



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING June 11, 2002 COUNCIL CHAMBER, DE LA GUERRA PLAZA

CALL TO ORDER

Mayor Pro Tempore H. P. Fairly called the meeting to order at 2:00 p.m. (The Finance and Ordinance Committees, which are ordinarily scheduled to meet at 1:00 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Pro Tempore Fairly.

ROLL CALL

Councilmembers present: Iya G. Falcone, Gregg A. Hart, Roger L. Horton, Mayor Pro Tempore H. P. Fairly.

Councilmembers absent: Babatunde Fodayemi, Dan B. Secord, Mayor Marty Blum.
Staff present: City Administrator/Clerk James L. Armstrong, City Attorney Daniel J. Wallace, Deputy City Clerk Brenda Alcazar.

CHANGES TO THE AGENDA

Item Continued to Future Meeting

At the request of City Administrator James L. Armstrong, the following item was continued to June 18, 2002:

19. SUBJECT: ANNEXATION OF ST. VINCENT'S PROPERTY (680.04)

RECOMMENDATION: That Council:

- E. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending the General Plan Map of the City of Santa Barbara Pertaining to Property Located at 4200 Calle Real and 193 Verano Drive; Assessor Parcel Numbers 059-240-020, -021, -and -022, Which will be Annexed to the City of Santa Barbara.

Item Revised

City Administrator James L. Armstrong stated that Item No. 21, Recommendation C, is revised to indicate the date of continuance from July 18, to June 18, 2002.

Item Continued to Future Meeting

At the request of City Administrator James L. Armstrong, the following item was continued to June 19, 2002, at 4:00 p.m.

22. SUBJECT: APPEAL OF PLANNING COMMISSION'S APPROVAL WITH AMENDED CONDITIONS OF THE APPLICATION OF GARDEN PARTNERS, LLC, FOR THE PROPOSED ONE-LOT SUBDIVISION TO CONSTRUCT FOUR TWO-BEDROOM CONDOMINIUM UNITS, RANGING FROM 1,262 TO 1,452 SQUARE FEET, AND DEMOLITION OF AN EXISTING 3,300 SQUARE FOOT RESIDENTIAL STRUCTURE CONTAINING FIVE STUDIO UNITS AND A 900 SQUARE FOOT FIVE-CAR GARAGE AT 1620 GARDEN STREET, APN 027-201-014, R-3, MULTIPLE RESIDENTIAL ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 12 UNITS PER ACRE. (640.07)

MOTION:

Councilmembers Falcone/Horton to continue the public hearing to June 19, 2002, at 4:00 p.m.

VOTE:

Unanimous voice vote (Absent: Councilmembers Fodayemi, Secord, Mayor Blum).

PUBLIC COMMENT

SPEAKERS: Ken Loch and Tom Becker.

CONSENT CALENDAR (Item Nos. 1 – 12)

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

MOTION:

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

VOTE:

Unanimous voice vote (Absent: Councilmembers Fodayemi, Secord, Mayor Blum).

1. SUBJECT: CITY ADVISORY GROUP RESIGNATION (650.03)

RECOMMENDATION: That Council accept the resignation of Maurie McGuire from the Planning Commission.

ACTION: Approved the recommendation (May 22, 2002, letter of resignation).

2. SUBJECT: CITY ADVISORY GROUP RESIGNATION (670.03)

RECOMMENDATION: That Council accept the resignation of William Sargent from the Transportation and Circulation Committee.

ACTION: Approved the recommendation (June 3, 2002, letter of resignation).

3. SUBJECT: ASSIGNMENT OF LEASE AGREEMENT NO. 16,360, THE BAIT SHOP, 232 STEARNS WHARF (330.04)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Consent to Assignment of Lease Agreement No. 16,360 for the 260 Square Foot Bait and Tackle Shop Located at 232 Stearns Wharf. (Introduced on June 4, 2002).

ACTION: Approved the recommendation; Ordinance No. 5241; Agreement No. 20,657 (previous documents submitted on June 4, 2002).

