



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING August 16, 2005 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:01 p.m. (The Ordinance Committee and the Finance Committee, which ordinarily meet at 12:30 p.m. and 1:00 p.m., respectively, did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Blum.

ROLL CALL

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

Councilmembers absent: Brian B. Barnwell.

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

CEREMONIAL ITEMS

- Subject: Proclamation Declaring August 2005 As Child Support Awareness Month (120.04)**

Action: Proclamation presented to Susana Salgado, Santa Barbara County Department of Child Support Services.

PUBLIC COMMENT

No one wished to speak.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Mayor Blum reported on her recent visit to Washington, DC, to serve on a panel that considered the National Endowment for the Arts.
- Councilmember Horton mentioned his attendance at 1) the presentation of the Pacific Coast Business Times' Spirit Award; and 2) the recent meeting of the Streetlight Guidelines Advisory Committee.
- Councilmember Schneider commented on the recent meeting of the Westside Center Advisory Group, during which street and sidewalk improvements for the Westside neighborhood were discussed; she also announced the upcoming annual Westside cleanup.
- Councilmember Williams noted he had received a hospitality industry update from the Greater Santa Barbara Lodging Association.
- Councilmember Secord reported on his attendance at the most recent meeting of the California Coastal Commission, at which several local area projects were reviewed; he also provided a status report on proposals to make improvements to Highway 101 and to establish commuter rail, which were recently discussed by the Santa Barbara County Association of Governments.
- Councilmember Falcone remarked on the recent meeting of the Creeks Advisory Committee, which considered the Lower Mission Creek flood control project and the project to map the City's entire watershed.

CONSENT CALENDAR (Item Nos. 2 – 13)

The title of the ordinance pertaining to Item No. 8 was read.

Motion:

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

Vote:

Unanimous roll call vote (Absent: Councilmember Barnwell).

2. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the special meeting of July 22, the regular meeting of July 26, the special meeting of August 1, and the regular meeting of August 2, 2005.

Action: Approved the recommendation.

3. Subject: Donation Of Firefighting Equipment To The Fire Department (330.05)

Recommendation: That Council accept the donation from the Santa Barbara Firefighters Alliance of essential firefighting equipment that will enhance the capabilities of our firefighters. The Alliance is donating a Bullard T3 Max Thermal Imaging Camera, three HotSticks, and a Delsar Life Detector Four Sensor System to the Fire Department.

Speakers:

Staff: Acting Battalion Chief Francisco Chacon.

Action: Approved the recommendation (August 16, 2005, Acting Fire Chief's report).

4. Subject: Assignment Of Lease Agreement No. 16,360, Angel's Bait And Tackle (330.04)

Recommendation: That Council approve and authorize the Waterfront Director to execute a Consent to Assignment of Lease Agreement No. 16,360 from Robert Angel to Reggie Drew, for the 269 square-foot location at 232 Stearns Wharf, currently known as Angel's Bait and Tackle.

Action: Approved the recommendation; Agreement No. 21,783 (August 16, 2005, Waterfront Director's report).

5. Subject: Notice Of Completion For Sidewalk Infill (530.04)

Recommendation: That Council accept the work completed by Lash Construction, Incorporated (Lash), Bid No. 3372, Contract No. 21,630, for the Sidewalk Infill Project, located at various locations within the City limits, in the final contract amount of \$438,933.75, including approved changes, and approve filing of a Notice of Completion.

Action: Approved the recommendation (August 16, 2005, Public Works Director's report).

6. Subject: Approval Of Parcel Map And Execution Of Agreement For 504 East Arrellaga Street (640.08)

Recommendation: That Council:

- A. Approve and authorize the City Administrator to record Parcel Map No. 20,706 by Arrellaga and Olive, LLC, a California Limited Liability Company, for a one-lot subdivision located at 504 East Arrellaga Street, APN 027-260-001, and find the Parcel Map in conformance with the General Plan and applicable specific plans for the City of Santa Barbara (City); and

(Cont'd)

6. (Cont'd)

- 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. 21,784 (August 16, 2005, Public Works Director's report).

7. Subject: Notice Of Completion For Area F Slurry Seal Fiscal Year 2005 (530.04)

Recommendation: That Council accept the work completed by Roy Allan Slurry Seal, Incorporated (Roy Allan), Contract No. 21,465, for the Area F Slurry Seal Fiscal Year 2005 Project, Bid No. 3384, at various locations as shown on the attached list, in the final contract amount of \$999,401.06, including approved changes, and approve filing of a Notice of Completion.

Action: Approved the recommendation (August 16, 2005, Public Works Director's report).

8. Subject: Adoption Of Ordinance For Amendment To Title 4, Chapter 4.52, Of The Santa Barbara Municipal Code Pertaining To Purchasing (340.02)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 4.52 of Title 4 of the Santa Barbara Municipal Code to Increase the Monetary Thresholds That Determine the Use of Informal Quotes and Formal Bids for the Purchase of Ordinary Goods and Services.

