



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING July 16, 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 and Ordinance Committees, which are ordinarily scheduled to meet at 1:00 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Blum.

ROLL CALL

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

Councilmembers absent: None.

Staff present: City Administrator/Clerk James L. Armstrong, Acting City Attorney Stephen P. Wiley, Deputy City Clerk Brenda Alcazar.

CEREMONIAL ITEMS

To Honor and Give Thanks

Mayor Blum thanked Marshall Rose from the Downtown Organization, Patrick Davis from the Arts Advisory Committee, and Councilmembers Iya Falcone and Roger Horton for planning the Cultural Development Symposium which was held yesterday.

Proclamation

1. SUBJECT: PROCLAMATION DECLARING THE WEEK OF JULY 14 – 20, 2002, AS NATIONAL AQUATIC WEEK (120.04)

ACTION: Proclamation presented to Recreation/Aquatics Supervisor Renee Peace, Lifeguard Bryan Kerr, Margo Britsch, Santa Barbara Swim Club, and Connor Grace, Junior Lifeguard.

PUBLIC COMMENT

SPEAKERS: Patricia Hiles, Alison Adams, Ken Saks, and Ken Loch.

CONSENT CALENDAR (Item Nos. 1 – 16)

The titles of all resolutions related to the Consent Calendar were read.

MOTION:

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

VOTE:

Unanimous voice vote.

2. SUBJECT: MINUTES

RECOMMENDATION: That Council waive the reading and approve the minutes of the adjourned regular meeting of June 24, 2002, the regular meeting of June 25, 2002, the adjourned regular meeting of July 1, 2002, the regular meeting of July 2, 2002, and the regular meeting of July 9, 2002 (cancelled due to the lack of a quorum).

ACTION: Approved the recommendation.

3. SUBJECT: RECORDS DESTRUCTION - AIRPORT DEPARTMENT (560.01)

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 Certain Records Held by the Airport Department.

ACTION: Approved the recommendation; Resolution No. 02-088 (July 16, 2002, Airport Director's report).

4. SUBJECT: 818 GARDEN STREET - AUTHORIZATION FOR SPENDING REDEVELOPMENT AGENCY FUNDS OUTSIDE THE REDEVELOPMENT PROJECT AREA (660.04)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the City Council of the City of Santa Barbara Finding that the Use of Redevelopment Agency Housing Setaside Funds as a Grant to Laguna Cottages for Seniors for the Development of a Senior Rental Housing Project Outside the Central City Redevelopment Project (CCRP) Area at 818 Garden Street will be of Benefit to the CCRP.

ACTION: Approved the recommendation; Resolution No. 02-089 (July 16, 2002, Community Development Director's report).

5. SUBJECT: PROPOSAL TO RECRUIT A COMMUNITY DEVELOPMENT DIRECTOR (450.01)

RECOMMENDATION: That Council approve an agreement from John J. Shannon of Shannon Executive Research for \$27,000 for the recruitment of a Community Development Director.

ACTION: Approved the recommendation; Agreement No. 20,706 (July 16, 2002, Assistant City Administrator's report).

6. SUBJECT: COOPERATIVE FIRE PROTECTION AGREEMENT, AGREEMENT NO. 02-FI-11050754-010 (150.01)

RECOMMENDATION: That Council accept the proposed Cooperative Fire Protection Agreement, Agreement No. 02-FI-11050754-010, with the U.S. Forest Service.

ACTION: Approved the recommendation; Agreement No. 20,707 (July 16, 2002, Fire Chief's report).

7. SUBJECT: AWARD AND EXECUTION OF CONTRACT FOR MESA LANE STAIRWAY RAILINGS REMODEL, BID NO. 3333 (570.05)

RECOMMENDATION: That Council:

- A. Award and authorize the Public Works Director to execute a contract with Cushman Contracting Corporation (Cushman) in their low bid amount of \$63,710, for construction of the Mesa Lane Stairway Railings Remodel, Bid No. 3333, and authorize the Public Works Director to approve expenditures up to \$5,750 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;
- B. Authorize the General Services Manager to issue a Purchase Order to Paul Poirier & Michael David Architects (Poirier & David) in the amount of \$3,380 for construction support services, and authorize the General Services Manager to approve expenditures of up to \$340 for extra services of Poirier & David that may result from necessary changes in the scope of work; and
- C. Authorize the General Services Manager to issue a Purchase Order to Fugro West, Incorporated (Fugro), in the amount of \$950 for special inspection services, and authorize the General Services Manager to approve expenditures of up to \$150 for extra services of Fugro that may result from necessary changes in the scope of work.

ACTION: Approved the recommendations; Contract No. 20,708 (July 16, 2002, Public Works Director's report).