4. SUBJECT: 513 CORONEL PLACE AND 421 RANCHERIA STREET - APPROVAL OF FINAL MAP AND EXECUTION OF AGREEMENTS WITH CORONEL PROPERTIES, LLC. (640.08)

RECOMMENDATION: That Council:

- A. Approve and authorize the City Administrator to record Final Map No. 20,646 by Coronel Properties, LLC., for a one-lot subdivision located at 513 Coronel Place and 421 Rancheria Street, APN's 037-180-011, -015 and -038, finding the map in conformance with the General Plan and applicable specific plans of the City;
- B. Approve and authorize the City Administrator to execute and record an Agreement Relating to Subdivision Map Conditions Imposed on Real Property;
- C. Approve and authorize the City Administrator to execute and record an Agreement for Land Development Improvements;
- D. Approve and authorize the City Administrator to execute and record an Agreement Assigning Water Extraction Rights; and
- E. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting Water Extraction Rights for the City and Accepting Interest in Real Property Located at 513 Coronel Place and 421 Rancheria Street, APN's 037-180-011, -015 and -038.

ACTION: Approved the recommendations; Agreement Nos. 20,658 – 20,660; Resolution No. 02-064 (June 11, 2002, Public Works Director's report).

5. SUBJECT: COMMUNITY PROMOTION CONTRACT WITH THE SANTA BARBARA SYMPHONY, INC. (230.02)

RECOMMENDATION: That the City Council approve and authorize the Finance Director to execute the Fiscal Year 2003 Community Promotion contract with the Santa Barbara Symphony, Inc., in the amount of \$10,000 for sponsorship of the 4th of July 2002, concert for June 15, 2002, through August 31, 2002.

ACTION: Approved the recommendation; Contract No. 20,661 (June 11, 2002, Finance Director's report).

6. SUBJECT: APPROVAL AND EXECUTION OF AGREEMENTS AND ACCEPTANCE OF WATER EXTRACTION RIGHTS AT THREE SEPARATE LOCATIONS (330.03)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving and Authorizing the City Administrator to Execute and Record Agreements with Gerald and Dorothy Heiner and Silvia A. Eck; Michael and Dona Renkoski; and E.W. and Cynthia Spivey, Assigning Water Extraction Rights to the City and Accepting Interests in Real Property Located at 228 and 232 West Cabrillo Boulevard (APN's 033-092-011, -012, and -013); 288 Santa Monica Way (APN 045-091-007); and at 117 Rametto Road (APN 015-211-025), Respectively.

ACTION: Approved the recommendation; Resolution No. 02-065; Agreement Nos. 20,662 – 20,664 (June 11, 2002, Public Works Director's report).

7. SUBJECT: JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT (520.04)

RECOMMENDATION: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Waiving Rights to \$29,442 in Funds Allocated by the Office of Criminal Justice Planning (OCJP) for the Juvenile Accountability Incentive Block Grant; and
- B. Authorize the \$29,442 in funds to be redirected to the County of Santa Barbara Probation Department through the Office of Criminal Justice Planning for the Juvenile Accountability Program.

ACTION: Approved the recommendation; Resolution No. 02-066 (June 11, 2002, Police Chief's report).

8. SUBJECT: AWARD OF CONTRACT FOR THE CONSTRUCTION OF TEMPORARY PARKING IMPROVEMENTS ASSOCIATED WITH THE CONSTRUCTION OF THE GRANADA GARAGE (LOT 6) (550.05)

RECOMMENDATION: That Council authorize the General Services Manager to issue a Purchase Order to Lash Construction, Inc., in their low bid amount of \$99,666 for the construction of temporary parking improvements associated with the construction of the Granada Garage (Lot 6), and to approve expenditures up to \$15,000 to cover any cost increases that may result from change orders for extra work.

ACTION: Approved the recommendation (Public Works Director's report).

