

08/21/2001
11:54 am

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CITY OF SANTA BARBARA
CITY COUNCIL MINUTES

REGULAR MEETING
March 20, 2001
COUNCIL CHAMBER, DE LA GUERRA PLAZA

CALL TO ORDER:

Mayor Harriet Miller called the meeting to order at 2:00 p.m.
(The Finance and Ordinance Committees met at 1:00 p.m.)

PLEDGE OF ALLEGIANCE:

Mayor Harriet Miller.

ROLL CALL:

Councilmembers present: Marty Blum, H. P. Fairly, Gilbert
Garcia, Gregg A. Hart, Tom Roberts, Dan B. Secord, Mayor Miller.

Councilmembers absent: None.

Staff present: City Administrator/Clerk Sandra Tripp-Jones, City
Attorney Daniel J. Wallace, Deputy City Clerk Susan Tschech.

CEREMONIAL ITEMS:

Proclamations

1. Issuance by the Mayor of a proclamation declaring the week
of March 19 25, 2001, as Mediation Week.

Proclamation presented to Rental Housing Mediation Task
Force Chair Howard Hawkes.

120.04

2. Issuance by the Mayor of a proclamation declaring the week

of March 25 31, 2001, as Santa Barbara Boys & Girls Club
Week.

Proclamation presented to Stephanie Symes, Development
Officer, and Jaime Andrade, Program Director, both
representing the Boys & Girls Club.

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PUBLIC COMMENT:

3. Tom Stone, Frank Becchio, Bob Hansen, Valerie Bohonus and Raquel Vela Mendoza spoke.

180.03

CONSENT CALENDAR Item Nos. 4 17):

MOTION:

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

VOTE:

Unanimous voice vote.

4. Re: MINUTES Recommendation that Council waive the reading and approve the minutes of the regular meeting of February 27, 2001.

Concurred with the recommendation.

5. Re: PROPOSAL TO RECRUIT A DIRECTOR OF PUBLIC WORKS Recommendation that Council allocate \$30,000 from the Fiscal Year 2001 Appropriated Reserve of the General Fund to the City Administrator's Office Budget for the recruitment of a Public Works Director.

Concurred with the recommendation March 16, 2001, City Administrator's report).

450.01

6. Re: COMMUNITY PROMOTION CONTRACT WITH THE SPIRIT OF 76 Recommendation that the City Council approve and authorize the City Administrator to execute the Community Promotion contract with the Spirit of 76 in the amount of Twelve Thousand, Five Hundred Dollars (\$12,500) for March 15, 2001,

to August 30, 2001.

Concurred with the recommendation; Contract No. 20,160
March 16, 2001, City Administrator's report).

230.02

Contacts, Funding Actions

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7. Re: CHANGE ORDER FOR PROFESSIONAL SERVICES PURCHASE ORDER WITH FREAM AND DALE GOLFPLAN Recommendation that Council authorize the General Services Manager to issue a Change Order to Fream and Dale GolfPlan, Golf Course Architects, for professional services for the redesign of two golf holes as proposed in the Golf Course Improvement Plan as adopted by Council, in the amount of \$14,500.

Concurred with the recommendation March 16, 2001, City Administrator's report).

570.02
Const., Maint. & Repair

8. Re: NOTICE OF COMPLETION FISCAL YEAR 1999-2000 WATER MAIN IMPROVEMENT PROJECT, CONTRACT NO. 20,013 Recommendation that Council accept the work completed by Tierra Contracting, Inc., Contract No. 20,013, for the Fiscal Year 1999-2000 Water Main Improvement Project, Bid No. 3264, in the final contract amount of \$452,529.34, including approved changes, and approve filing of a Notice of Completion.

Concurred with the recommendation March 16, 2001, City Administrator's report).