8. SUBJECT: ACCEPTANCE OF EIGHT STREET EASEMENT DEEDS –
NORTHRIDGE ROAD (330.03)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting Eight Easements for a Public Street, Being a Portion of Northridge Road, Located on and Across Portions of Real Property at 1215, 1225, 1235, 1220, 1230, 1240, 1250 and 1260 Northridge Road (APNs 055-030-059, -058, -057, -026, -047, -046, -056, and -055, Respectively), and will be Commonly Known as “Northridge Road.”

ACTION: Approved the recommendation; Resolution No. 02-090 (July 16, 2002, Public Works Director’s report).

9. SUBJECT: 214 EAST YANONALI STREET - APPROVAL OF FINAL MAP AND
EXECUTION OF AGREEMENTS (640.08)

RECOMMENDATION: That Council:

- A. Approve and authorize the City Administrator to record Final Map No. 20,644 by CAPITAL PACIFIC HOLDINGS, LLC, a Delaware Limited Liability Company, for property located at 214 East Yanonali Street, APN 017-021-005, -17, -18, -23, -30 and -32, 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 214 East Yanonali Street, APN 017-021-005, -17, -18, -23, -30 and -32.

ACTION: Approved the recommendations; Agreement Nos. 20,709 – 20,711; Resolution No. 02-091 (July 16, 2002, Public Works Director’s report).

10. SUBJECT: APPROVAL AND EXECUTION OF AGREEMENTS, ACCEPTANCE OF WATER EXTRACTION RIGHTS AT SIX SEPARATE LOCATIONS, AND ACCEPTANCE OF A STREET EASEMENT (330.03)

RECOMMENDATION: That Council:

- A. 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 Jeffrey Q. Lewis; Thomas and Tine Sloan; Laguna Cottages for Seniors; Andrew Butcher, Sharon Butcher, Lawrence Butcher, and Patricia Butcher; L. Paul Cook and Claudia E. Cook; and Garrett Van Wyk, Jo Ann Van Wyk, and Greta Van Wyk, et. al., Assigning Water Extraction Rights to the City and Accepting Interests in Real Property Located at 319 Oceano Avenue (APN 045-071-004); at 1841 El Camino De La Luz (APN 045-100-045); 818 Garden Street (APN 031-021-015); at 2307 Edgewater Way (APN 041-350-012); at 230 and 234 East Figueroa Street (APN 029-212-027); and at 630 Chapala Street (APN 037-131-001), Respectively; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting a Street Easement from Garrett Van Wyk, Jo Ann Van Wyk, and Greta Van Wyk, et. al., on the Real Property Located at 630 Chapala Street (APN 037-131-001).

ACTION: Approved the recommendations; Resolution Nos. 02-092 and 02-093; Agreement Nos. 20,712 – 20,717 (July 16, 2002, Public Works Director's report).

11. SUBJECT: NOTICE OF COMPLETION FOR SAFE ROUTES TO SCHOOL SIDEWALK INFILL FY 00-01, CONTRACT NO. 20,446 (530.04)

RECOMMENDATION: That Council accept the work completed by Granite Construction Company (Granite), Contract No. 20,446, for the Safe Routes to School Sidewalk Infill FY 00-01, Bid No. 3318, in the final contract amount of \$353,587.86, including approved changes, and approve filing of a Notice of Completion.

ACTION: Approved the recommendation (July 16, 2002, Public Works Director's report).

12. SUBJECT: FINAL COMMUNITY PRIORITY DESIGNATION - BRAILLE INSTITUTE (640.09)

RECOMMENDATION: That Council find that the proposed project by Braille Institute, located at 2031 De La Vina Street, meets a present need directly related to public health, safety or general welfare and grant the project a Final Community Priority Designation for 4,000 square feet of floor area.

ACTION: Approved the recommendation (July 16, 2002, Community Development Director's report).

NOTICES

13. The City Clerk has on Friday, July 12, 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.
14. Cancellation of the regular Redevelopment Agency meetings of July 16, 2002, August 6, 2002, and August 13, 2002, at 2:00 p.m. (620.01)
15. The City Council will conduct a site visit on Monday, July 22, 2002, at 1:30 p.m. to the property located at 334 E. Padre Street, which is the subject of an appeal hearing set for July 23, 2002, at 2:00 p.m.
16. Cancellation of the regular City Council meetings of August 6, 2002, and August 13, 2002, due to the lack of a quorum.

This concluded the Consent Calendar.

ADMINISTRATIVE AND ATTORNEY REPORTS

FINANCE DEPARTMENT

17. SUBJECT: FY 2002-2003 COMMUNITY PROMOTION CONTRACT WITH THE SANTA BARBARA CONFERENCE AND VISITORS BUREAU AND FILM COMMISSION (180.02)

RECOMMENDATION: That the City Council approve and authorize the Finance Director to execute the Fiscal Year 2002-2003 Community Promotion contract with the Santa Barbara Conference and Visitors Bureau and Film Commission in the amount of \$1,339,866 for the term of July 1, 2002, through June 30, 2003.