Action: Approved the recommendation; Ordinance No. 5371.

9. Subject: Set A Date For Public Hearing Regarding Appeal Of Historic Landmarks Commission Denial For 17 West Canon Perdido Street

Recommendation: That Council:

- A. Set the date of September 20, 2005, at 2:00 p.m. for hearing the appeal filed by Ken Quayle, Project Manager for Nordstrom, Inc., of the Historic Landmarks Commission denial of an application for property located at 17 West Canon Perdido Street, Assessor's Parcel No. 037-400-001, C-2 Commercial Zone, General Plan Designation: General Commerce. The project proposes to permit the as-built bird netting around the perimeter of the third floor restaurant terrace; and

(Cont'd)

9. (Cont'd)

- B. Set the date of September 19, 2005, at 1:30 p.m. for a site visit to the property located at 17 West Canon Perdido Street.

Action: Approved the recommendations (July 28, 2005, letter of appeal).

NOTICES

10. The City Clerk has on Thursday, August 11, 2005, 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. A City Council site visit is scheduled for Monday, August 15, 2005, at 1:30 p.m. to the property located at 2530 Mesa School Lane, which is the subject of an appeal hearing set for Tuesday, August 16, 2005, at 2:00 p.m.
12. The public hearing scheduled for August 16, 2005, at 2:00 p.m. to hear an appeal of the Historic Landmarks Commission's approval for 29 State Street has been cancelled due to withdrawal of the appeal.
13. Received a letter of resignation from Parks and Recreation Commissioner Margaret Niehaus; the vacancy will be part of the next City Advisory Group recruitment. (570.08)

This concluded the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

14. Subject: Contract For Construction Of The Taxiway M Project (560.04)

Recommendation: That Council:

- A. Award and authorize the Public Works Director to execute a contract with Granite Construction Company, in their low bid amount of \$4,405,815, for construction of the Taxiway M Project, Bid No. 3438;
- B. Authorize the Public Works Director to approve expenditures up to \$352,500 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment;

(Cont'd)

14. (Cont'd)

- C. Authorize the Public Works Director to execute a contract with Penfield & Smith Engineers (P&S), in the amount of \$488,107, for construction management services, and authorize the Public Works Director to approve expenditures of up to \$48,810 for extra services of P&S that may result from necessary changes in the scope of work; and
- D. Authorize the Public Works Director to execute a contract with URS Corporation (URS), in the amount of \$77,678, for construction support services, and authorize the Public Works Director to approve expenditures of up to \$7,767 for extra services of URS that may result from necessary changes in the scope of work.

Documents:

August 16, 2005, Public Works Director's report.

Speakers:

Staff: Airport Director Karen Ramsdell.

Motion:

Councilmembers Horton/Schneider to approve the recommendations;
Contract Nos. 21,785 – 21,787.

Vote:

Unanimous voice vote (Absent: Councilmember Barnwell).

REQUESTS FROM THE PUBLIC

15. Subject: Request from the Navy League (Councilmembers Schneider and Williams) (570.03)

Recommendation: That Council consider the Navy League's request to waive vendor fees associated with the pending visit of the aircraft carrier USS Ronald Reagan.

Documents:

- August 16, 2005, Waterfront Director's report.
- PowerPoint presentation prepared and made by Staff.
- List of telephone calls made to the Mayor & Council Office regarding this issue.

Speakers:

- Staff: Waterfront Director John Bridley.
- Members of the Public: Kristine Mollenkopf, Connie Los, Karen MacDonald, and Stephen Miller, Santa Barbara Council of the United States Navy League.

(Cont'd)

15. (Cont'd)

Recess: 3:42 p.m. – 3:51 p.m.

Speakers (Cont'd):

- Members of the Public: Rick Feldman, Santa Barbara Council of the United States Navy League; Lawrence Dam; Cheryl Stiewel and Michael Magne, Santa Barbara Navy League; John Fritsche; Allen Reid and John McGowen, Santa Barbara Navy League; Tom Becker.

Motion:

Councilmember Williams to grant a 20% discount on fees charged on the services of private companies connected with the pending visit of the aircraft carrier USS Ronald Reagan, and refer the fee policy to the Harbor Commission and the City Council Finance Committee for review.

The motion died for lack of a second.

Motion:

Councilmember Falcone to waive vendor fees for all visits of the USS Ronald Reagan.

The motion died for lack of a second.

Motion:

Councilmembers Horton/Falcone to waive vendor fees associated with the pending visit of the USS Ronald Reagan and with the September visit of a US Coast Guard vessel, and refer the fee policy for visits of military vessels to the appropriate committees for review.

Vote:

Failed to carry by voice vote (Ayes: Councilmembers Falcone, Horton, Mayor Blum; Noes: Councilmembers Schneider, Secord, Williams; Absent: Councilmember Barnwell).

Motion:

Councilmembers Secord/Falcone to waive vendor fees associated with the pending visit of the USS Ronald Reagan and refer the fee policy to the Harbor Commission and the City Council Finance Committee for review.

