



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING March 27, 2007 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:00 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.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Lori Cole.

PUBLIC COMMENT

Speakers: Wayne Scoles; Lowell Dabbs, Grand Jury; Norman Salzman; Kenneth Loch; Dianne Channing, Democratic Women of Santa Barbara and League of Women Voters; Bill Mahan, El Pueblo Viejo; Gil Barry; Bill Marks; Cathie McCammon, League of Women Voters, Sustainable Communities Commission; Beverly King, League of Women Voters; Michael Self, Santa Barbara Safe Streets.

CHANGES TO THE AGENDA

City Administrator James L. Armstrong stated that Item No. 7 was being removed from the agenda and will be continued to an undetermined date.

7. Subject: Sole Source Purchase Of Park Structure For Bohnett Park Expansion Project (340.08)

Recommendation: That Council:

- A. Find it in the City's best interest to approve Icon Shelter Systems as the supplier for a prefabricated architectural art element for the Bohnett Park Expansion Project, without bids, as authorized by Municipal Code Section 4.52.080 (k); and
- B. Authorize the General Services Manager to award a purchase order contract to Icon Shelter Systems in the amount of \$76,765.63.

ITEM REMOVED FROM THE CONSENT CALENDAR

6. Subject: Approval Of Map And Execution Of Agreements For 1822 San Pascual Street (640.08)

Recommendation: That Council:

- A. Approve and authorize the City Administrator to record Final Map No. 20,732 by San Pascual Cottages, LLC, a California Limited Liability Company, for a subdivision located at 1822 San Pascual Street, Assessor's Parcel No. 043-163-013, and find the Final Map in conformance with the General Plan for the City of Santa Barbara (City);
- B. Approve and authorize the City Administrator to execute and record an Agreement Relating to Subdivision Map Conditions Imposed on Real Property; and
- C. Approve and authorize the City Administrator to execute and record an Agreement for Land Development Improvements.

Documents:

March 27, 2007, report from the Public Works Director.

Motion:

Councilmembers Barnwell/Horton to the recommendations; Agreement Nos. 22,342 and 22,343.

Vote:

Majority voice vote (Noes: Councilmembers Schneider, Williams, Mayor Blum).

CONSENT CALENDAR (Item Nos. 1-5, 8-14)

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

Motion:

Councilmembers Williams/Horton 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 adjourned regular meeting of March 12, 2007, and the regular meeting of March 13, 2007.

Action: Approved the recommendation.

2. Subject: Appropriate State Loan To Airport T-Hangar Fund (560.04)

Recommendation: That Council increase appropriations and estimated revenues in the newly-created Airport T-hangar Fund by \$2,450,339 for the construction of 24 T-hangars, funded from a low-interest loan from the California Department of Transportation, Division of Aeronautics.

Action: Approved the recommendation (March 27, 2007, report from the Airport Director).

3. Subject: February 2007 Investment Report (260.02)

Recommendation: That Council accept the February 2007 Investment Report.

Action: Approved the recommendation (March 27, 2007, report from the Finance Director).

4. Subject: Proposed Extension Of The Pre-qualified Engineering Services Program List (530.01)

Recommendation: That Council review and extend the Pre-qualified Engineering Services (PES) Program list.

Action: Approved the recommendation (March 27, 2007, report from the Public Works Director).

5. Subject: Purchase Of 303 West Ortega Street For The Ortega Street Bridge Replacement Project At Mission Creek (330.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Public Works Director, Subject to Review and Approval by the City Attorney, to Approve an Agreement of Sale with Ann Ehrenclou, to Initiate the Purchase by the City of Santa Barbara of Certain Real Property at 303 West Ortega Street, as Approved by the State of California, Department of Transportation, and as Approved by the United States Department of Transportation, Federal Highway Administration, as a Hardship Purchase in Advance of the Ortega Street Bridge Replacement Project at Mission Creek, in the Appraised Fair Market Value Amount of \$620,000, Plus Associated Costs, and to Execute Documents as May be Needed to Enable Such Purchase, Including, but not Limited to, Sale Escrow Instructions, and Accepting the Real Property Located at 303 West Ortega Street.

