



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING June 3, 2008 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the joint meeting of the Council and Redevelopment Agency to order at 2:02 p.m. (The Finance Committee met at 12:30 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: Dale Francisco, Grant House, Helene Schneider, Mayor Blum.

Councilmembers absent: Iya G. Falcone, Roger L. Horton, Das Williams.

Staff present: City Administrator James L. Armstrong, Acting City Attorney Scott Vincent, 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, 2008.

Documents:

June 3, 2008, report from the Administrative Services Director.

Speakers:

Staff: Maintenance Coordinator Rick Daniel, City Administrator James Armstrong.

(Cont'd)

1. (Cont'd)

By consensus, the Council recognized the following employees:

10-Year Pin

Larry Cassidy, Building Inspector/Plan Check Supervisor, Community Development
Ed Ruiz, Police Officer, Police

15-Year Pin

Laurie Owens, Project Planner, Airport

20-Year Pin

Brent Mandrell, Police Sergeant, Police
Frank Mannix, Police Captain, Police
Bonnie Jahnke, Airport Patrol Officer II, Airport

30-Year Pin

Rick Daniel, Maintenance Coordinator, Parks and Recreation

2. Subject: Proclamation Declaring June 2008 As Make-A-Wish Destination Joy Month (120.04)

Action: Proclamation presented to Becca Solodon, Make-A-Wish recipient.

PUBLIC COMMENT

Speakers: Fred H. Kuhlmann; Bubbha; Ruth Wilson; Bob Hansen; Floyd F. Meyer; Leoncio Martins; Phil Walker; Nancy Tunnell; David Wass; David Daniel Diaz; Bret Alan Hughes; Rick Goodfriend; Verne Gammon.

CONSENT CALENDAR (Item Nos. 3 – 18 and 21 - 23)

The titles of the resolutions related to Item Nos. 5 and 6 were read.

Motion:

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

Vote:

Unanimous roll call vote (Absent: Councilmembers Falcone, Horton, Williams).

3. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the special meeting of May 12, the regular meeting of May 13, the special meeting of May 14, the adjourned regular meeting of May 19, and the regular meeting of May 20, 2008.

Action: Approved the recommendation.

4. Subject: Fiscal Year 2008 Interim Financial Statements For The Ten Months Ended April 30, 2008 (250.02)

Recommendation: That Council accept the Fiscal Year 2008 Interim Financial Statements for the Ten Months Ended April 30, 2008.

Action: Approved the recommendation (June 3, 2008, report from the Finance Director).

5. Subject: Records Destruction For Administrative Services Department (160.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the Administrative Services Department in the City Clerk's Office.

Action: Approved the recommendation; Resolution No. 08-041 (June 3, 2008, report from the Administrative Services Director; proposed resolution).

6. Subject: Records Destruction For Airport Department (160.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the Airport Department.

Action: Approved the recommendation; Resolution No. 08-042 (June 3, 2008, report from the Airport Director; proposed resolution).

7. Subject: K-9 Program Donation And K-9 Purchase (520.04)

Recommendation: That Council:

- A. Accept the donations of \$14,910 for the Police Department Canine Program;
- B. Appropriate the \$14,910 from the donated funds and \$2,400 from the K-9 reserve funds to the Police K-9 Account for the purchase of a Police canine, equipment and related training costs; and
- C. Find it in the City's best interest to waive the formal bid procedure as authorized by Municipal Code Â§4.52.080 (k) and approve the purchase of a new canine, equipment and related training from Mission Canines.

Action: Approved the recommendations (June 3, 2008, report from the Chief of Police).

8. Subject: Appropriation Of Auto Theft Funds (520.04)

Recommendation: That Council increase appropriations in the Police Asset Seizure and Grants Fund by \$97,838, of which \$63,589 would come from Auto Theft reserves and the balance of \$34,249, an increase in estimated Auto Theft revenues, for auto theft investigation and deterrence programs.

Action: Approved the recommendation (June 3, 2008, report from the Chief of Police).

9. Subject: Service Agreement With Thresholds To Recovery To Operate The Sobering Center (520.04)

Recommendation: That Council approve and authorize the Chief of Police to negotiate and execute a Service Agreement with Thresholds to Recovery, Inc. to operate the Sobering Center in Fiscal Year 2009, beginning July 1, 2008, and ending June 30, 2009, with annual fees not to exceed \$189,468, in a form approved by the City Attorney.

Action: Approved the recommendation; Agreement No. 22,827 (June 3, 2008, report from the Chief of Police).