540.06
Water Mains

9. Re: DECLARATION OF ONE 1981 CHEVROLET FIRE PUMPER TRUCK, VEHICLE NO. 0975, AS SURPLUS AND DONATION TO ALLAN HANCOCK JOINT COMMUNITY COLLEGE DISTRICT Recommendation that Council authorize the donation of one surplus 1981 Chevrolet Fire Pumper Truck, Vehicle No. 0975, to Allan Hancock Joint Community College District Fire Training Program.

Concurred with the recommendation March 16, 2001, City Administrator's report).

520.03

10. Re: AMERICAN ASSOCIATION OF AIRPORT EXECUTIVES AND AIRPORTS COUNCIL INTERNATIONAL NORTH AMERICA 2001 SPRING WASHINGTON CONFERENCE Recommendation that Council approve and authorize one Airport Commissioner to attend the American Association of Airport Executives (AAAE) and the Airport

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Council International North America (ACI-NA) 2001 Spring
Washington Conference on March 26 and 27, 2001.

Concurred with the recommendation March 16, 2001, City
Administrator's report).

560.03
Airport Comm. Actions

Set a date for public hearing:

11. Re: PUBLIC HEARING ON THE COMMUNITY DEVELOPMENT AND HUMAN
SERVICES COMMITTEE RECOMMENDATIONS FOR FISCAL YEAR 2001/2002
COMMUNITY DEVELOPMENT BLOCK GRANT AND HUMAN SERVICES FUNDS
Recommendation that Council set the date of March 27, 2001,
at 6:00 p.m. for a public hearing on the Community
Development and Human Services Committee recommendations for
Fiscal Year 2001/2002 Community Development Block Grant and
Human Services Funds.

Concurred with the recommendation March 16, 2001, City
Administrator's report).

610.03
Comm. Dev. & Human Sves.
Comm. Actions
X
610.05
CDBG Program
X
230.06

Notices to be filed:

12. that the City Clerk has on Friday, March 16, 2001, 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.

13. of Finance Committee meeting, March 20, 2001, at 1:00 p.m.
in Room 15 for consideration of:
 - A. Changes to the City's Schedule of Parking Violation Penalties and Related Fees; and
 - B. Evaluation of Financial Condition General Fund.

120.03

Finance Committee

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14. of Ordinance Committee meeting, March 20, 2001, at 1:00 p.m.
in the Council Chamber for review and consideration of a
medicinal marijuana ordinance.

120.03
Ordinance Committee

15. of cancellation of Redevelopment Agency meeting, March 20,
2001, at 2:00 p.m.

620.03
Agendas

16. that the City Council will conduct site visits on Monday,
March 26, 2001, at 1:30 p.m. to the properties located at
1221 Anacapa Street Lot 6 Parking Structure) and 151 La
Jolla Drive, which are the subjects of appeal hearings set
for March 27, 2001.

640.07
PC Parking Lot 6
X
640.07
ABR

17. of Application No. A.01-01-021 before the Public Utilities
Commission filed by Southern California Gas Company and San
Diego Gas and Electric Company, proposing to combine the two
companies' departments that purchase natural gas.

150.02
PUC

This completed the Consent Calendar.

REPORTS FROM FINANCE AND ORDINANCE COMMITTEES:

18. Report from the Finance Committee.

Finance Committee Chair Tom Roberts reported that the Committee had considered and approved proposed changes to the City's Schedule of Parking Violation Penalties and Related Fees; these changes will be submitted to Council in

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the near future. The Committee also received a report evaluating the financial condition of the General Fund, and Mr. Roberts stated that Staff would now make this report to the full Council Agenda Item No. 20).

ADMINISTRATIVE REPORTS:

Finance Department

20. Re: EVALUATION OF FINANCIAL CONDITION, GENERAL FUND

Recommendation that the Council receive a report from Staff on the results of an evaluation of financial condition performed on the General Fund.

DOCUMENTS:

March 16, 2001, City Administrator's report.

SPEAKERS:

Staff: Finance Director Robert Peirson.

By consensus, the Council concurred with the recommendation.

