



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING June 29, 2004 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Marty Blum called the joint meeting of the Council and the Redevelopment Agency to order at 2:02 p.m. (The Finance Committee met at 12:30 p.m. The Ordinance Committee, which is ordinarily scheduled to meet at 1:00 p.m., did not meet on this date.)

### PLEDGE OF ALLEGIANCE

Mayor Blum.

### ROLL CALL

Councilmembers present: Brian B. Barnwell, Iya G. Falcone, Roger L. Horton, Helene Schneider, Dan B. Secord, Das Williams, Mayor Blum.

Councilmembers absent: None.

Staff present: City Administrator/Clerk James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Susan Tschech.

### CEREMONIAL ITEMS

1. SUBJECT: PROCLAMATION DECLARING JULY 18 - 24, 2004, AS NATIONAL AQUATICS WEEK (120.04)

ACTION: Proclamation presented to Recreation Supervisor Richard Hanna.

2. SUBJECT: PROCLAMATION DECLARING JULY 2004 AS RECREATION AND PARKS MONTH (120.04)

ACTION: Proclamation presented to Nancy Rapp, Acting Parks and Recreation Director.

## **PUBLIC COMMENT**

SPEAKERS: Tamara Erickson, Kay Morter, Norman Salzman, Katherine Jankay, and Rob Pearson.

## **ITEM REMOVED FROM CONSENT CALENDAR**

4. SUBJECT: ACCEPTANCE OF EIGHT COASTAL ACCESS EASEMENTS AND ONE COASTAL BIKEWAY EASEMENT (330.03)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting, as Requested by the California Coastal Conservancy and the California Coastal Commission, Acting on Behalf of the People of the State of California, Certain Easements for Public Access and Passive Recreational Use and Bikeway Purposes at the Following Addresses: 3255 Cliff Drive; 3101 Cliff Drive; 3103 Las Gaviotas; 3105 Las Gaviotas; 3107 Las Gaviotas; 3109 Las Gaviotas; 1429 Shoreline Drive; 2 Oliver Road; and 1801 East Cabrillo Boulevard.

### **DOCUMENTS:**

- June 29, 2004, Public Works Director's report.
- Proposed Resolution.
- June 17, 2004, letter from Richard Grossgold and Ruth Levine.

The title of the resolution was read.

### **MOTION:**

Councilmembers Schneider/Horton to approve the recommendation; Resolution No. 04-050.

### **VOTE:**

Unanimous roll call vote (Abstentions: Councilmember Secord).

## **CONSENT CALENDAR (Item Nos. 3, 5 – 19, and 22 – 25)**

The title of the resolution related to Item No. 5 was read.

### **MOTION:**

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

### **VOTE:**

Unanimous roll call vote.

3. SUBJECT: MINUTES

RECOMMENDATION: That Council waive the reading and approve the minutes of the special meeting of June 14, 2004, and the regular meeting of June 15, 2004.

ACTION: Approved the recommendation.

5. SUBJECT: PARKING AND BUSINESS IMPROVEMENT AREA ANNUAL ASSESSMENT REPORT AND INTENTION TO LEVY (550.10)

RECOMMENDATION: That Council:

- A. Approve the Parking and Business Improvement Area (PBIA) Annual Assessment Report 2005; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring Council's Intention to Levy Parking and Business Improvement Area Assessment Rates for Fiscal Year 2005, at a Public Hearing to be Held on July 13, 2004, at 2:00 p.m.

ACTION: Approved the recommendations; Resolution No. 04-051 (June 29, 2004, Public Works Director's report; proposed resolution).

6. SUBJECT: AGREEMENT FOR THE COMMUTER LOT SHUTTLE SERVICE (150.05)

RECOMMENDATION: That Council authorize the Public Works Director to execute an agreement with the Santa Barbara Metropolitan Transit District (MTD) for Commuter Lot Shuttle service, in an amount not to exceed \$168,456.

ACTION: Approved the recommendation; Agreement No. 21,438 (June 29, 2004, Public Works Director's report).

7. SUBJECT: AGREEMENT FOR PARATRANSIT SERVICES (670.01)

RECOMMENDATION: That Council authorize the Public Works Director to execute an agreement with Easy Lift Transportation, Inc. (Easy Lift), for enhanced paratransit services for elderly and mobility impaired persons, in an amount not to exceed \$186,824, for Fiscal Year 2005.