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

RECOMMENDATION: That Council:

- A. Set the date of June 25, 2002, at 6:00 p.m. for hearing the appeal filed Mr. and Mrs. Barry Shulman, of the Planning Commission's approval with amended conditions of the application of Marymount Academy, for property located at 2130 Mission Ridge Road, APN 019-170-012, A-1 Single Residential Unit Zone, General Plan Designation: Residential, 1 Unit Per Acre. The project involves demolition of the existing north and east wing of the St. Cecilia Hall and the Cor Mariae building, construction of a new Middle School building, basketball/volleyball court site, recreational area, enhancements to campus landscaping, improvements to vehicular and pedestrian circulation, and additional overflow parking. The discretionary applications required are a Conditional Use Permit Amendment, Development Plan Approval, Modifications, Architectural Board of Review approval, and Final Community Priority Designation approval by the City Council; and
- B. Set the date of June 24, 2002, at 1:30 p.m. for a site visit to the property located at 2130 Mission Ridge Road.

ACTION: Approved the recommendations (May 31, 2002, letter of appeal).

10. SUBJECT: SET A DATE FOR PUBLIC HEARING (570.08)

RECOMMENDATION: That Council:

- A. Set the date of July 2, 2002, at 6:00 p.m. for hearing the appeal filed by Bruce A. Rittenhouse of the Park and Recreation Commission approval of an application for Bohnett Park, owned by the City of Santa Barbara and located at 1302 San Andres Street, PR - Park and Recreation Zone. The project involves the restoration of Old Mission Creek and installation of improvements at Bohnett Park to restore native riparian habitat, stabilize creek banks, reduce creek pollutants, and improve park access and aesthetics; and

(Cont'd)

10. (Cont'd)

B. Set the date of July 1, 2002, at 1:30 p.m. for a site visit to Bohnett Park.

ACTION: Approved the recommendations (May 28, 2002, letter of appeal).

NOTICES

11. The City Clerk has on Friday, June 7, 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.

12. Cancellation of the regular City Council meeting of July 9, 2002, due to lack of a quorum. (120.09)

This concluded the Consent Calendar.

REPORTS FROM COUNCILMEMBERS ON COMMITTEE ASSIGNMENTS

INFORMATION:

- Councilmember Horton reported that he attended a meeting of the Downtown Organization.
- Councilmember Falcone reported that she and Councilmember Horton attended the last meeting of the Task Force on Vehicle Dwelling; a report will be presented to the Council on June 25, 2002.

RECESS

2:14 p.m. – 2:16 p.m., during which time the Redevelopment Agency meeting, Item Nos. 13 and 14, was held.

ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

15. SUBJECT: COGENERATION AT EL ESTERO WASTEWATER TREATMENT PLANT (540.13)

RECOMMENDATION: That Council:

- A. Authorize staff to issue a Request for Proposals (RFP) from companies to design, build and operate a cogeneration facility at the El Estero Wastewater Treatment Plant;

(Cont'd)

15. (Cont'd)

- B. Authorize the General Services Manager to issue a purchase order to URS Corporation (URS) in the amount of \$25,000, for professional services to assist in the development of an RFP, review of responses to the RFP, and selection and negotiation of a company to provide the services described in recommendation A above and authorize the General Services Manager to approve expenditures of up to \$2,500 for extra services that may result from necessary changes to the scope of work;
- C. Authorize the General Services Manager to issue a purchase order to Keith Rutledge in the amount of \$3,150 for professional services to provide technical oversight services for URS work, and assist the City with the selection of a qualified firm for cogeneration; and
- D. Authorize staff to submit an application for funding of up to one-third of the project costs from the Self-Generation Incentive Program issued by the State and administered by Southern California Edison.

DOCUMENTS:

June 11, 2002, Public Works Director's report.

SPEAKERS:

Staff: Water Resources Supervisor Rebecca Bjork, City Administrator James L. Armstrong.

MOTION:

Councilmembers Falcone/Hart to approve the recommendations.

VOTE:

Unanimous voice vote (Absent: Councilmembers Fodayemi, Secord, Mayor Blum).