10. Subject: Approval Of An Increase In Design Services For The Ortega Street Bridge Replacement Project (530.04)

Recommendation: That Council authorize the Public Works Director to increase Agreement No. 21,800 with MNS Engineers, for extra services in the amount of \$126,698, for a revised design contract total of \$647,880 for the Ortega Street Bridge Replacement Project.

Action: Approved the recommendation; Agreement No. 21,800.1 (June 3, 2008, report from the Acting Public Works Director).

11. Subject: Contract For Right-Of-Way Services And Increase In Design Services For The Cabrillo Boulevard Bridge Replacement Project (530.04)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a contract with Tarvin & Associates in the amount of \$75,000 for right-of-way acquisition and relocation services relating to the Cabrillo Boulevard Bridge Replacement Project, and approve expenditures of up to \$7,500 with Tarvin & Associates for extra services that may result from necessary changes in the scope of work; and

(Cont'd)

11. (Cont'd)

- B. Authorize the Public Works Director to increase Agreement No. 22,346 with Bengal Engineering, Inc., for extra services in the amount of \$198,000, for the final design services on the Cabrillo Boulevard Bridge Replacement Project, for a new total contract amount of \$1,691,251.

Action: Approved the recommendations; Contract No. 22,828, and Agreement No. 22,346.1 (June 3, 2008, report from the Acting Public Works Director).

12. Subject: Agreement With The Santa Barbara Metropolitan Transit District For Transit Services (150.05)

Recommendation: That Council authorize the Public Works Director to negotiate and execute a Fiscal Year 2009 Master Agreement with the Santa Barbara Metropolitan Transit District (MTD) for Transit Services in an amount not to exceed \$2,486,838.81.

Action: Approved the recommendation; Agreement No. 22,829 (June 3, 2008, report from the Acting Public Works Director).

13. Subject: Increase Revenue And Expenses For The Union Pacific Cleanup Project (700.05)

Recommendation: That Council:

- A. Increase the estimated Fiscal Year 2008 Streets revenue budget by \$37,000 and appropriate same to the Fiscal Year 2008 Streets operating budget;
- B. Authorize the City Administrator to execute an amendment to the Memorandum of Understanding with Union Pacific to increase the number of days and the dollar amount that Union Pacific will reimburse the City in a form approved by the City Attorney;
- C. Approve the California Conservation Corps as the sole source service provider for cleaning the railroad corridor in accordance with the Memorandum of Understanding between the City of Santa Barbara and Union Pacific Railroad; and
- D. Increase the Purchase Order with the California Conservation Corps by \$37,000 for a new value of \$106,120.

Action: Approved the recommendations; Agreement No. 22,410.1 (June 3, 2008, report from the Acting Public Works Director).

14. Subject: Set A Date For Public Hearing Regarding Appeal Of Planning Commission EIR Certification For 900-1100 Blocks Las Positas Road (640.07)

Recommendation: That Council set the date of June 17, 2008, at 6:00 p.m. for hearing the appeal filed by Wittwer & Parkin, LLP, Attorneys representing Citizens Planning Association and the Santa Barbara Urban Creeks Council, of the Planning Commission certification of the Final Environmental Impact Report for property owned by Peak Las Positas Partners and located in the 900-1100 Blocks of Las Positas Road (Veronica Meadows Specific Plan), Assessor's Parcel Nos. 047-010-011, -016, -053 (portion), and -026. Current County Zoning: 8-R-1 Single-Family Residential (8,000-square-foot minimum lot size) and RR-20 Rural Residential (20-acre minimum lot size); Current County Comprehensive Plan Designation: Residential, 4.6 Units per Acre, and Residential Ranchette, One Unit per 20 Acres. The project involves the annexation of approximately 50.5 acres to the City of Santa Barbara; 35.7 acres would be dedicated open space, and 14.8 acres would be developed for residential uses, a public road, and public passive recreation and open space. A 30-lot subdivision would be created, including 25 residential lots and 5 lots comprised of common open space areas and public roads. The project includes a creek stabilization and restoration plan. In addition to considering the appeal of the Planning Commission's certification of the Final Environmental Impact Report, the City Council will consider an action on the project at this same hearing.

Action: Approved the recommendation (May 23, 2008, letter of appeal).