270.02

REPORTS FROM FINANCE AND ORDINANCE COMMITTEES:

19. Report from the Ordinance Committee.

Ordinance Committee Chair Marty Blum reported that the Committee had further considered the issue of a proposed medicinal marijuana ordinance. The Committee concurred with a Staff recommendation to delay action on this matter until the U.S. Supreme Court issues its decision on a related case.

ADMINISTRATIVE REPORTS:

City Administrator

21. Re: BIENNIAL REPORT ON FY 2000-2001 COUNCIL GOALS AND WORKLOAD MANAGEMENT PROJECTS Recommendation that Council:
 - A. Receive the Biannual Report on the FY 2000-2001 Council Goals and Workload Management Projects for the period ending December 31, 2000; and

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- B. Approve an updated Workload Management Program Plan for Active Priorities, Pending Priorities, Deferred and Dropped projects and the tentative Ordinance Committee schedule.

DOCUMENTS:

March 16, 2001, City Administrator's report.
March 7, 2001, e-mail communication from Walter Knapp.
March 12, 2001, e-mail communication from Steve Epstein.
March 14, 2001, letter from Paul and Mary Weisman.
March 14, 2001, e-mail communication from Emmett McDonough.
March 15, 2001, e-mail communications from Mrs. P. Foley; Penelope and Andy Gottlieb.
March 18, 2001, letter from the View Ordinance Task Force.
March 18, 2001, e-mail communication from Ruth and Alan Heeger.
March 19, 2001, letters from Oswald J. and Kathleen DaRos; Citizens Planning Association of Santa Barbara County.
March 19, 2001, e-mail communications from Jacqueline and Joseph Barnes; Gary and Kate Belanger, and Jackie Andrew; Curt and Barbara Guernsey; Bernie Krakower; Patricia Marquart; John and Kathy Marvin; Van and McKenna Spaulding.
March 20, 2001, letters from Thomas G. Foley, Jr.; Richard Grossgold; Sally and George Hall; La Mesa Neighborhood Association; Donald I. Schmidt.
Undated letter from Emmett McDonough.

SPEAKERS:

Staff: City Administrator Sandra Tripp-Jones,
Assistant to the City Administrator Marcelo Lopez, City Engineer Pat Kelly, Community Development Director David Davis.
Members of the Public: Dianne Channing, View Ordinance

Task Force; B. Forssell, Riviera Association; Walter Knapp, Braemar Ranch Homeowners Association; Don Phillips, View Ordinance Task Force; Tom Campbell; Jim Higman, Braemar Ranch Homeowners Association; Emmett McDonough; David Schott; Sara McEre; Mike Conaway, View Ordinance Task Force; Catherine McCammon, Citizens Planning Association; Bob Adams; Patricia Foley.

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MOTION:

Councilmembers Secord/Roberts to concur with the recommendations, remove the Private View Ordinance project from the Workload Management Program's list of Deferred Projects, and direct Staff to submit recommendations for giving this project a higher priority in the Program.

VOTE:

Unanimous voice vote.

120.17

X

170.01

Workload Mgmt. Plan

RECESS:

3:24 p.m. 3:29 p.m.

ADMINISTRATIVE REPORTS:

Police Department

22. Re: CREATION OF A CITIZENS ADVISORY COMMITTEE TO THE CHIEF OF POLICE Recommendation that Council approve the recommendation of the Police Department for the creation of a Citizens Advisory Committee to work with the Chief of Police regarding community policing issues and address quality of life issues citywide.

DOCUMENTS:

March 16, 2001, City Administrator's report.

SPEAKERS:

Staff: Police Chief Camerino Sanchez; Police Sergeant Michael Aspland; Police Officers Henry Gonzales, Scott Naganuma, and James Fuller.

MOTION:

Councilmembers Secord/Blum to concur with the recommendation.

VOTE:

Unanimous voice vote.

520.04

Admin., Pol. & Proc.

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REQUESTS FROM THE PUBLIC:

23. Re: FUNDING REQUEST FROM THE DOWNTOWN ORGANIZATION FOR PURCHASE OF AMERICAN FLAGS Request from the Santa Barbara Downtown Organization for a grant to purchase 125 new American flags for display on State Street.