WATERFRONT DEPARTMENT

16. SUBJECT: CLEAN WATER PROGRAM (570.03)

RECOMMENDATION: That Council adopt a Clean Water Program for the Waterfront Department and direct staff to implement its six elements, including Facilities for Boaters, Water Quality Monitoring, Best Management Practices, Pollution Prevention and Abatement Projects, Education, and Compliance and Enforcement.

DOCUMENTS:

- June 11, 2002, Waterfront Director's report.
- June 11, 2002, PowerPoint presentation.

(Cont'd)

16. (Cont'd)

SPEAKERS:

Staff: Waterfront Director John Bridley, Harbor Operations Manager Mick Kronman.

MOTION:

Councilmembers Horton/Hart to approve the recommendation.

VOTE:

Unanimous voice vote (Absent: Councilmembers Fodayemi, Secord, Mayor Blum).

REQUEST FROM THE PUBLIC

17. SUBJECT: SUMMER SOLSTICE 2002 (180.02)

RECOMMENDATION: That Council approve the requests of Summer Solstice Celebration to hold the 2002 Summer Solstice event on Saturday, June 22, 2002, as more specifically set forth in Items 1-13 in their letter to the City Administrator dated May 6, 2002, and in the addendum letters dated May 13, and May 21, 2002, subject to the conditions set forth in the Council Agenda Report.

DOCUMENTS:

- June 11, 2002, Deputy City Administrator's report.
- May 6, 2002, letter from Summer Solstice Celebration Executive Director Claudia Bratton.
- May 13, 2002, letter from Summer Solstice Celebration Executive Director Claudia Bratton.
- May 21, 2002, letter from Summer Solstice Celebration Executive Director Claudia Bratton.

SPEAKERS:

Member of the Public: Summer Solstice Celebration Executive Director Claudia Bratton.

MOTION:

Councilmembers Falcone/Horton to approve the recommendation.

VOTE:

Unanimous voice vote (Absent: Councilmember Fodayemi, Secord, Mayor Blum).

MAYOR AND COUNCIL MATTERS

18. SUBJECT: FISCAL YEAR 2003 RECOMMENDED BUDGET (230.05)

RECOMMENDATION FROM THE FINANCE COMMITTEE: That Council hear and receive Finance Committee's recommendations based on their review of the Fiscal Year 2003 Recommended Operating and Capital Budget.

DOCUMENTS:

June 11, 2002, Finance Director's report.

SPEAKERS:

Staff: Assistant Finance Director Robert Samario.

MOTION:

Councilmembers Hart/Falcone to receive the report.

VOTE:

Unanimous voice vote (Absent: Councilmembers Folayemi, Secord, Mayor Blum).

ORDINANCE FOR INTRODUCTION

19. SUBJECT: ANNEXATION OF ST. VINCENT'S PROPERTY (680.04)

RECOMMENDATION: That Council:

- A. Consider the Planning Commission's recommendation to consent to the requested Sphere of Influence Amendment and annexation;
- B. Make the environmental findings contained in the Council Agenda Report;
- C. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 28.12 of the Municipal Code Pertaining to Zoning Upon Annexation of Assessor Parcel Numbers 059-240-020, -021, and -022 located at 4200 Calle Real and 193 Verano Drive;
- D. Adopt, by reading of title only, A Resolution of Application of the Council of the City of Santa Barbara Initiating Proceedings for a Reorganization of Boundaries: Sphere of Influence Boundary Amendment and Annexation to the City of Santa Barbara, Detachment from the Goleta Water District, and Detachment from the Santa Barbara County Fire Protection District, for Property Located at 4200 Calle Real and 193 Verano Drive, Assessor Parcel Numbers 059-240-020, -021, -and -022; and
- F. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara in the Matter of Providing for a Negotiated Exchange of Property Tax Revenues Pertaining to the St. Vincent's Reorganization: An Annexation to the City of Santa Barbara, Detachment from the Goleta Water District, and Detachment from the Santa Barbara County Fire Protection District.

(Cont'd)

19. (Cont'd)

The titles of the ordinance and resolutions were read.