15. Subject: Set A Date For Public Hearing Regarding Appeal Of Planning Commission Approval For 3455 Marina Drive (640.07)

Recommendation: That Council:

- A. Set the date of August 5, 2008, at 2:00 p.m. for hearing the appeals filed by Ronald Green, Kitch and Eva Wilson, and Michael Moore of the Planning Commission approval of an application for property owned by Mike Silva and located at 3455 Marina Drive, Assessor's Parcel No. 047-022-004, A-1/SD-3 Single-Family Residence and Coastal Overlay Zones, General Plan Designation: Residential, 1 Unit per Acre. The project proposes the construction of a 5,390 square-foot one-story, single-family residence (including garage) and additional structures on a vacant 1.17-acre lot. The discretionary application required is a Coastal Development Permit; and
- B. Set the date of August 4, 2008, at 1:30 p.m. for a site visit to the property located at 3455 Marina Drive.

Action: Approved the recommendations (May 14, 2008, letter of appeal).

16. Subject: Set A Date For Public Hearing Regarding Appeal Of Planning Commission Approval For 00-300 Blocks West Cabrillo Boulevard (640.07)

Recommendation: That Council:

- A. Set the date of August 12, 2008, at 2:00 p.m. for hearing the appeal filed by the Santa Barbara Audubon Society, Inc., of the Planning Commission approval of an application for property owned by the City of Santa Barbara and located in the right-of-way for the 00-300 Blocks of West Cabrillo Boulevard, Assessor's Parcel No. 033-120-018, HC Harbor Commercial/S-D-3 Coastal Overlay/P-R Park and Recreation Zones, General Plan Designation: Open Space. The project proposes the construction of pedestrian and street intersection improvements along Cabrillo Boulevard between State and Castillo Streets and additional pedestrian improvements in the Boat Ramp parking lot area. The discretionary application required is a Coastal Development Permit; and
- B. Set the date of August 11, 2008, at 1:30 p.m. for a site visit to the property located along the 00-300 Blocks of West Cabrillo Boulevard.

Action: Approved the recommendations (May 19, 2008, letter of appeal).

17. Subject: Set A Date For Public Hearing Regarding Appeal Of Planning Commission Approval For 528 Anacapa Street (640.07)

Recommendation: That Council:

- A. Set the date of August 19, 2008, at 2:00 p.m. for hearing the appeal filed by Mark Harris of the Planning Commission approval of an application for property owned by James Doub and Tom P. Zieler Trust and located at 528 Anacapa Street, Assessor's Parcel No. 031-201-029, C-M, Commercial-Manufacturing Zone, General Plan Designation: Office/Major Public Institutional. The proposed project involves demolition of an existing commercial building and construction of a three- and partial four-story mixed use building containing seven commercial condominiums and seven residential condominiums. The discretionary applications required for this project are a Tentative Subdivision Map and a Development Plan Approval; and
- B. Set the date of August 18, 2008, at 1:30 p.m. for a site visit to the property located at 528 Anacapa Street.

Action: Approved the recommendations (May 19, 2008, letter of appeal).

18. Subject: Set A Date For Public Hearing Regarding Appeal Of Fire And Police Commission Denial Of Revised Dance Permit For 525 State Street (520.01)

Recommendation: That Council:

- A. Set the date of September 16, 2008, at 2:00 p.m. for hearing the appeal filed by Diane Harding of the Fire and Police Commission denial of an application for a revised dance permit at Madison's Grill and Tavern, located at 525 State Street; and
- B. Set the date of September 15, 2008, at 1:30 p.m. for a site visit to the property located at 525 State Street.

Speakers:

Member of the Public: John Greer, Attorney at Law.

Action: Approved the recommendations (May 23, 2008, letter of appeal; June 3, 2008, letter from John C. Greer, Attorney at Law).

Item Nos. 19 and 20 appear in the Redevelopment Agency minutes.

NOTICES

21. The City Clerk has on Thursday, May 29, 2008, 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.
22. Cancellation of the public hearing scheduled for June 3, 2008, at 6:00 p.m. regarding the Recommended Operating and Capital Budget for Fiscal Year 2009.
23. A City Council site visit is scheduled for Monday, June 9, 2008, at 1:30 p.m. to the property located at 565 Yankee Farm Road, which is the subject of a public hearing set for June 10, 2008, at 2:00 p.m.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Councilmember Helene Schneider reported that the Finance Committee met to review the City Council and Redevelopment Agency Interim Financial Statements for the Ten Months Ended April 30, 2008, both of which were approved as part of this Agenda's Consent Calendar, Item Nos. 4 and 20 respectively.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

24. Subject: Economic Impact Of The Chumash Casino Resort On The County Of Santa Barbara (150.04)

Recommendation: That Council receive a presentation on the economic impact of the Chumash Casino Resort on the County of Santa Barbara per a request from Mayor Blum and Councilmembers Schneider and Williams.