Staff recommendation that Council:

- A. Approve the request of the Downtown Organization for a grant in the amount of \$4,031 for the purchase of 125 American flags for display on State Street; and
- B. Allocate \$4,031 from the fiscal year 2001 General Fund Appropriated Reserve to the Community Promotion program budget to fund the request.

DOCUMENTS:

February 12, 2001, letter from the Santa Barbara Downtown Organization.
March 16, 2001, City Administrator's report.

SPEAKERS:

Santa Barbara Downtown Organization: Executive Director Marshall Rose.
Member of the Public: Paul Mills, Air Fair Flags.

MOTION:

Councilmembers Secord/Roberts to concur with the Staff recommendations.

VOTE:

Unanimous voice vote.

180.02
Miscellaneous

Councilmember Fairly left the meeting at 4:00 p.m.

24. Re: SANTA BARBARA BICYCLE COALITION FUNDING REQUEST

Request from the Santa Barbara Bicycle Coalition for an allocation to promote Bike Week events in the City of Santa Barbara.

Staff recommendation that Council:

- A. Approve the request of the Santa Barbara Bicycle Coalition for \$2,000 of financial support for Bike Week 2001; and

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- B. Allocate \$2,000 from the Fiscal Year 2001 General Fund Appropriated Reserve to the Public Works Department budget to fund the request.

DOCUMENTS:

February 26, 2001, letter from the Santa Barbara Bicycle Coalition.
March 16, 2001, City Administrator's report.

SPEAKERS:

Santa Barbara Bicycle Coalition: Jamey Wagner.

MOTION:

Councilmembers Hart/Garcia to concur with the Staff recommendations.

VOTE:

Unanimous voice vote Absent: Councilmember Fairly).
520.04
Special Events

MAYOR AND COUNCIL MATTERS:

- 25. Re: CITY ADVISORY GROUP INTERVIEWS Recommendation that Council hold interviews of applicants to the Civil Service Commission, Douglas Family Preserve Advisory Committee Park and Recreation Commission category, and the Historic Landmarks Commission Landscape Architect category.

DOCUMENTS:

March 16, 2001, City Administrator's report.

SPEAKERS:

The following applicants were interviewed:
Civil Service Commission:
Margaret B" Corkery
Michael Hall Gray
William B. Simms

Douglas Family Preserve Advisory Committee:

Jessica Alice Kinnahan

Historic Landmarks Commission:

Philip Suding

Mayor Miller stated that appointments are scheduled for
March 27, 2001.

140.05

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26. Re: ELINGS PARK FOUNDATION REQUEST Request from the Elings Park Foundation that Council appoint Councilmember Fairly, in place of Councilmember Roberts, as a liaison to the Foundation.

Recommendation that Council change the Elings Park Foundation Councilmember liaisons to Gil Garcia and Rusty Fairly, removing Tom Roberts. Mayor Miller)

DOCUMENTS:

February 14, 2001, letter from the Elings Park Foundation.

March 16, 2001, report from Mayor Miller.

MOTION:

Councilmembers Secord/Roberts to concur with the recommendation.

VOTE:

Unanimous voice vote Absent: Councilmember Fairly).

140.07

X

570.05

Elings Park Foundation

ORDINANCES FOR INTRODUCTION:

27. Re: MEMORANDUM OF UNDERSTANDING WITH SUPERVISORY EMPLOYEES' BARGAINING UNIT Recommendation that Council:

A. Ratify the Memorandum of Understanding between the City and the Santa Barbara City Supervisory Employees' Bargaining Unit for the period of January 13, 2001, through January 7, 2005, by introduction and subsequent adoption of, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting the Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara City Supervisory

Employees' Bargaining Unit;

- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 00-054, the Position and Salary Control Resolution for Fiscal Year 2000-2001, Affecting Salaries of Supervisory Employees Effective January 13, 2001;
- C. Adopt, by reading of title only, A Resolution of the

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Council of the City of Santa Barbara to Commence Paying the Full Seven Percent (7%) Normal Member Contributions for Public Employees' Retirement System (PERS) Miscellaneous Supervisory Employees Effective January 13, 2001; and

- D. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara to Commence Reporting the Value of Employer Paid Member Contributions (EPMC) as Compensation for Public Employees' Retirement System (PERS) Miscellaneous and Safety Supervisory Employees Effective January 13, 2001.

