



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING April 23, 2002 COUNCIL CHAMBER, DE LA GUERRA PLAZA

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:00 p.m. (The Finance Committee met at 12:30 p.m. The Ordinance Committee met at 1:00 p.m.)

PLEDGE OF ALLEGIANCE

Mayor Blum.

ROLL CALL

Councilmembers present: H. P. Fairly, Iya G. Falcone, Babatunde Fodayemi, Roger L. Horton, Dan B. Secord, Mayor Blum.

Councilmembers absent: Gregg A. Hart.

Staff present: City Administrator/Clerk James L. Armstrong, City Attorney Daniel J. Wallace, Deputy City Clerk Brenda Alcazar.

PUBLIC COMMENT

SPEAKER: Dennis Story.

RECESS

2:02 p.m. – 2:03 p.m., during which time the first portion of the Redevelopment Agency meeting was completed.

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY SESSION

The City Council and the Redevelopment Agency convened in joint session at 2:03 p.m.

Council/Agency member Hart entered the meeting at 2:03 p.m.

ADMINISTRATIVE REPORTS

PUBLIC WORKS DEPARTMENT

12. SUBJECT: AWARD OF PROFESSIONAL SERVICES CONTRACTS FOR GRANADA GARAGE CONSTRUCTION PHASE SERVICES (550.05)

RECOMMENDATION: That Council:

- A. Authorize the Public Works Director to execute a Professional Services Contract with Penfield & Smith Engineers (P&S), in a not-to-exceed amount of \$1,170,000, for services during construction of the Granada Garage project, including Project Management Assistance, Mitigation Monitoring, and Construction Administration and Inspection;
- B. Authorize the Public Works Director to approve extra services for P&S that may result from necessary changes in the scope of the services, at a total amount not to exceed \$117,000;
- C. Authorize the Public Works Director to execute a Professional Services Contract with Wilbur Smith Associates (WSA), in an amount not to exceed \$595,000, for design support during construction; and
- D. Authorize the Public Works Director to approve extra services for WSA that may result from necessary changes in the scope of work, at a total amount not to exceed \$29,750.

(To be considered with Redevelopment Agency Agenda Item No. 4)

CITY COUNCIL DOCUMENTS:

April 23, 2002, Public Works Director's report.

REDEVELOPMENT AGENCY DOCUMENTS:

April 23, 2002, Deputy Director's report recommending that the Redevelopment Agency Board:

- A. Authorize the expenditure of \$1,170,000 for a Professional Services Contract with Penfield & Smith Engineers for Construction Administration and Inspection Services for the construction of the Granada Garage (Lot 6) project;
- B. Authorize the expenditure of up to \$117,000 for extra services that may result from necessary changes in the scope of services for Penfield and Smith;
- C. Authorize the expenditure of \$595,000 for a Professional Services Contract with Wilbur Smith Associates for engineering support during construction of the Granada Garage (Lot 6) project; and
- D. Authorize the expenditure of up to \$29,750 for extra services that may result from necessary changes in the scope of services for Wilbur Smith Associates.

(Cont'd)

12. (Cont'd)

SPEAKERS:

- Staff: Redevelopment Supervisor Brian Bosse, Principal Civil Engineer Homer Smith.
- Downtown Parking Committee: Chair Marshall Rose.

MOTION:

Council/Agency members Secord/Horton to approve the recommendations; City Council Contract Nos. 20,616 (P&S) and 20,617 (WSA).

VOTE:

Unanimous voice vote.

COMMUNITY DEVELOPMENT DEPARTMENT

11. SUBJECT: PASEO NUEVO SHOPPING CENTER: CONSENT TO ASSIGNMENT OF GROUND LEASE (330.04)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the City Administrator to Execute Various Estoppel Certificates Relating to the Paseo Nuevo Shopping Center in Connection with the Transfer of the Paseo Nuevo Ground Lease from Paseo Nuevo Associates, a California Limited Partnership, to I&G Direct Real Estate 3, LP, a Delaware Limited Partnership, in a Form Acceptable to the City Attorney.

(To be considered with Redevelopment Agency Agenda Item No. 5)

CITY COUNCIL DOCUMENTS:

- April 23, 2002, Community Development Director's report.
- Proposed Resolution.

REDEVELOPMENT AGENCY DOCUMENTS:

- April 23, 2002, Deputy Director's report recommending that the Redevelopment Agency Board adopt, by reading of title only, A Resolution of the Redevelopment Agency of the City of Santa Barbara Authorizing the Agency Executive Director to Execute a Consent to an Assignment and to Issue the Paseo Nuevo Ground Lease and Various Estoppel Certificates Relating to the Paseo Nuevo Shopping Center in Connection with the Transfer of the Paseo Nuevo Ground Lease from Paseo Nuevo Associates, a California Limited Partnership to I&G Direct Real Estate 3, LP, a Delaware Limited Partnership, in a Form Acceptable to the Agency Counsel.
- Proposed Resolution.

