creeks Restoration/Clean Water Manager Jill Zachary.

Action: Approved the recommendations; Contract No. 22,023 (April 25, 2006, report from the Public Works Director).

13. Subject: Contract For Design Of Reservoir No. 1 Structural Repair And Groundwater Control Project (540.10)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a contract with Carollo Engineers (Carollo) in the amount of \$164,751 for design services for Reservoir No. 1 Structural Repair and Groundwater Control Project; and
- B. Authorize the Public Works Director to approve expenditures of up to \$16,500 for extra services of Carollo that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Contract No. 22,024 (April 25, 2006, report from the Public Works Director).

14. Subject: Approval Of Setback Variance Request For 336 North Nopal Street (640.09)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving the Setback Variance Request at 336 North Nopal Street, Making the Findings Specified in Santa Barbara Municipal Code Section 28.84.013; and

(Cont'd)

14. (Cont'd)

- B. Approve and authorize the Public Works Director to execute and record a Setback Variance Agreement for 336 North Nopal Drive.

Action: Approved the recommendations; Resolution No. 06-030; Agreement No. 22,025 (April 25, 2006, report from the Public Works Director; proposed resolution).

15. Subject: Purchase Order With Scott Reid & Associates To Design Creeks Public Outreach Materials (540.14)

Recommendation: That Council approve and authorize the General Services Manager to increase Purchase Order No. 371460 with Scott Reid & Associates by \$31,850, for a total purchase order of \$46,850, for graphic design of outreach materials associated with the Creeks Division Outreach and Education Program.

Speakers:

Staff: Creeks Restoration/Clean Water Manager Jill Zachary.

Action: Approved the recommendation (April 25, 2006, report from the Parks and Recreation Director).

16. Subject: Rotary Club Of Santa Barbara North Donation To Purchase A Police Bicycle (520.04)

Recommendation: That Council:

- A. Accept a \$1,000 grant from the Rotary Club of Santa Barbara North Charitable Foundation to purchase a new police mountain bike; and
B. Increase Fiscal Year 2006 General Fund estimated revenue by \$1,000 and appropriate the funds to the Police Department Budget.

Speakers:

Staff: Deputy Police Chief Richard Glaus, Police Officer Shawn Hill.

Action: Approved the recommendations (April 25, 2006, report from the Police Chief).

Item No. 17 appears in the Redevelopment Agency minutes.

NOTICES

18. The City Clerk has on Thursday, April 20, 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.

19. Received a letter of resignation from Community Development and Human Services Committee Member Dorothy Littlejohn; the vacancy will be part of the next City Advisory Group recruitment. (610.03)
20. The site visit scheduled for May 1, 2006, at 1:30 p.m., and the public hearing scheduled for May 2, 2006, at 6:00 p.m., to hear appeals of the Planning Commission's approval for 210 Meigs Road have been continued to June 12, 2006, at 1:30 p.m., and June 13, 2006, at 6:00 p.m., respectively.
21. City Advisory Group Recruitment:
 - A. The City Clerk's Office will accept applications through Friday, May 26, 2006, at 5:00 p.m. to fill vacancies on various City Advisory Groups, two scheduled vacancies with term expiration dates of June 30, 2006, on the Housing Authority Commission, and the unscheduled vacancies resulting from resignations accepted by the Council through May 12, 2006;
 - B. The City Council will conduct interviews of applicants for vacancies on various City Advisory Groups on Tuesday, June 13, 2006, at 6:00 p.m. and Tuesday, June 20, 2006, at 3:30 p.m. (Estimated Time); and
 - C. The City Council will make the appointments to fill the vacancies on various City Advisory Groups on Tuesday, July 11, 2006.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Roger L. Horton reported that the Committee met to discuss the transfer of beach maintenance responsibilities to the Waterfront fund; staff will return with recommendations next week. The Committee also reviewed and accepted the March 2006 Investment Report which will be presented to the Council as Item No. 22.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

FINANCE DEPARTMENT

22. Subject: March 2006 Investment Report (260.02)

Recommendation: That Council accept the March 2006 Investment Report.