SPEAKERS:

- Staff: Transportation Manager Browning Allen.
- Easy Lift Transportation, Inc.: Bob Westwick.

ACTION: Approved the recommendation; Agreement No. 21,439 (June 29, 2004, Public Works Director's report).

8. SUBJECT: CONTRACT FOR DESIGN OF TAXIWAY M, SERVICE ROAD, AND SLOUGH OBSERVATION AREA (560.04)

RECOMMENDATION: That Council:

- A. Authorize the Public Works Director to execute a contract with URS Corporation (URS) in the amount of \$461,478, for design services associated with the Taxiway M, Service Road, and Slough Observation Area project; and
- B. Authorize the Public Works Director to approve expenditures of up to \$46,000 for extra services of URS that may result from necessary changes in the scope of work.

ACTION: Approved the recommendations; Contract No. 21,440 (June 29, 2004, Public Works Director's report).

9. SUBJECT: CONTRACT FOR POLICE DEPARTMENT LOBBY REMODEL (320.01)

RECOMMENDATION: That Council:

- A. Authorize the Public Works Director to execute a professional services contract with Poirier and David Architects in the amount of \$41,195 for design services for the Police Department Lobby Remodel; and
- B. Authorize the Public Works Director to approve expenditures of up to \$5,000 for extra services of Poirier and David Architects that may result from necessary changes in the scope of work.

ACTION: Approved the recommendations; Contract No. 21,441 (June 29, 2004, Public Works Director's report).

10. SUBJECT: ASSOCIATION OF WATER AGENCIES OF SANTA BARBARA COUNTY BUDGET AND AGREEMENT AMENDMENT (540.03)

RECOMMENDATION: That Council:

- A. Ratify, and authorize the Public Works Director to execute, the Fiscal Year 2005 Budget for the Association of Water Agencies of Santa Barbara County (AWASBC) in the amount of \$15,000;
- B. Authorize the Public Works Director to execute the necessary documents to participate in a AWASBC Project Service Agreement to prepare an updated watershed sanitary survey, with a City cost share of up to \$25,000; and
- C. Authorize the Public Works Director to execute an "Amendment to Association of Water Agencies of Santa Barbara County Joint Powers Agreement," to change the agency's treasurer from the City of Lompoc to the Goleta Water District.

ACTION: Approved the recommendations; Agreement Nos. 21,442 and 21,443 (June 29, 2004, Public Works Director's report).

11. SUBJECT: FISCAL YEAR 2004 INTERIM FINANCIAL STATEMENTS FOR THE ELEVEN MONTHS ENDED MAY 31, 2004 (250.02)

RECOMMENDATION: That Council accept the Fiscal Year 2004 Interim Financial Statements for the Eleven Months Ended May 31, 2004.

ACTION: Approved the recommendation (June 29, 2004, Finance Director's report).

12. SUBJECT: AIRFIELD SAFETY PROJECTS NATIVE PLANT SERVICES (560.04)

RECOMMENDATION: That Council:

- A. Authorize the Airport Director to execute a contract with URS Corporation (URS) in the amount of \$245,240, for native plant seed collection and propagation services associated with the Airfield Safety Projects; and
- B. Authorize the Airport Director to approve expenditures of up to \$24,524 for extra services of URS that may result from necessary changes in the scope of work.

ACTION: Approved the recommendations; Contract No. 21,444 (June 29, 2004, Airport Director's report).

13. SUBJECT: AGREEMENT FOR AFTER-SCHOOL OPPORTUNITIES FOR KIDS! RECREATION PROGRAM (570.06)

RECOMMENDATION: That Council:

- A. Approve and authorize the Parks and Recreation Director to execute an agreement with the Santa Barbara School Districts (SBSD) for Fiscal Year 2005 After-school Opportunities for Kids! (A-OK!) Program;
- B. Appropriate \$47,385 from the General Fund Unappropriated Reserve to the Miscellaneous Grants Fund for the City's portion of the program costs; and
- C. Increase estimated revenue in the Miscellaneous Grants Fund by \$105,777 for the School District's contribution and appropriate the funds to the Miscellaneous Grants Fund.

SPEAKERS:

Staff: Acting Assistant Parks and Recreation Director Sarah Clayton.

ACTION: Approved the recommendations; Agreement No. 21,445 (June 29, 2004, Acting Parks and Recreation Director's report).