Action: Approved the recommendation; Resolution No. 07-016; Contract No. 22,341 (March 27, 2007, report from the Public Works Director; proposed resolution).

8. Subject: Lease Agreement With Channel Islands National Marine Sanctuary (330.04)

Recommendation: That Council approve a three-year Supplemental Lease Agreement with the United States Government for the Channel Islands National Marine Sanctuary offices at \$2.74 per square foot totaling \$4,050.20 per month for 1,476 square feet of office space in the Waterfront Center Building at 113 Harbor Way.

Action: Approved the recommendation; Agreement No. 22,344 (March 27, 2007, report from the Waterfront Director).

9. Subject: Adoption Of Ordinance Amending Municipal Code Chapters 9.12 And 9.140 Pertaining To Parade Permit Regulations And Solicitations For Employment Within City Rights-Of-Way (520.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapters 9.12 and 9.140 of the Municipal Code Pertaining to Parade Permits and Regulations and Pertaining to Solicitation of Employment or Business From Within a Street Right-of-Way.

Action: Approved the recommendation; Ordinance No. 5414.

10. Subject: Adoption Of Ordinance Amending City Attorney and City Administrator Compensation (410.06)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Ordinance No. 5358, the Salary Plan for Fiscal Years 2005 through 2008 for the City Administrator and the City Attorney, Effective January 6, 2007.

Action: Approved the recommendation; Ordinance No. 5415.

11. Subject: Loan Application With California Department Of Boating And Waterways - Marina 1 (570.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Requesting a \$6,000,000 Loan from the California Department of Boating and Waterways for the First Three Phases of Reconstruction of Marina 1 in the Santa Barbara Harbor.

Action: Approved the recommendation; Resolution No. 07-017 (March 27, 2007, report from the Waterfront Director; proposed resolution).

12. Subject: Set A Date For Public Hearing Regarding Appeal Of Architectural Board of Review Approval For Traffic Calming Devices

Recommendation: That Council set the date of April 24, 2007, at 6:00 p.m. for hearing the appeal filed by Dale Francisco, property owner representing himself and adjacent neighbors, of the Architectural Board of Review's Final Approval of an application by the City of Santa Barbara for the installation of permanent traffic calming devices at various locations on Alta Vista Road, Quarantina Street, Olive Street and Garden Street.

Action: Approved the recommendation (February 14, 2007, letter of appeal).

NOTICES

13. The City Clerk has on Thursday, March 22, 2007, 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. The public hearing scheduled for March 27, 2007, at 2:00 p.m. to hear an appeal of the Historic Landmarks Commission's approval with conditions for the Granada Theatre property located at 1214 State Street has been cancelled due to withdrawal of the appeal.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Roger Horton reported that the Committee met to review the February 2007 Investment Report and a loan application with the California Department of Boating and Waterways regarding Marina 1, which were approved by the Council as part of this agenda's Consent Calendar (Item Nos. 3 and 11, respectively). The Committee also met to review proposed Measure D expenditures for Fiscal Years 2008 and 2009, which will be forwarded to Council on a future agenda.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

15. Subject: Contract For Final Design Of Cabrillo Boulevard Bridge Replacement Project At Mission Creek (530.04)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a contract with Bengal Engineering, Inc. (Bengal), in an amount not to exceed \$1,493,251, for final design of the Cabrillo Boulevard Bridge Replacement Project at Mission Creek; and
- B. Reallocate funds in the amount of \$200,000 from the Lower Mission Creek (LMC) Project to the Cabrillo Boulevard Bridge Replacement Project at Mission Creek.

Documents:

March 27, 2007, report from the Public Works Director.

Speakers:

Staff: Assistant Public Works Director/City Engineer Pat Kelly.

