

08/21/2001  
11:54 am

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CITY OF SANTA BARBARA  
CITY COUNCIL MINUTES

REGULAR MEETING  
July 18, 2000  
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, which are ordinarily  
scheduled to meet at 1:00 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE:

Mayor Harriet Miller.

ROLL CALL:

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

Councilmembers absent: Tom Roberts.

Staff present: Acting City Administrator Peter K. Wilson, City  
Attorney Daniel J. Wallace, Deputy City Clerk Susan Tschech.

PUBLIC COMMENT:

1. No one wished to speak.

180.03

CONSENT CALENDAR Item Nos. 2 14):

MOTION:

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

VOTE:

Unanimous voice vote Absent: Councilmember Roberts).

2. Recommendation that Council accept the resignation of O'Neill Wright from the Franklin Center Advisory Committee.

Concurred with the recommendation June 20, 2000 letter of resignation).

580.03  
Franklin Center Adv. Comm.

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3. Recommendation that the Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Certain Documents Held by the Finance Department.

Concurred with the recommendation; Resolution  
No. 00-074 July 14, 2000 City Administrator's report).

160.06

X

210.01

4. Recommendation that Council:
  - A. Approve the fiscal year 2000-2001 airline rates and charges for airline landing fees of \$1.36 per thousand pounds of gross landed weight, and Airline Terminal square footage rental rate \$36.61 per square foot per year, for all commercial air carrier operations at Santa Barbara Municipal Airport, effective July 1, 2000; and
  - B. Authorize the City Administrator to negotiate and execute the following Airline Operating Permits with:
    1. American Eagle Airlines, Inc., a Delaware Corporation, for 1081 square feet of Airline Terminal space, at a monthly rental of \$3,298, plus a prorata share of the Joint Use Bag Claim area and Holdroom at \$3,087 per month, at the Santa Barbara Municipal Airport, effective July 1, 2000 and ending September 30, 2001;
    2. Mesa Airlines, Inc., a Nevada Corporation, dba America West Express, for 540 square feet of Airline Terminal space, at a monthly rental of \$1,647, plus a prorata share of the Joint Use Bag Claim area and Holdroom at \$2,310 per month, at the Santa Barbara Municipal Airport, effective July 1, 2000 and ending September 30, 2001;
    3. Skywest Airlines, a Utah Corporation, for 544 square feet of Airline Terminal space, at a

monthly rental of \$1,660, plus a prorata share of the Joint Use Bag Claim area and Holdroom at \$3,537 per month, at the Santa Barbara Municipal Airport, effective July 1, 2000 and ending September 30, 2001;

4. United Airlines, Inc., a Delaware Corporation, for 5,059 square feet of Airline Terminal space, at a monthly rental of \$15,434, plus a prorata share of

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the Joint Use Bag Claim and Holdroom area at \$5,749 per month, 460 square feet of temporary employee locker space at \$1,291 per month, and 100 square feet of storage space in Building 122 for \$100 per month, at the Santa Barbara Municipal Airport, effective July 1, 2000 and ending September 30, 2001; and

5. Air Wisconsin Airlines Corporation, a Delaware Corporation, dba United Express, for a prorata share of the Joint Use Bag Claim area and Holdroom at \$2,608 per month, at the Santa Barbara Municipal Airport, effective July 1, 2000 and ending September 30, 2001.

Concurred with the recommendations; Agreement Nos. 19,993 19,997 July 14, 2000 City Administrator's report).

560.02

5. Recommendation that Council approve and authorize the City Administrator to execute an agreement in the amount of \$9,000 with the Alpha Resource Center ARC) for a cooperative work project for park maintenance, from July 1, 2000 to June 30, 2001.

Concurred with the recommendation; Agreement No. 19,998 July 14, 2000 City Administrator's report).

570.05

Const., Maint. and Repair

6. Recommendation that Council approve and authorize the City Administrator to execute an agreement in the amount of \$7,112 with the Community Environmental Council for management of City Community Gardens from July 1, 2000 to June 30, 2001.

Concurred with the recommendation; Agreement No. 19,999 July 14, 2000 City Administrator's report).

630.01  
Comm. Environ. Council

7. Recommendation that Council:
  - A. Authorize an increase in the Public Works Director's authority to approve expenditures for extra work by Whitaker Contractors, Inc. Whitaker), of \$110,914, from \$157,900 to \$268,814, for the Skofield Reservoir

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Replacement Project, Contract No. 19,830;

- B. Authorize an increase in the Public Works Director's authority to approve expenditures for extra services by Harris & Associates, Inc. Harris), of \$9,950, from \$15,500 to \$25,450, for construction management and inspection services, Contract No. 19,831;
- C. Authorize the General Services Manager to issue a Change Order to increase Purchase Order No. 357,606 with Flowers and Associates, Inc. Flowers), by \$6,385, from \$21,000 to \$27,385, to cover the costs of additional engineering design support services during construction;
- D. Authorize the General Services Manager to issue a Change Order to increase Purchase Order No. 357,607 with Carollo Engineers, Inc. Carollo), by \$15,788, from \$20,000 to \$35,788, to cover the costs of additional engineering design support services during construction;
- E. Authorize the General Services Manager to issue a Change Order to increase Purchase Order No. 357,608 with David Black and Associates, Incorporated Black), by \$1,000, from \$3,500 to \$4,500, to cover the costs of additional landscape and aesthetic concrete treatment inspection support services; and
- F. Appropriate \$144,037 to the FY 1999-2000 Water Capital Fund Operating Budget from the Water Capital Fund reserves.