14. SUBJECT: APPROPRIATION OF FUNDS FOR HARDING ELEMENTARY SCHOOL PLAYGROUND REPLACEMENT PROJECT (570.07)

RECOMMENDATION: That Council:

- A. Accept a grant from the State of California Environmental Protection Agency in the amount of \$24,624 for the Harding Elementary School Playground Replacement Project; and
- B. Increase estimated expenditures and revenues in the Parks and Recreation Miscellaneous Grants Fund Budget for Fiscal Year 2005 in the amount of \$24,624.

ACTION: Approved the recommendations (June 29, 2004, Acting Parks and Recreation Director's report).

15. SUBJECT: TREE PLANTING GRANT FROM SANTA BARBARA BEAUTIFUL (570.05)

RECOMMENDATION: That Council:

- A. Accept a \$10,000 contribution from Santa Barbara Beautiful to plant 300 new street trees; and
- B. Increase estimated revenues and appropriations in the Fiscal Year 2004 Miscellaneous Grants Fund for the Parks and Recreation Department in the amount of \$10,000.

ACTION: Approved the recommendations (June 29, 2004, Acting Parks and Recreation Director's report).

16. SUBJECT: AGREEMENT FOR OPERATION OF 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 Station for one fiscal year beginning July 1, 2004, and ending June 30, 2005, for annual fees not to exceed \$174,000.

SPEAKERS:

Staff: Deputy Police Chief Richard Glaus.

ACTION: Approved the recommendation; Agreement No. 21,446 (June 29, 2004, report from the Chief of Police).

17. SUBJECT: CONTRACT WITH THE SANTA BARBARA CONFERENCE AND VISITORS BUREAU (180.02)

RECOMMENDATION: That Council authorize the Finance Director to execute the Fiscal Year 2005 Community Promotion contract with the Santa Barbara Conference and Visitors Bureau in an amount of \$1,339,866 for the term of July 1, 2004, through June 30, 2005.

ACTION: Approved the recommendation; Contract No. 21,447 (June 29, 2004, Finance Director's report).

18. SUBJECT: 4TH OF JULY CELEBRATION SIDEWALK VENDING REQUEST (520.04)

RECOMMENDATION: That Council approve, pursuant to section 9.48.010(B)(4) of the Santa Barbara Municipal Code, a request from SPARKLE for permission to conduct sidewalk and street sales in connection with the 2004 SPARKLE 4th of July celebration, subject to the conditions specified in the Council Agenda report.

SPEAKERS:

Members of the Public: Janice Seibert, SPARKLE; Charles Rice, GaySB.org.

ACTION: Approved the recommendation (June 29, 2004, Acting Parks and Recreation Director's report).

19. SUBJECT: ACCEPTANCE OF FEDERAL AVIATION ADMINISTRATION GRANT (560.04)

RECOMMENDATION: That Council:

- A. Accept the FAA Grant offer of \$8,694,900 in Entitlement (\$2,694,900) and Discretionary Funds (\$6,000,000) for Project No. AIP-3-06-0235-32, to Improve Runway 7/25 Safety Area, Phase III; Construct Taxiway B and associated taxilanes, Phase II; and Construct Taxiway M and associated taxilanes, Phase I; and
- B. Authorize the Airport Director to execute, on behalf of the City, the subject grant offers of the United States of America through the Federal Aviation Administration, Department of Transportation, to be used in the development of the Santa Barbara Airport.

ACTION: Approved the recommendations; Agreement No. 21,448 (June 29, 2004, Airport Director's report).

Agenda Item Nos. 20 and 21 appear in the Redevelopment Agency minutes.

## NOTICES

22. The City Clerk has on Thursday, June 24, 2004, at 3:00 p.m. 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.
23. The City Council is scheduled to conduct a walking tour of the public restrooms on State Street on Monday, June 28, 2004, at 1:30 p.m.
24. Cancellation of the regular City Council and Redevelopment Agency meeting of July 6, 2004, due to lack of a quorum.
25. Received a letter of resignation from Community Development and Human Services Committee Member Sidney J. Smith; the unscheduled vacancy will be part of the next City Advisory Group recruitment. (610.03)

This concluded the Consent Calendar.

## **FINANCE COMMITTEE REPORT**

26. SUBJECT: SPECIAL FINANCE COMMITTEE AGENDA, JUNE 29, 2004, AT 12:30 P.M. IN ROOM 15 (120.03)
  - A. May 2004 Investment Report (See Agenda Item No. 28);
  - B. Fiscal Year 2004 Interim Financial Statements for the Eleven Months Ended May 31, 2004 (See Agenda Item No. 11)
  - C. Financial Plan for Granada Garage Construction; and
  - D. Request for Supplemental Appropriations for Fiscal Year 2004 (See Agenda Item No. 29).