The titles of the resolutions were read.

(Cont'd)

11. (Cont'd)

SPEAKERS:

- Staff: Housing and Redevelopment Manager David Gustafson; Assistant City Attorney III Stephen Wiley.
- Member of the Public: Joel Mayer, Senior Vice President, Madison Marquette Retail Services.

MOTION:

Council/Agency members Falcone/Secord to approve the recommendations; City Council Resolution No. 02-049 and Agreement No. 20,615; Redevelopment Agency Resolution No. 962.

VOTE:

Unanimous roll call vote.

The City Council and Redevelopment Agency joint session concluded at 2:32 p.m. The Redevelopment Agency meeting was adjourned at 2:32 p.m. The Council meeting remained in session.

CONSENT CALENDAR (Item Nos. 1 and 2)

MOTION:

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

VOTE:

Unanimous voice vote.

1. **SUBJECT: MINUTES**

RECOMMENDATION: That Council waive the reading and approve the minutes of the regular meeting of April 9, 2002.

ACTION: Approved the recommendation.

2. **SUBJECT: SET A DATE FOR PUBLIC HEARING (640.07)**

RECOMMENDATION: That Council:

- A. Set the date of May 21, 2002, at 6:00 p.m. for hearing the appeal filed by Charles Maunz, Anthony Fischer and Donald Pettit of the Architectural Board of Review conceptual approval of an application for property owned by William and Dale Hromadka, and located at 2221 Anacapa Street, APN 025-192-007, E-1 One-Family Residence Zone, General Plan Designation: Residential, 3 Units per Acre. The property is located in the Mission Area Special Design District. The project proposes additions to both the first and second floors of an existing residence, and the garage for the residence will be demolished and replaced; and

(Cont'd)

2. (Cont'd)

- B. Set the date of May 20, 2002, at 1:30 p.m. for a site visit to the property located at 2221 Anacapa Street.

ACTION: Approved the recommendations (March 25, 2002, letter of appeal).

NOTICES

- 3. The City Clerk has on Friday, April 19, 2002, at 3:00 p.m. posted this agenda in the Office of the City Clerk and on the City Hall Public Notice Board on the outside balcony of City Hall.
- 4. Special Finance Committee meeting, April 23, 2002, at 12:30 p.m. in Room 15 for consideration of the Fiscal Year 2003 Recommended Budget. (120.03)
- 5. Ordinance Committee meeting, April 23, 2002, at 1:00 p.m. in the Council Chamber for consideration of:
 - A. Amendment to setback lines on De la Vina Street; and
 - B. Proposed ordinance to provide for angle parking during the construction of the Granada Garage. (120.03)
- 6. Special Redevelopment Agency meeting, April 23, 2002, at 2:00 p.m. in the Council Chamber. (620.03)
- 7. Joint City Council/Redevelopment Agency meeting, April 23, 2002, at 2:00 p.m. to consider Item Nos. 11 and 12 on the Council Agenda, and Item Nos. 4 and 5 on the Redevelopment Agency Agenda. (620.03)
- 8. The City Council will hold a Team Building Work Session on April 26, 2002, from 8:30 a.m. to 4:00 p.m. at the Chase Palm Park Recreation Center, 236 East Cabrillo Boulevard. (120.09)

This concluded the Consent Calendar.

REPORTS FROM FINANCE AND ORDINANCE COMMITTEES

9. SUBJECT: REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dan Secord reported that the Committee met to review the Fiscal Year 2003, Recommended Budget and will continue to meet on this item until it is ready to be presented to the Council for consideration.

10. SUBJECT: REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Gregg Hart reported that the Committee met to consider the proposed ordinance for angle parking, which is Item No. 13 on the Agenda, for positive recommendation to the Council. The Committee also met to consider an amendment to the Municipal Code for setback lines on De la Vina Street and will be brought back to the full Council next week.

ORDINANCES FOR INTRODUCTION

13. SUBJECT: INTRODUCTION OF AN ORDINANCE TO PROVIDE FOR ANGLE PARKING DURING THE CONSTRUCTION OF THE GRANADA GARAGE (550.05)

RECOMMENDATION: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Authorizing Angle Parking and Associated Traffic Regulations on Victoria Street During the Construction of the Granada Garage.