Documents:

June 3, 2008, report from the Acting Community Development Director.

Recess: 2:39 p.m. - 2:40 p.m.

Speakers:

- Santa Barbara County Taxpayers Association: Executive Director Joe Armendariz.
- Staff: City Administrator James Armstrong.

By consensus, the Council received the presentation.

PUBLIC WORKS DEPARTMENT

25. Subject: Parking And Business Improvement Area Annual Assessment Report 2009 (550.10)

Recommendation: That Council:

- A. Consider appropriate protests to the Parking and Business Improvement Area Annual Assessment Report 2009, as required under the California Parking and Business Improvement Area 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 Parking and Business Improvement Area (PBIA) Assessment Rates for Fiscal Year 2009, and Confirming Approval of the PBIA Annual Assessment Report for Fiscal Year 2009.

Documents:

- June 3, 2008, report from the Acting Public Works Director.
- Proposed Resolution.
- Affidavit of Publication.

The title of the resolution was read.

(Cont'd)

25. (Cont'd)

Public Comment Opened:
3:05 p.m.

Speakers:
Staff: Transportation Manager Browning Allen.

Public Comment Closed:
3:10 p.m.

Motion:
Councilmembers Schneider/Francisco to approve the recommendations;
Resolution No. 08-043.

Vote:
Unanimous roll call vote (Absent: Councilmembers Falcone, Horton,
Williams).

26. Subject: Street Sweeping Status Report (530.04)

Recommendation: That Council receive a status report on the Street Sweeping
Program.

Documents:
June 3, 2008, report from the Acting Public Works Director.

Speakers:
Staff: Transportation Manager Browning Allen, City Administrator James
Armstrong.

By consensus, the Council received the report.

RECESS

3:36 p.m. - 4:03 p.m.

MAYOR AND COUNCIL REPORTS

27. Subject: Interviews For City Advisory Groups (140.05)

Recommendation: That Council:
A. Hold interviews of applicants to various City Advisory Groups; and
B. Continue interviews of applicants to June 10, 2008, at 4:00 p.m.
(Estimated Time: 4:00 p.m.)

(Cont'd)

27. (Cont'd)

Documents:

June 3, 2008, report from the Administrative Services Director.

Speakers:

Applicants:

- Historic Landmarks Commission:
Lucinda "Cindy" Young
William La Voie
- Community Events and Festivals Committee:
Willie Shaw
- Downtown Parking Committee:
Bill Collyer
- Water Commission:
Dr. Barry Keller

By consensus, the Council continued the interviews to Tuesday, June 10, 2008, at 4:00 p.m.

RECESS

4:19 p.m. - 4:29 p.m.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

28. Subject: Measure A Investment Plan (110.03)

Recommendation: That Council:

- A. Receive a presentation from the Santa Barbara County Association of Governments; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving the Measure A 2008 Transportation Investment Plan to be Placed on the November 4, 2008, General Election Ballot.

Documents:

- June 3, 2008, report from the Acting Public Works Director.
- Proposed Resolution.

The title of the resolution was read.

(Cont'd)

28. (Cont'd)

Speakers:

- Staff: Transportation Manager Browning Allen.
- Santa Barbara Metropolitan Transit District: General Manager Sherrie Fisher.
- Santa Barbara County Association of Governments: Public Information and Government Affairs Coordinator Gregg Hart.

Motion:

Councilmembers Schneider/House to approve the recommendations; Resolution No. 08-044.

Vote:

Unanimous roll call vote (Absent: Councilmembers Falcone, Horton, Williams).

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Schneider commented on the 39th Annual Thomas H. Guerry Awards Ceremony and the Community Collaborative Foundation's Summit for Youth.
- Councilmember House spoke about his attendance at the following meetings/events: 1) the Santa Barbara Zoo Board of Directors meeting last week regarding the formation of a government relations committee; 2) the Police Activities League barbecue; and 3) the Coalition for Community Wellness meeting at Sansum Clinic.
- Councilmember Francisco mentioned his attendance at Father Virgil's memorial service and a Trust for Historic Preservation event at El Presidio de Santa Barbara Chapel.
- Mayor Blum spoke about the La Primavera event at El Paseo to kick-off Old Spanish Days.

ADJOURNMENT

Mayor Blum adjourned the meeting at 5:11 p.m. to Monday, June 9, 2008, at 1:30 p.m. at the property located at 565 Yankee Farm Road.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER

MARTY BLUM
MAYOR

ATTEST: _____
BRENDA ALCAZAR, CMC
DEPUTY CITY CLERK