Documents:

April 25, 2006, report from the Finance Director.

Speakers:

Staff: Treasury Manager Cynthia Odell.

(Cont'd)

22. (Cont'd)

Motion:

Councilmembers Horton/Schneider to approve the recommendation.

Vote:

Unanimous voice vote.

23. Subject: Living Wage Advisory Committee (800.08)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Establishing a Living Wage Advisory Committee and Setting the Membership and Review Requirements of the Living Wage Advisory Committee in Accordance With Santa Barbara Municipal Code Chapter 9.128.

Documents:

- April 25, 2006, report from the Finance Director.
- Proposed resolution.

The title of the Resolution was read.

Speakers:

Staff: Finance Director Robert Peirson.

Motion:

Councilmembers House/Falcone to approve the recommendation;
Resolution No. 06-031.

Vote:

Unanimous roll call vote.

Item No. 24 appears in the Redevelopment Agency minutes.

RECESS

3:26 p.m. – 3:40 p.m.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

COMMUNITY DEVELOPMENT DEPARTMENT

25. Subject: Proposed Upper State Street Study And Improvement Plan (650.08)

Recommendation: That Council:

- A. Initiate the Upper State Street Study & Improvement Plan;

(Cont'd)

25. (Cont'd)

- B. Approve the scope of work addressing immediate traffic and circulation needs as well as interim development standards and design guidelines; and
- C. Direct staff to return with a consultant contract and General Fund allocation request.

Documents:

- April 25, 2006, report from the Community Development Director.
- April 19, 2006, letter from Citizens Planning Association.
- April 25, 2006, e-mail communications from James O. Kahan.

Speakers:

- Staff: Community Development Director Paul Casey.
- Planning Commission: Commissioner John Jostes.
- Members of the Public: Charlie Eckberg; Naomi Kovacs and Paul Hernadi, Citizens Planning Association; Steven A. Amerikaner, B3 Architects; Nancy Martz; Douglas E. Fell; Connie Hannah, Santa Barbara League of Women Voters.

Motion:

Councilmembers Horton/House to approve the recommendations.

Vote:

Unanimous voice vote.

PUBLIC HEARINGS

26. Subject: Appeal Of Architectural Board Of Review Decision For Select Personnel Services, 3820 State Street (640.07)

Recommendation: That Council deny the appeal and uphold the decisions of the Architectural Board of Review (ABR) and Sign Committee denying the application of Select Personnel Services, finding that there are insufficient grounds to support exceptions to the Sign Ordinance.

Documents:

- April 25, 2006, report from the Community Development Director.
- Affidavit of Publication.
- April 20, 2006, letter from Select Personnel Services.

Public Comment Opened:

4:49 p.m.

(Cont'd)

26. (Cont'd)

Speakers:

- Staff: Senior Planner Jaime Limón.
- Sign Committee: Member Steve Hausz, Chair Dawn Ziemer.
- Appellant/Applicant: Stephen Sorensen, President/Chief Executive Officer, Select Personnel Services; Brian R. Poliquin, Architect.

Public Comment Closed:

5:30 p.m.

Motion:

Councilmembers House/Barnwell to approve the recommendation and encourage the applicant to submit a revised sign proposal to the Sign Committee, which may include exception requests.

Vote:

Unanimous voice vote.

RECESS

The Mayor recessed the meeting at 5:39 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 27; City Attorney Stephen Wiley said there would be no reportable action taken during the closed session.

CLOSED SESSIONS

27. 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 Homes on Wheels, et al., v. City of Santa Barbara, et al., Santa Barbara Superior Court Case No. 1112384.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

April 25, 2006, report from the City Attorney.

Time:

5:42 p.m. – 6:20 p.m.

No settlement approved.

ADJOURNMENT

Mayor Blum adjourned the meeting at 6:20 p.m.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER

ATTEST:

MARTY BLUM
MAYOR

BRENDA ALCAZAR, CMC
DEPUTY CITY CLERK