DOCUMENTS:

- April 23, 2002, Public Works Director's report.
- Proposed Ordinance.
- Power Point presentation.

The title of the ordinance was read.

SPEAKERS:

Staff: Transportation Operations Parking Manager George Gerth.

MOTION:

Councilmembers Secord/Horton to approve the recommendation.

VOTE:

Unanimous voice vote.

14. SUBJECT: LEASE AGREEMENT WITH KENNETH HALL, DBA GOLETA BUILDING MATERIALS (330.04)

RECOMMENDATION: That Council:

- A. Approve and authorize the City Administrator to execute a five-year Lease Agreement with one five-year option and one two-year option, with Kenneth Hall, a Sole Proprietor, dba Goleta Building Materials, for 4,000 square feet of Building 224, 6100 D and E Francis Botello Road, approximately 18,584 square feet of adjacent unpaved land at 90 Frederic Lopez Road, and approximately 31,882 square feet of unpaved land at 91 Frederic Lopez Road, effective March 1, 2002, for a total monthly rental of \$8,951, exclusive of utilities; and

(Cont'd)

14. (Cont'd)

- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Lease Agreement Between the City of Santa Barbara and Kenneth Hall, dba Goleta Building Materials, for Office or Retail Sales Incidental and Accessory to a Rock, Sand and Gravel Yard Business at the Santa Barbara Municipal Airport.

DOCUMENTS:

- April 23, 2002, Airport Director's report.
- Proposed Ordinance.

The title of the ordinance was read.

SPEAKERS:

Staff: Assistant Airport Director Hazel Johns.

MOTION:

Councilmembers/Secord/Falcone to approve the recommendations.

VOTE:

Unanimous voice vote.

ORDINANCES FOR ADOPTION

15. SUBJECT: ORDINANCE APPROVING THE EXECUTION OF A TERMINATION OF EASEMENT AND LIMITED PARKING ENCROACHMENT PERMIT AT PARKING LOT NO. 5 (330.03)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Public Works Director to Execute and Cause the Recordation of a Termination of Easement and Limited Parking Encroachment Permit with Tynan Group, Affecting City-Owned Parking Lot No. 5 (Santa Barbara County Assessor's APNs 039-181-019 and -020), in Concert with the Redevelopment of the Adjacent Real Property at 26 West Anapamu Street (Santa Barbara County Assessor's APN 039-181-021). (Introduced on April 16, 2002)

DOCUMENTS:

- Previous documents submitted on April 16, 2002.
- Proposed Ordinance.

The title of the ordinance was read.

MOTION:

Councilmembers Secord/Falcone to approve the recommendation; Ordinance No. 5230; Agreement No. 20,618.

VOTE:

Unanimous roll call vote.

16. SUBJECT: SAFE DRINKING WATER STATE REVOLVING FUND LOAN FOR THE SHEFFIELD RESERVOIR WATER QUALITY PROJECT (540.09)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Safe Drinking Water State Revolving Fund Loan (Sheffield – 2002), and Authorizing Officers to Act on Behalf of the City. (Introduced on April 16, 2002)

DOCUMENTS:

- Previous documents submitted on April 16, 2002.
- Proposed Ordinance.

The title of the ordinance was read.

SPEAKERS:

Staff: Water Resources Manager Bob Robuck.

MOTION:

Councilmembers Secord/Horton to approve the recommendation; Ordinance No. 5231.

VOTE:

Unanimous roll call vote.

17. SUBJECT: DEBT REFUNDING (240.04)

RECOMMENDATION: That Council:

- A. Adopt, by reading of title only, An Ordinance of the City of Santa Barbara Authorizing the Execution and Delivery by the City of a Master Agreement for Waterfront Enterprise Obligations, an Installment Purchase Agreement, a Trust Agreement and a Continuing Disclosure Agreement in Connection with the Execution and Delivery of City of Santa Barbara Waterfront Revenue Refunding Certificates of Participation, Series 2002, and Authorizing Related Actions (introduced on April 16, 2002);
- B. Adopt, by reading of title only, A Resolution of the City Council of the City of Santa Barbara Authorizing the Execution and Delivery by the City of a Certificate Purchase Agreement and an Escrow Agreement In Connection with the Execution and Delivery of City of Santa Barbara Waterfront Revenue Refunding Certificates of Participation, Series 2002, Authorizing the Execution and Delivery of Such Certificates Evidencing Principal in an Aggregate Amount of Not to Exceed \$21,000,000, Authorizing the Distribution of an Official Statement in Connection Therewith and Authorizing Related Actions; and
- C. Authorize a \$6,000 increase in Agreement No. 20,522 with the City's Financial Advisor, Kelling, Northcross & Nobriga from a not-to-exceed amount of \$105,000 to a not-to-exceed amount of \$111,000.