DOCUMENTS:

March 16, 2001, City Administrator's report.
Proposed Ordinance and Resolutions.

MOTION:

Councilmembers Roberts/Secord to concur with the recommendations; introduced the Ordinance as Bill No. 5203; Memorandum of Understanding filed as Agreement No. 20,161; Resolution Nos. 01-019 01-021.

VOTE:

Unanimous roll call vote Absent: Councilmember Fairly).

440.02

Councilmember Garcia stated he would not vote on the following item due to a conflict of interest and left the meeting at 4:14 p.m.

ORDINANCES FOR ADOPTION:

28. Re: 4020 CALLE REAL ENCROACHMENT PERMIT FOR STORAGE BUILDING AND TRASH ENCLOSURE IN UNIMPROVED PORTION OF WYE ROAD Recommendation that Council adopt, by reading of

title only, An Ordinance of the Council of the City of Santa Barbara Approving an Encroachment Permit to Alphonso V. and Lucy Sanchez, Owners of 4020 Calle Real APN 057-202-003 & 005), for a Storage Building and Trash Enclosure in an Unimproved Portion of Wye Road, and Authorizing the City Administrator to Execute the Same. Introduced on March 6, 2001, as Bill No. 5202)

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DOCUMENTS:

Previous documents submitted March 6, 2001.
Proposed Ordinance.

MOTION:

Councilmembers Secord/Roberts to concur with the
recommendation; Ordinance No. 5182.

VOTE:

Unanimous roll call vote Absent: Councilmembers
Fairly, Garcia).

330.10

PUBLIC HEARINGS:

29. Re: APPEAL OF CARRILLO HOTEL PROJECT Appeal of Planning
Commission approval, with amended conditions, of the
application of Brian Cearnal, Architect for Urban Pacific
LLC, for demolition and new construction at 31 West Carrillo
Street, APN 39-321-01, C-2 Commercial Zone, General Plan
Designation: General Commerce.
February 28, 2001, letter from Richard Untermann
withdrawing the appeal.

DOCUMENTS:

February 28, 2001, letter from Richard Untermann.

No Council action was required due to withdrawal of the
appeal.

640.07
Planning Commission

RECESS:

4:15 p.m. 4:17 p.m.

CLOSED SESSIONS:

30. Re: CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957 Recommendation from the City Administrator that Council hold a closed session pursuant to Government Code Section 54957. Public Employee Performance Evaluation: City Administrator.

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Scheduling: Duration, 45 minutes; anytime

DOCUMENTS:

March 16, 2001, City Administrator's report.

TIME:

Closed Session held 4:17 p.m. 4:42 p.m.; all
Councilmembers were present.

ANNOUNCEMENT:

Following a brief recess, Mayor Miller announced that
no reportable action was taken during the closed
session. She recognized that City Administrator Sandra
Tripp-Jones had submitted her resignation, to be
effective August 31, 2001.

440.05
X
170.01
Administration

RECESS:

4:42 p.m. 4:43 p.m.

The City Council reconvened in the Council Chamber. Mayor Miller
reported on the Closed Session, Item No. 30.

ADJOURNMENT:

Mayor Miller adjourned the meeting at 4:50 p.m., to Monday, March
26, 2001, at 1:30 p.m. for site visits to 1221 Anacapa Street and
151 La Jolla Drive.

ATTEST:

HARRIET MILLER
MAYOR

SUSAN TSCHECH
DEPUTY CITY CLERK