27. SUBJECT: REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dan Secord reported that the Committee approved and forwarded to Council the May 2004 Investment Report (Agenda Item No. 28) as well as proposed adjustments to General Fund appropriations and estimated revenues for Fiscal Year 2004 (Agenda Item No. 29). The Committee also reviewed a financial plan for the construction of the Granada Garage, which will be submitted to the full Council for its consideration on July 13, 2004.

28. SUBJECT: MAY 2004 INVESTMENT REPORT (260.02)

RECOMMENDATION: That Council accept the May 2004 Investment Report.

### DOCUMENTS:

June 29, 2004, Finance Director's report.

(Cont'd)

28. (Cont'd)

**SPEAKERS:**

Staff: Treasury Manager Cynthia Odell.

**MOTION:**

Councilmembers Secord/Williams to approve the recommendation.

**VOTE:**

Unanimous voice vote.

Councilmember Falcone left the meeting at 3:00 p.m.

29. **SUBJECT: REQUEST FOR SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2004 (230.05)**

**RECOMMENDATION:** That Council approve the adjustments to General Fund appropriations and estimated revenues as shown in the attached Summary of Recommended Budget Adjustments.

**DOCUMENTS:**

June 29, 2004, Finance Director's report.

**SPEAKERS:**

Staff: Assistant Finance Director Robert Samario.

**MOTION:**

Councilmembers Horton/Barnwell to approve the recommendation.

**VOTE:**

Unanimous voice vote (Absent: Councilmember Falcone).

Councilmember Falcone returned to the meeting at 3:07 p.m.

**COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

**INFORMATION:**

- Councilmember Horton reported on his attendance, along with Mayor Blum, at a meeting of cities that have a University of California campus within the local area.
- Councilmember Barnwell commented upon a recent meeting of the Central Coast Water Authority regarding antiquated infrastructure.

## REDEVELOPMENT AGENCY REPORTS

### 30. SUBJECT: PUBLIC RESTROOMS (530.01)

RECOMMENDATION: That the Council and Redevelopment Agency Board receive a staff presentation on options for downtown public restrooms and direct staff to proceed with Option #3 - the construction of the 916 State Street Public Restroom Project; Option #6 - Expansion of the Visitor Restroom Program; and Option #7 - Production of a Public Restroom Brochure; and pursue a construction cost analysis for a Remodel/Expansion of the Parking Structure #10 restroom and authorize the expenditure of up to \$20,000 to perform the analysis.

#### DOCUMENTS:

- June 29, 2004, report from the Community Development Director/Deputy Director.
- PowerPoint presentation made by Staff.

#### SPEAKERS:

- Staff: Community Development Director/Deputy Director Paul Casey, Principal Civil Engineer John Schoof, Assistant Community Development Director/Housing and Redevelopment Manager David Gustafson, City Attorney/Agency Counsel Stephen Wiley, City Administrator/Executive Director James Armstrong.
- Members of the Public: Marshall Rose, Downtown Organization; Kate Schwab, Borders Books and Music; Steve Cushman, Santa Barbara Region Chamber of Commerce; George Thurlow, Downtown Organization/Old Town Merchants Association.

#### MOTION:

Council/Agency members Barnwell/Horton to direct Staff to: 1) proceed with Option #4 (modified version of 916 State Street restroom) and Option #6 (expansion of Visitor Restroom Program); 2) work with the Downtown Organization to develop a plan for publicizing the City's public restroom facilities; 3) pursue a construction cost analysis for a remodel/expansion of the Parking Structure #10 restroom and expend up to \$20,000 to perform the analysis; and 4) formulate an overall plan for the provision of public restrooms on State Street from Cabrillo Boulevard north to the Arlington Theater, which plan should include signage, lighting, and times of operation for the restrooms, as well as further consideration of the use of automated public toilets.

#### VOTE:

Majority voice vote (Noes: Council/Agency member Falcone).

## RECESS

4:36 p.m. – 4:52 p.m.

## CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

### ADMINISTRATIVE SERVICES DEPARTMENT

31. SUBJECT: SPECIAL MUNICIPAL ELECTION OF NOVEMBER 2, 2004  
(110.03)

RECOMMENDATION: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Calling and Giving Notice of the Holding of a Special Municipal Election to Be Held in the City on Tuesday, November 2, 2004, for the Submission of Two Proposed Charter Amendments;
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Requesting the Board of Supervisors of the County of Santa Barbara to Consolidate a Special Municipal Election to Be Held on November 2, 2004, With the Statewide General Election to Be Held on That Date Pursuant to Section 10403 of the Elections Code;
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Directing the City Attorney to Prepare Impartial Analyses of the City's Measures to Be Placed on the Ballot for the November 2, 2004, Special Municipal Election of the City of Santa Barbara;
- D. Determine whether the City Council or any member(s) of City Council will file an argument regarding the two proposed charter amendments relating to Charter Sections 502 and 814, and if so, adopt by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Filing of Written Arguments Regarding the City's Measures to be Placed on the Ballot for the November 2, 2004, Special Municipal Election; and
- E. Determine that the submission of rebuttal arguments will not be allowed.

DOCUMENTS:

- June 29, 2004, Assistant City Administrator's report.
- Proposed Resolutions.

The titles of the resolutions were read.

SPEAKERS:

- Staff: City Attorney Stephen Wiley, City Administrator James Armstrong.
- Members of the Public: Bill Mahan, Geoff Green, Steven Amerikaner.

MOTION:

Councilmembers Williams/Horton to approve recommendations A, B, C, and E for Measure A2004 (amendment to Charter Section 502), directing Staff to 1) include the current Area Median Income figure in the ballot question and 2) change the effective date of the Charter amendment from January 1, 2005, to July 1, 2005.

VOTE:

Unanimous roll call vote.

(Cont'd)

31. (Cont'd)

MOTION:

Councilmembers Barnwell/Secord to approve recommendations A, B, C, and E for Measure B2004 (amendment to Charter Section 814).

VOTE:

Unanimous roll call vote.

As a result of the above actions, the Council adopted Resolution Nos. 04-052 (recommendation A), 04-053 (recommendation B), and 04-054 (recommendation C). Resolution Nos. 04-052 and 04-054 were revised to include the current Area Median Income figure in the ballot question for Measure A2004, and Resolution No. 04-052 was further revised to change the effective date of the amendment to Charter Section 502 from January 1, 2005, to July 1, 2005.

MOTION:

Councilmembers Barnwell/Schneider to form a subcommittee of Councilmembers Barnwell, Falcone, and Mayor Blum to draft an argument in favor of Measure B2004, which argument will be submitted to Council for its concurrence prior to the filing period.

VOTE:

Unanimous voice vote.

By consensus, the Council did not adopt the resolution proposed by recommendation D.

Councilmember Williams left the meeting at 5:48 p.m.

## FINANCE DEPARTMENT

32. SUBJECT: STATEMENT OF INVESTMENT POLICY AND DELEGATION OF INVESTMENT AUTHORITY FOR FISCAL YEAR 2005 (260.01)

RECOMMENDATION: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending the Investment Policy for the City and Rescinding Resolution 03-041; and
- B. Authorize the City Administrator/City Clerk/Treasurer to invest or reinvest funds, or to sell or exchange securities so purchased for the City of Santa Barbara and the Redevelopment Agency of the City of Santa Barbara for Fiscal Year 2005.

(Cont'd)

32. (Cont'd)

DOCUMENTS:

- June 29, 2004, Finance Director's report.
- Proposed Resolution.

The title of the resolution was read.

SPEAKERS:

Staff: Treasury Manager Cynthia Odell.

MOTION:

Councilmembers Secord/Horton to approve the recommendations;  
Resolution No. 04-055.

VOTE:

Unanimous roll call vote (Absent: Councilmember Williams).

33. SUBJECT: CITY COUNCIL AGENDA AND MEETING PROCEDURES (120.02)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Concerning the Conduct of City Council Meetings Commencing July 1, 2004, and Rescinding Resolution No. 02-099.

MOTION:

Councilmembers Barnwell/Schneider to continue Agenda Item No. 33 to a future meeting.

VOTE:

Unanimous voice vote (Absent: Councilmember Williams).

**MAYOR AND COUNCIL REPORTS**

34. SUBJECT: SANTA BARBARA COASTAL VECTOR CONTROL DISTRICT (150.05)

RECOMMENDATION: That Council direct Staff regarding the appointment of a Trustee to the Santa Barbara Vector Control District.

DOCUMENTS:

June 29, 2004, Assistant City Administrator's report.