(Cont'd)

17. (Cont'd)

DOCUMENTS:

- April 23, 2002, Finance Director's report.
- Previous documents submitted on April 16, 2002.
- Proposed Ordinance.
- Proposed Resolution.

The titles of the ordinance and resolution were read.

MOTION:

Councilmembers Secord/Horton to adopt the Ordinance; Ordinance No. 5232.

VOTE:

Unanimous roll call vote.

MOTION:

Councilmembers Falcone/Secord to approve recommendations B and C; Resolution No. 02-050; Agreement No. 20,619 (Certificate Purchase Agreement), 20,620 (Escrow Agreement).

VOTE:

Unanimous roll call vote.

COUNCIL/STAFF COMMUNICATIONS

INFORMATION: Mayor Blum stated that Councilmembers Falcone, Fodayemi and Horton attended a service for the arson victim. Councilmember Falcone stated that there was an outpouring of community support.

RECESS

3:08 p.m. – 6:00 p.m.

Mayor Blum presiding.

Councilmembers present: Fairly, Falcone, Fodayemi, Hart, Horton, Secord, Mayor Blum.

Councilmembers absent: None.

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

CEREMONIAL ITEM

Proclamation

18. PROCLAMATION DECLARING THE DAYS OF APRIL 26 – 28, 2002, AS NATIONAL YOUTH SERVICE DAYS (120.04)

ACTION: Proclamation presented to the Santa Barbara City Youth Council Co-Chairs Elizabeth Kim and Brian Dunlap.

PUBLIC COMMENT

SPEAKER: Bud Laurent.

PUBLIC HEARING

19. SUBJECT: APPEAL OF PLANNING COMMISSION'S APPROVAL WITH AMENDED CONDITIONS OF THE APPLICATION OF TAI YEH, AGENT FOR EDWARD AND RENEE GRUBB, FOR THE PROPOSED CONSTRUCTION OF FOUR CONDOMINIUM UNITS, RANGING FROM 898 TO 1,500 SQUARE FEET, EACH WITH A 480 SQUARE FOOT TWO-CAR GARAGE, ON A 12,600 SQUARE FOOT LOT AT 727 BATH STREET, APN 037-073-006, R-4 HOTEL, MOTEL MULTIPLE FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 12 DWELLING UNITS PER ACRE AND BUFFER/STREAM (640.07)

RECOMMENDATION: That Council deny the appeal and uphold the Planning Commission approval of a four-unit condominium project located at 727 Bath Street, making the findings in the Council Agenda Report and subject to the Conditions of Approval in Planning Commission Resolution 011-02, with an additional condition of approval requiring the Applicants to defend and indemnify the City in the event of litigation concerning the City's approval of the development, in a form of agreement acceptable to the City Attorney, within thirty (30) days of the Council action.

Affidavit of Publication - Noticed for 6:00 p.m. Session

DOCUMENTS:

- April 23, 2002, Community Development Director's report.
- March 14, 2002, letter of appeal from Eddie Harris.
- Affidavit of Publication.
- Petition submitted by Brian Kollenborn on April 23, 2002.

PUBLIC HEARING OPENED:

6:08 p.m.

SPEAKERS:

- Staff: Project Planner Laurie Owens, Creeks Restoration/Clean Water Manager Jill Zachary, Assistant Community Development Director Paul Casey, Project Planner Barbara Shelton, Assistant City Attorney Stephen Wiley.
- Planning Commission: Commissioner Brian Barnwell.
- Appellant: Eddie Harris, Santa Barbara Urban Creeks Council; Daniel Wilson, Biologist and Environmental Consultant.
- Applicant: Ed Grubb.
- Members of the Public: John Clinton; Charter Hughes; Naomi Kovacs, Citizens Planning Association; Brian Kollenborn; Rick Frickmann.

(Cont'd)

19. (Cont'd)

PUBLIC HEARING CLOSED:
7:57 p.m.

MOTION:
Councilmembers Hart/Secord to approve the recommendation.

VOTE:
Unanimous voice vote.

ADJOURNMENT

Mayor Blum adjourned the meeting at 7:58 p.m., to Friday, April 26, 2002, at 8:30 a.m. for a work session at 236 East Cabrillo Boulevard. (See Item No. 8)

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC
CITY CLERK SERVICES MANAGER

MARTY BLUM
MAYOR

ATTEST: _____
BRENDA ALCAZAR
DEPUTY CITY CLERK