



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING June 5, 2007 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:04 p.m. (The Finance Committee and Ordinance Committee met at 10:30 a.m. and 12:30 p.m., respectively.)

### 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: Employee Recognition - Service Award Pins (410.01)

Recommendation: That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through June 30, 2007.

Documents:

June 5, 2007, report from the Administrative Services Director.

Speakers:

Staff: City Administrator James L. Armstrong.

(Cont'd)

1. (Cont'd)

By consensus, the Council recognized the following employees:

20-Year Pin

Matthew Grul, Heavy Equipment Technician, Public Works  
Keith Kapuy, Laboratory Analyst Coordinator, Public Works

15-Year Pin

Lori Pedersen, Administrative Assistant, Public Works

10-Year Pin

Michael Schwab, Assistant Identification Technician, Police  
John Mead, Grounds Maintenance Crew Leader, Parks and Recreation  
Steven Takaya, Parks Supervisor, Parks and Recreation

5-Year Pin

Starla Lago, Records Technician, Administrative Services  
Jo Anne La Conte, Assistant Planner, Community Development  
Enrique Alvarado, Police Officer, Police  
John Bacon, Police Officer, Police  
Jeffery Deforest, Police Officer, Police  
Christopher Zbinden, Police Officer, Police  
Lorena Razo, Public Safety Dispatcher, Police  
Ryan Gardner, Custodian, Public Works  
Rickey Callahan, Airport Patrol Officer, Airport

**PUBLIC COMMENT**

Speakers: Bob Hansen, Michael Self, and Peter Conn.

**CONSENT CALENDAR (Item Nos. 2 – 17)**

The titles of the resolutions related to Item Nos. 4 and 5 were read.

Motion:

Councilmembers Barnwell/Falcone to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

2. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meetings of May 15, May 22, and May 29, 2007 (cancelled due to lack of a quorum).

Action: Approved the recommendation.

3. Subject: Increase Purchase Order For Structural Contract Plan Check Services (640.04)

Recommendation: That Council authorize the General Services Manager to increase Purchase Order No. 372042 to John A. Martin & Associates, Inc., by \$20,000 for a total of \$92,000 for continued structural plan check services.

Action: Approved the recommendation (June 5, 2007, report from the Community Development Director).

4. Subject: Minimum Ground Tackle Specifications, Santa Barbara Mooring Area (570.03)

Recommendation: That Council 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 and Repealing Resolution No. 06-027.

Action: Approved the recommendation; Resolution No. 07-040 (June 5, 2007, report from the Waterfront Director; proposed resolution).

5. Subject: Slip Occupancy Policy, Designated Commercial Fishing Slips (570.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Establishing a Slip Occupancy Policy for Designated Commercial Fishing Slips in Santa Barbara Harbor and Repealing Resolution No. 01-124.

Speaker:

Staff: Harbor Operations Manager Mick Kronman.

Action: Approved the recommendation; Resolution No. 07-041 (June 5, 2007, report from the Waterfront Director; proposed resolution).

6. Subject: Five-Year Lease Agreement With Lisa Clagg, Doing Business As Harbor Market (330.04)

Recommendation: That Council approve a five-year lease agreement with Lisa Clagg, doing business as Harbor Market, for the 676 square-foot convenience store located at 125 Harbor Way, Suite 8, at a base rent of \$1,800 per month, subject to annual Cost of Living adjustment, or 6% of gross sales, whichever is greater.

Action: Approved the recommendation; Agreement No. 22,444 (June 5, 2007, report from the Waterfront Director).

7. Subject: Professional Services To Draft An Energy Ordinance Consistent With Architecture 2030 Efforts (630.06)

Recommendation: That Council allocate \$15,000 from the General Fund Unappropriated Reserve to the Fiscal Year 2007 Community Development, Building and Safety Division budget to fund professional services in support of a new City energy ordinance.

Action: Approved the recommendation (June 5, 2007, report from the Community Development Director).

8. Subject: Univision Broadcasting Clean Creek Messages In Spanish (540.14)

Recommendation: That Council accept a contribution of \$10,790 from the County of Santa Barbara for a Spanish language campaign and increase appropriations and estimated revenues in the Creeks Division Fiscal Year 2008 Operating Budget by \$10,790.

Action: Approved the recommendation (June 5, 2007, report from the Parks and Recreation Director).