(Cont'd)

34. (Cont'd)

**SPEAKERS:**

Staff: City Administrator James Armstrong, City Attorney Stephen Wiley,  
Senior Deputy City Clerk Roxanne Fiorillo.

Councilmember Williams returned to the meeting at 5:55 p.m.

**MOTION:**

Councilmembers Horton/Secord to direct Staff to proceed with a  
recruitment to fill this vacancy.

**VOTE:**

Unanimous voice vote.

**PUBLIC HEARINGS**

35. SUBJECT: CONSUMER PRICE INDEX ADJUSTMENT FOR MARBORG AND  
BFI (510.04)

**RECOMMENDATION:** That Council:

- A. Consider the proposed adjustments to the Monthly Solid Waste Collection Rates schedule, including a tipping fee increase at the Tajiguas Landfill and a Consumer Price Index (CPI) adjustment for the City's franchised haulers; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara (City) Adjusting Rates for Collection of Refuse, Recyclables and Greenwaste by the City's Franchised Haulers.

**DOCUMENTS:**

- June 29, 2004, Public Works Director's report.
- Proposed Resolution.
- Affidavit of Publication.

The title of the resolution was read.

**PUBLIC HEARING OPENED:**

5:57 p.m.

**SPEAKERS:**

Staff: Solid Waste Specialist Stephen MacIntosh, City Administrator  
James Armstrong.

**PUBLIC HEARING CLOSED:**

6:08 p.m.

(Cont'd)

35. (Cont'd)

**MOTION:**

Councilmembers Secord/Falcone to approve the recommendations;  
Resolution No. 04-056.

**VOTE:**

Unanimous roll call vote.

36. **SUBJECT: CONTINUANCE OF APPEAL OF ARCHITECTURAL BOARD OF REVIEW APPROVAL FOR 2135 STATE STREET**

**RECOMMENDATION: That Council:**

- A. Continue the public hearing to August 3, 2004, at 2:00 p.m.; and
- B. Continue the site visit to the property located at 2135 State Street to August 2, 2004, at 1:30 p.m.

**MOTION:**

Councilmembers Barnwell/Falcone to approve the recommendations.

**VOTE:**

Unanimous voice vote.

**RECESS**

6:09 p.m. – 6:10 p.m.

**CLOSED SESSIONS**

37. **SUBJECT: CONFERENCE WITH LABOR NEGOTIATOR (440.05)**

**RECOMMENDATION:** That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to the City's labor negotiators, Linda Jensen, Liebert Cassidy Whitmore, Joan Kent, Assistant City Administrator, and Kristy Schmidt, Employee Relations Manager, regarding negotiations with the Firefighters Association, Police Management Association, Police Officers' Association, General Employees' Bargaining Unit, Treatment and Patrol Bargaining Units, Temporary Employees' Bargaining Unit, and Supervisory Employees' Bargaining Unit.

Scheduling: Duration, 40 minutes; anytime

Report: None anticipated

**DOCUMENTS:**

June 29, 2004, Assistant City Administrator's report.

(Cont'd)

37. (Cont'd)

TIME:

6:10 p.m. – 6:45 p.m.

No report made.

38. SUBJECT: MASTER LEASE AGREEMENT FOR METROPOLITAN THEATERS CORPORATION (330.03)

RECOMMENDATION: That Council hold a closed session pursuant to California Government Code §54956.8 to consider instructions to negotiators regarding the rent, subleasing and option terms of payment for the lease of the real property located at 916, 918 and 920 State Street. Negotiations will be conducted by City staff with David Corwin, representing the Metropolitan Theatres Corporation. The City's negotiators are Browning Allen, Transportation Manager, and the City Attorney's Office.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

DOCUMENTS:

June 29, 2004, Public Works Director's report.

TIME:

6:45 p.m. – 7:00 p.m.

No report made.

39. SUBJECT: CONFERENCE WITH LEGAL COUNSEL - PENDING 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. The pending litigation is City of Santa Barbara v. Wilbur Smith & Associates, Ventura County Superior Court Case No. 226424.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

DOCUMENTS:

June 29, 2004, City Attorney's report.

TIME:

7:00 p.m. – 7:10 p.m.

No report made.

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 7:10 p.m.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC  
CITY CLERK SERVICES MANAGER

ATTEST:

\_\_\_\_\_  
MARTY BLUM  
MAYOR

\_\_\_\_\_  
SUSAN TSCHECH  
DEPUTY CITY CLERK