Vote:

Failed to carry by voice vote (Ayes: Councilmembers Falcone, Secord, Mayor Blum; Noes: Councilmembers Horton, Schneider, Williams; Absent: Councilmember Barnwell).

(Cont'd)

15. (Cont'd)

Motion:

Councilmembers Williams/Schneider to grant a 30% discount on vendor fees associated with the pending visit of the USS Ronald Reagan and refer the fee policy to the Harbor Commission and the City Council Finance Committee for review.

Vote:

Failed to carry by voice vote (Ayes: Councilmember Williams; Noes: Councilmembers Falcone, Horton, Schneider, Secord, Mayor Blum; Absent: Councilmember Barnwell).

Motion:

Councilmembers Horton/Falcone to waive vendor fees associated with the pending visit of the USS Ronald Reagan and with the September visit of a US Coast Guard vessel.

Vote:

Majority voice vote (Noes: Councilmembers Schneider, Williams; Absent: Councilmember Barnwell).

Motion:

Councilmembers Secord/Schneider to refer the fee policy to the Harbor Commission and the City Council Finance Committee for review.

Vote:

Unanimous voice vote (Absent: Councilmember Barnwell).

RECESS

4:33 p.m. – 4:38 p.m.

PUBLIC HEARINGS

16. Subject: Appeal Of Planning Commission Denial For 2530 Mesa School Lane (640.07)

Recommendation: That Council grant the appeal of Bill Poehler, on behalf of Harry Wright, reversing the decision of the Planning Commission to deny the project, and approve the lot frontage Modification, Coastal Development Permit, and Tentative Subdivision Map, as revised, to subdivide a 20,000 square-foot lot into two parcels, making the required findings in the Council Agenda Report.

(Cont'd)

16. (Cont'd)

Documents:

- August 16, 2005, Community Development Director's report.
- Affidavit of Publication.
- Collection of statements signed by neighboring property owners/occupants and photographs of various aspects of subject property, submitted by Applicant.
- August 16, 2005, letter from Robert Cummings.

Public Comment Opened:

4:39 p.m.

Speakers:

- Staff: Senior Planner Jan Hubbell, City Attorney Stephen Wiley.
- Planning Commission: Commissioner Harwood White, Jr.
- Appellant/Applicant: Bill Poehler, Harry Wright.
- Members of the Public: Frank Wascoe, Jeri Wascoe, Sally Ghizzoni, Dirk Bouwmeester, Nancy Ferguson, Robert Cummings.

Councilmember Williams left the meeting at 5:23 p.m.

Public Comment Closed:

5:30 p.m.

Motion:

Councilmembers Schneider/Secord to grant the appeal, conditioning the project approval on the addition or amendment of Conditions of Approval as follows:

- 1) the addition of a recorded condition to protect existing healthy trees on both lots;
- 2) the addition of a condition to require the provision of one additional guest parking space with any development proposal for the rear lot that increases the building square footage by 750 square feet or more; and
- 3) the amendment of Condition A.3. to read ". . .future construction on both parcels shall be subject to review and approval by the Architectural Board of Review for consistency with the City's Neighborhood Preservation Ordinance."

Vote:

Majority voice vote (Noes: Councilmember Horton, Mayor Blum; Absent: Councilmembers Barnwell, Williams).

City Attorney Wiley left the meeting at 5:53 p.m.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

CITY ADMINISTRATOR

17. Subject: City TV Channel 18 Viewership Survey (170.01)

Recommendation: That Council receive a presentation regarding the results of an independent City TV viewership survey of City TV Channel 18.

Documents:

- August 16, 2005, report from the Assistant to the City Administrator.
- PowerPoint presentation prepared and made by Staff and City consultant.

Speakers:

- Staff: City TV Production Supervisor Tony Ruggieri.
- City Consultant: Jon Sonstelie, University of California at Santa Barbara Social Science Survey Center.

By consensus, the Council received the presentation.

City Attorney Wiley returned to the meeting at 6:07 p.m.

MAYOR AND COUNCIL REPORTS

18. Subject: Designation Of Voting Delegates For 2005 League Of California Cities Annual Conference (180.01)

Recommendation: That Council designate a voting delegate and a voting alternate for the League of California Cities 2005 Annual Conference scheduled for Thursday, October 6, through Saturday, October 8, 2005, in San Francisco.

Documents:

July 6, 2005, letter from the League of California Cities.

Motion:

Councilmembers Schneider/Horton to designate Councilmember Falcone as the voting delegate.

Vote:

Unanimous voice vote (Absent: Councilmembers Barnwell, Williams).

By consensus, the Council did not designate a voting alternate.

ADJOURNMENT

Mayor Blum adjourned the meeting at 6:09 p.m.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER

MARTY BLUM
MAYOR

ATTEST: _____
SUSAN TSCHECH, CMC
DEPUTY CITY CLERK