Motion:

Councilmembers House/Horton to approve the recommendations;
Contract No. 22,346.

Vote:

Unanimous voice vote.

RECESS

2:53 p.m. - 2:56 p.m.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

CITY ADMINISTRATOR

16. Subject: 2007 Annual Sustainable Santa Barbara Report (630.02)

Recommendation: That Council receive a presentation on the 2007 Sustainable Santa Barbara Annual Report that describes the City's best practices and recent achievements in environmental programs.

Documents:

March 27, 2007, report from the City Administrator.

Speakers:

- Staff: Assistant to the City Administrator Nina Johnson, Water Resources Supervisor Bill Ferguson.
- Member of the Public: Tam Hunt, California Energy Commission.

By consensus, the Council received the report.

17. Subject: Green Building Policy For City-Owned And -Operated Buildings (630.02)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving a Green Building Policy Related to New City Building Construction, Major Renovations, Retrofits, and Upgrades to Existing City-Owned and -Operated Buildings.

Documents:

- March 27, 2007, report from the City Administrator and Public Works Director.
- Proposed resolution.

The title of the resolution was read.

Speakers:

- Staff: Principal Engineer John Schoof, Assistant to the City Administrator Nina Johnson, Community Development Director Paul Casey, City Administrator James L. Armstrong.
- Member of the Public: Tam Hunt, California Energy Commission.

Motion:

Councilmembers Schneider/Horton to approve the recommendation; Resolution No. 07-018.

Vote:

Unanimous roll call vote.

RECESS

4:05 p.m. - 4:19 p.m.

PUBLIC HEARINGS

18. Subject: Appeal Of Planning Commission Denial Of 3408 And 3412 State Street (640.07)

Recommendation: That Council uphold the appeal of David Tabor, agent for Robert and Deborah Hart, property owners, and thereby approve the Modifications and Condominium Conversion for the mixed-use development at 3408 and 3412 State Street.

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

Documents:

- March 27, 2007, report from the Community Development Director.
- March 27, 2007, PowerPoint presentation prepared and made by staff.
- Affidavit of Publication.
- March 22, 2007, letter from Susan M. Basham, Attorney representing the Appellant/Applicant.
- March 22, 2007, letter from Gil Barry.
- March 26, 2007, letter from James Kahan.
- March 27, 2007, letter from Margaret J. Jose.
- March 27, 2007, e-mail from James Kahan.

Public Comment Opened:

5:15 p.m.

Speakers:

- Staff: Associate Planner Kathy Kennedy, City Planner Bettie Weiss, City Attorney Stephen P. Wiley.
- Planning Commission: Commissioner John Jostes.
- Appellant: Attorney Susan Basham; Robert Hart; Architect Richard Johnson.
- Members of the Public: Naomi Kovacs, Citizens Planning Association; Michael Self, Santa Barbara Safe Streets; Dale Francisco; Pat Kistler, Santa Barbara Association of Realtors; Mickey Flacks; Patty Macomber; Ron Burd; Elizabeth Avolboll; Guner Tautrim; Jeff Comstock; Wendell Fitzgerald; Jim Kahan, Grove Lane Association; Paul Hernadi; David Landecker; Jim Westby, Santa Barbara Safe Streets; Gil Barry; Chris Agnoli, Santa Barbara Association of Realtors; Donna Bayet.

Public Comment Closed:

6:02 p.m.

(Cont'd)

18. (Cont'd)

Motion:

Councilmembers Horton/Barnwell to approve the recommendation and revise the project to include a condition that designates four parking spaces exclusively for residents, with the remaining fourteen spaces available for joint use.

Vote:

Majority voice vote (Noes: Councilmembers Schneider, Williams).

ADJOURNMENT

Mayor Blum adjourned the meeting at 7:12 p.m.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER

MARTY BLUM
MAYOR

ATTEST:

LORI COLE
DEPUTY CITY CLERK