DOCUMENTS:

- July 16, 2002, Finance Director's report.
- 2001-2002 Santa Barbara Conference & Visitors Bureau Annual Report, submitted by Brandon Amyx.
- 2002-2003 County Film Promotion Guide, submitted by Brandon Amyx.
- 2002-2003 County Visitors Guide, submitted by Brandon Amyx.

SPEAKERS:

- Staff: Finance Director Robert Peirson.
- Santa Barbara Conference & Visitors Bureau: Mitchell Sjerven, Janette Weber, Brandon Amyx.

MOTION:

Councilmembers Fairly/Secord to approve the recommendation; Contract No. 20,718.

VOTE:

Unanimous voice vote.

REQUEST FROM THE PUBLIC

18. SUBJECT: OLD SPANISH DAYS FIESTA 2002 (180.02)

RECOMMENDATION: That Council:

- A. Authorize the use of City facilities and assistance, subject to terms and conditions, for the Old Spanish Days Fiesta to be held Wednesday, July 31, through Sunday, August 4, 2002, as requested in the Old Spanish Days letter of April 24, 2002;
- B. Authorize the Parks and Recreation Director to send a letter to Old Spanish Days outlining the approved uses, terms and conditions for use, and City service commitments to Old Spanish Days Fiesta 2002; and
- C. Exempt Old Spanish Days from City Business License Tax, grant exclusive concession rights, and authorize ten roving street vendors along the parade route as requested in the Old Spanish Days letter dated April 24, 2002.

DOCUMENTS:

- July 16, 2002, Parks and Recreation Director's report.
- April 24, 2002, letter from Old Spanish Days.

SPEAKERS:

- Staff: Assistant Parks and Recreation Director Nancy Rapp.
- Old Spanish Days: Clay Dickens, Melissa Ornelas, Celeste Medrano.

MOTION:

Councilmembers Secord/Falcone to approve the recommendations.

VOTE:

Unanimous voice vote.

MAYOR AND COUNCIL MATTERS

19. SUBJECT: LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE (180.01)

RECOMMENDATION: That Council designate Voting and Alternate Voting Delegates for the Annual League Conference to be held October 2 - 5, 2002, in Long Beach, California.

DOCUMENTS:

June 12, 2002, letter from the League of California Cities.

ACTION:

By consensus, the Council designated Councilmember Secord as the Voting Delegate and Councilmember Fairly as the Alternate Voting Delegate.

20. SUBJECT: COUNCIL ADVISORY GROUP LIAISON ASSIGNMENT CHANGES (140.07)

RECOMMENDATION FROM MAYOR BLUM: That Council concur in changes to selected Council Advisory Group Liaison assignments.

DOCUMENTS:

July 16, 2002, Mayor's report.

MOTION:

Councilmembers Secord/Horton to approve the recommendation.

VOTE:

Unanimous voice vote.

The Council Advisory Group Liaison assignments were revised as follows:

- Downtown Site Committee: Mayor Blum.
- Joint Use Committee: No one needed.
- Planning Commission: Councilmember Falcone.
- Architectural Board of Review: Councilmember Fodayemi.
- Historic Landmarks Commission: Councilmember Horton.

RECESS

2:44 p.m. – 2:46 p.m.

CLOSED SESSIONS

21. SUBJECT: CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION (160.03)

RECOMMENDATION: That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. In re *Ernest E. Snow vs. Matthew T. Barrall*, Case No. 1046155, Santa Barbara Superior Court.

Scheduling: Duration, 10 minutes; anytime

DOCUMENTS:

July 16, 2002, City Attorney's report.

TIME:

2:46 p.m. – 3:01 p.m.

RECESS

3:01 p.m. – 3:03 p.m.

22. SUBJECT: CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION (160.03)

RECOMMENDATION: That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. In re *Heather Allen vs. City of Santa Barbara, et al.*, Case No. 1044975, Santa Barbara Superior Court.

Scheduling: Duration, 10 minutes; anytime

DOCUMENTS:

July 16, 2002, City Attorney's report.

TIME:

3:03 p.m. – 3:18 p.m.

RECESS

3:18 p.m. – 3:20 p.m.

ANNOUNCEMENT

Acting City Attorney Stephen Wiley reported that the Council met in Closed Session for Item Nos. 21 and 22 and there was nothing to report at this time.

ADJOURNMENT

Mayor Blum adjourned the meeting at 3:21 p.m., to Monday, July 22, 2002, at 1:30 p.m. for a site visit to 334 E. Padre Street.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC
CITY CLERK SERVICES MANAGER

ATTEST:

MARTY BLUM
MAYOR

BRENDA ALCAZAR
DEPUTY CITY CLERK