9. Subject: Approval Of Map And Execution Of Agreements For 421 East Figueroa Street (640.08)

Recommendation: That Council:

- A. Approve and authorize the City Administrator to record Parcel Map No. 20,738 by Las Casas Arellanes, LLC, a California Limited Liability Company, for a subdivision located at 421 East Figueroa Street, Santa Barbara County Assessor's Parcel No. 029-173-017, and find the Parcel Map in conformance with the General Plan for 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. 22,445 (June 5, 2007, report from the Public Works Director).

10. Subject: Ratification Of Cachuma Conservation Release Board Budget (540.03)

Recommendation: That Council ratify the Fiscal Year 2008 Cachuma Conservation Release Board budget in the amount of \$2,264,895, with a City share of \$638,013.

Action: Approved the recommendation (June 5, 2007, report from the Public Works Director).

11. Subject: Notice Of Completion For The Area A Slurry Seal Project (530.04)

Recommendation: That Council accept the work completed by Roy Allan Slurry Seal, Inc. (Roy Allan), Contract No. 22,061, for the Area A Slurry Seal Project, Bid No. 3478, located at various locations as indicated on the attached list, in the final contract amount of \$1,274,144.27, including approved changes, and approve filing of a Notice of Completion.

Action: Approved the recommendation (June 5, 2007, report from the Public Works Director).

12. Subject: Contract For Construction For The Area B Slurry Seal Project (530.04)

Recommendation: That Council:

- A. Award and authorize the Public Works Director to execute a contract with Roy Allan Slurry Seal, Inc. (Roy Allan), in their low bid amount of \$1,595,909.60, for construction of the Area B Slurry Seal Project, Bid No. 3505;
- B. Authorize the Public Works Director to approve expenditures up to \$160,000 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;
- C. Authorize the Public Works Director to execute a professional services contract with Flowers & Associates, Inc. (Flowers), in the amount of \$210,000 for Construction Management services for the Area B Slurry Seal Project; and
- D. Authorize the Public Works Director to approve expenditures of up to \$21,000 for extra services that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Contract Nos. 22,446 and 22,447 (June 5, 2007, report from the Public Works Director).

13. Subject: Extra Professional Services For The Cabrillo Boulevard Bridge Project At Mission Creek (530.03)

Recommendation: That Council authorize an increase of \$24,000 to Purchase Order No. ~~376232~~ 373262 to URS Corporation from \$24,865 to \$48,865.

Action: Approved the recommendation (June 5, 2007, report from the Public Works Director).

14. Subject: Set A Date For A Public Hearing To Consider Designation Of City Landmarks (640.06)

Recommendation: That Council set the date of June 19, 2007, at 2:00 p.m. for a public hearing on the Historic Landmarks Commission's recommendation that the following resources be designated as City Landmarks: The Mission Revival-style house at 1732 Santa Barbara Street, Assessor's Parcel Number 027-112-001, and the Spanish Colonial Revival-style house at 1710 Mira Vista Avenue, Assessor's Parcel Number 019-090-015.

Action: Approved the recommendation.

15. Subject: Set A Date For Public Hearing Regarding Appeal Of Historic Landmarks Commission Decision For 1849 Mission Ridge Road (640.07)

Recommendation: That Council set the date of August 7, 2007, at 2:00 p.m. for hearing the appeal filed by Trevor Martinson of the Historic Landmarks Commission decision regarding property owned by Dr. and Mrs. John Clark and located at 1849 Mission Ridge Road, Assessor's Parcel No. 019-090-020, E-1 One-Family Residence Zone, General Plan Designation: Residential, Three Units Per Acre. The Commission denied the owner's request to remove the subject property from the City's Potential Historic Structures/Sites List.

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

## NOTICES

16. The City Clerk has on Thursday, May 31, 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.
17. The site visit scheduled for June 11, 2007, at 1:30 p.m. to property located at 561 West Mountain Drive has been rescheduled for July 23, 2007, at 1:30 p.m.

This concluded the Consent Calendar.

## **REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Roger L. Horton reported that the Committee met to review the Two-Year Financial Plan for Fiscal Years 2008 and 2009. The Committee unanimously approved the proposed budget which will be forwarded to the Council on a future agenda.

## REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Iya G. Falcone reported that the Committee met to review proposed amendments to Title 17 of the Municipal Code. The Committee unanimously approved the amendments; the draft ordinance will be forwarded to the Council for introduction at a later date.

## CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

### PUBLIC WORKS DEPARTMENT

18. Subject: Parking And Business Improvement Area Annual Assessment Report 2008 - Public Hearing (550.10)

Recommendation: That Council:

- A. Consider appropriate protests to the Parking and Business Improvement Area (PBIA) Annual Assessment Report 2008, as required under the California PBIA Law of 1989; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Fixing and Assessing the PBIA Assessment Rates for Fiscal Year 2008; and Confirm Approval of the PBIA Annual Assessment Report for Fiscal Year 2008.

Documents:

- June 5, 2007, report from the Public Works Director.
- Proposed Resolution.

Public Comment Opened:

2:19 p.m.

Speakers:

- Staff: Transportation Manager Browning Allen, Administrative Assistant Lori Pedersen.

Public Comment Closed: 2:23 p.m.

Motion:

Councilmembers Horton/Schneider to approve the recommendations;  
Resolution No. 07-042.

Vote:

Unanimous roll call vote.

19. Subject: Public Hearing Regarding Proposed Utility Rate Increases (230.05)

Recommendation: That Council hold a public hearing, as required by Proposition 218, regarding proposed utility rate increases for water, wastewater, and solid waste collection services for Fiscal Year 2008.

Documents:

June 5, 2007, report from the Public Works Director.

Public Comment Opened:

2:24 p.m.

Speakers:

- Staff: Water Resources Supervisor Bill Ferguson, City Attorney Stephen Wiley.
- Members of the Public: Philip Walker, Nancy Bertelsen, Nicole Nelson, Jé Goolsby.

Public Comment Closed:

2:56 p.m.

Discussion:

Staff presented an overview of the proposed utility rate increases for water, wastewater and solid waste collection services. Staff reported that they received 27 written protests as of the time of this public hearing. Staff responded to questions from the Councilmembers.

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

Information:

- Councilmember Horton reported on his attendance at the annual Santa Barbara Housing Trust Fund retreat.
- Councilmember Barnwell mentioned that he is in support of keeping the Councilmember Committee Assignment Report item on the Agenda as it is a good way to keep everyone informed of what each Councilmember is doing.
- Councilmember Williams reported on his attendance at the 125th Anniversary of Continuous Fire Protection Service in the City of Santa Barbara and the Youth Leadership Awards ceremony.
- Councilmember Falcone commented that she is in favor of bringing back this section of the Agenda and that it is not necessary to report on attendance at every fundraising event, however it is important to report on various committee meetings for the benefit of the other Councilmembers and the public. She reported on her attendance at the League of California Cities Environmental Quality Policy Committee, which was hosted by the City. She also invited everyone to attend the Channel Counties Division of the League of California Cities Quarterly Dinner meeting on June 15, at 5:30 p.m.
- Mayor Blum represented the City at the Food Bank for World Hunger Day.

## RECESS

Mayor Blum recessed the meeting at 3:06 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 20. City Attorney Wiley stated that no reportable action is anticipated.

## CLOSED SESSIONS

20. Subject: Conference With Real Property Negotiators - Maritime Museum (330.03)

Recommendation: That Council hold a closed session to consider instructions to City staff and the City Attorney regarding real property negotiations with the Santa Barbara Maritime Museum regarding the leasehold located at 113 Harbor Way, Suite 190, Waterfront Center Building (Assessor's Parcel No. 045-250-04). Negotiations will be conducted by John Bridley, Waterfront Director, Scott Riedman, Waterfront Business Manager and Stephen P. Wiley, City Attorney, on behalf of the City of Santa Barbara pursuant to the authority of Government Code Section 54956.8. Julie McDonald, George Writer, and Steve Cushman will negotiate on behalf of the Maritime Museum. Under negotiation: Lease terms.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

Documents:

June 5, 2007, report from the Waterfront Director.

Time:

3:09 p.m. – 4:15 p.m.

No report made.

## ADJOURNMENT

Mayor Blum adjourned the meeting at 4:15 p.m.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC  
CITY CLERK SERVICES MANAGER

ATTEST:

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MARTY BLUM  
MAYOR

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BRENDA ALCAZAR, CMC  
DEPUTY CITY CLERK