DOCUMENTS:

- June 11, 2002, Community Development Director's report.
- May 28, 2002, memorandum from Community Development Director David Davis and City Planner Bettie Hennon.
- Proposed Ordinance.
- Proposed Resolutions.

SPEAKERS:

- Staff: Project Planner Laurie Owens.
- Member of the Public: Sister Amy Bayley.

MOTION:

Councilmembers Hart/Horton to approve recommendations A – D, and F; Resolution Nos. 02-067 and 02-068.

VOTE:

Unanimous roll call vote (Absent: Councilmembers Fodayemi, Secord, Mayor Blum).

RECESS:

3:22 p.m. – 3:33 p.m.

PUBLIC HEARINGS

20. SUBJECT: SOUTH COAST HIGHWAY 101 DEFICIENCY PLAN (670.07)

RECOMMENDATION: That Council:

- A. Hold a public hearing regarding the South Coast Highway 101 Deficiency Plan; and
- B. Approve the South Coast Highway 101 Deficiency Plan and forward it to the Santa Barbara County Association of Governments (SBCAG).

DOCUMENTS:

- June 11, 2002, Public Works Director's report.
- May 2002, draft of "The South Coast Highway 101 Deficiency Plan."

SPEAKERS:

Staff: Transportation Planning Manager Browning Allen, Supervising Transportation Planner Rob Dayton.

MOTION:

Councilmembers Hart/Falcone to approve the recommendations.

VOTE:

Unanimous voice vote (Absent: Councilmembers Fodayemi, Secord, Mayor Blum).

21. SUBJECT: CABLE FRANCHISE AMENDMENT HEARING (510.04)

RECOMMENDATION: That Council:

- A. Receive a staff presentation on the proposed transition of public and educational access television to a non-profit entity and other cable services franchise amendments;
- B. Hold a public hearing pursuant to Charter Section 1401, regarding an amendment to the Cable Services Franchise with CoxCom, Inc., a Delaware corporation; and
- C. Continue the public hearing and consideration of the matter until ~~July 18,~~ June 18, 2002 in order to introduce an ordinance amending the existing cable services franchise with CoxCom, Inc., a Delaware corporation.

DOCUMENTS:

- June 11, 2002, Deputy City Administrator's report.
- June 11, 2002, PowerPoint presentation.

SPEAKERS:

- Staff: Administrative Analyst Kristine Schmidt; City Administrator James L. Armstong.
- Public Access Advisory Committee: Dusty Miller.
- Members of the Public: County Administrator Scott Ullery, Santa Barbara County; Matt Zuchowicz, Santa Barbara County Education Office; David Edelman, CoxCom, Inc.; David Wass, Producers Committee; Michael Nicholson.

MOTION:

Councilmembers Horton/Hart to approve the recommendations as revised.

VOTE:

Unanimous voice vote (Absent: Councilmembers Fodayemi, Secord, Mayor Blum).

COUNCIL/STAFF COMMUNICATIONS

INFORMATION: City Administrator James L. Armstrong reported that letters from the public to the Editor of the Santa Barbara News Press regarding the Ballroom Dancing Program were incorrect; there are no plans to make changes to this program.

City Administrator James L. Armstrong recommended that the Council adjourn to Monday June 17, 2002, at 1:30 p.m. for a site visit to the property located at 1620 Garden Street, which is the subject of a public hearing set for June 19, 2002, at 4:00 p.m. (See Item No. 22)

MOTION:

Councilmembers Hart/Falcone to adjourn to June 17, 2002, at 1:30 p.m. for a site visit.

VOTE:

Unanimous voice vote (Absent: Councilmembers Fodayemi, Secord, Mayor Blum).

ADJOURNMENT

Mayor Pro Tempore Fairly adjourned the meeting at 4:33 p.m., to June 17, 2002, at 1:30 p.m. for a site visit to the property located at 1620 Garden Street.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC
CITY CLERK SERVICES MANAGER

MARTY BLUM
MAYOR

ATTEST: _____
BRENDA ALCAZAR
DEPUTY CITY CLERK