**SPEAKERS:**

Staff: Public Works Director David Johnson.

Concurred with the recommendations July 14, 2000 City Administrator's report).

540.09

Escondido, La Mesa, etc.

8. Recommendation that Council:

- A. Authorize the Public Works Director to execute a

registration form with the Water Environmental Research Foundation WERF) for participation in a research project investigating pathogen removal and inactivation in water reclamation for non-potable uses in an amount not to exceed \$30,000; and

- B. Authorize the Public Works Director to apply for membership in WERF on behalf of the City, at an annual cost not to exceed \$2,496.

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Concurred with the recommendations July 14, 2000 City  
Administrator's report).

540.13  
Reclamation

9. Recommendation that Council accept the work completed by Lash Construction, Inc., Contract No. 19,709, for the Fiscal Year 1998-1999 Water Main Replacement Project, Bid No. 3214, in the final contract amount of \$1,002,790.32, including approved changes, and approve filing of a Notice of Completion.

**SPEAKERS:**

Staff: Public Works Director David Johnson.

Concurred with the recommendation July 14, 2000 City  
Administrator's report).

540.06  
Water Mains

10. Recommendation that Council accept the work completed by Associated Pacific Constructors, Contract No. 19,710, for the Seismic Retrofit of the Gibraltar Dam Gates, Bid No. 3242, in the final contract amount of \$382,773.94, including approved changes, and that a Notice of Completion be filed for the project.

Concurred with the recommendation July 14, 2000 City  
Administrator's report).

540.09  
Gibraltar

11. Recommendation that Council take the following action regarding legislative matters:

- A. SUPPORT SB 2202 (Sher) which would require the California Integrated Waste Management Board to develop a model source reduction and recycling element and

provide local jurisdictions and private businesses with information, tools, and mathematical models to meet waste diversion requirements;

- B. SUPPORT SB 1110 Chesbro) which would expand existing law covering recycling requirements of rigid plastic containers, increasing the percentage of minimum recycled content required in rigid plastic containers and applying plastic recycling requirements to food and

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cosmetic containers;

- C. OPPOSE AB 779 Torlakson) which would give a 25% density bonus and 15% parking deduction to any residential or commercial project within one-quarter mile of a public transit rail station, regardless of the general plan of the city;
- D. OPPOSE SB 165 Alarcon) which would require that any local special tax or bond measure subject to voter approval contain a statement indicating the specific single purpose of the measure, require the creation of a trust fund for the proceeds to be deposited, and require an annual report containing specified information concerning the use of the proceeds; and
- E. Authorize the Mayor to send letters to and, as needed, contact the appropriate legislators, the League of California Cities and other appropriate parties to convey the City's position.

Concurred with the recommendations July 14, 2000 City Administrator's report).

160.02  
State

Notices to be filed:

- 12. that the City Clerk has on Friday, July 14, 2000 at 3:00 p.m., duly 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 Redevelopment Agency meeting, July 18, 2000 at 2:00 p.m. in the Council Chamber.  
620.03  
Agendas
- 14. of cancellation of the regular City Council meeting of August 15, 2000 due to lack of a quorum.  
120.09

This completed the Consent Calendar.

RECESS: 2:08 p.m. 2:12 p.m., during which time the  
Redevelopment Agency meeting was completed.

MAYOR AND COUNCIL MATTERS:

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19. Recommendation that Council hold interviews of applicants to various City Advisory Groups. Continued from July 11, 2000, Item No. 20)

DOCUMENTS:

Previous documents submitted July 11, 2000.

SPEAKERS:

The following applicants were interviewed:

Community Events and Festivals Committee:

Victoria Woodard Harvey

Downtown Parking Committee:

Kate Schwab

Harbor Commission:

Guy D. Smith

Housing Authority Commission:

Norma O. Escarcega

Rental Housing Mediation Task Force:

Michael Daniel Bifano

Harbor Commission:

Tim Putz

Appointments for the various advisory group openings are scheduled for July 25, 2000.

140.05

ADMINISTRATIVE REPORTS:

Community Development Department

15. Recommendation that Council adopt, by reading of title only, A Joint Resolution of the City of Santa Barbara and the County of Santa Barbara in the Matter of Extending the Period Within Which to Determine an Exchange of Property Tax Revenues Pursuant to California Revenue and Taxation Code Section 99.

DOCUMENTS:

July 14, 2000 City Administrator's report.  
Proposed Resolution.

**SPEAKERS:**

Staff: Assistant to the Community Development Director  
Paul Casey, Acting City Administrator Peter Wilson.

**MOTION:**

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Councilmembers Hart/Fairly to concur with the recommendation; Resolution No. 00-075, revised to extend the property tax exchange negotiation period for 90 days; directed Staff to draft a letter to the County indicating Council's belief in the need for 180 days in which to complete the negotiations.

VOTE:

Unanimous roll call vote Absent: Councilmember Roberts).

150.04

Goleta Incorp./Annex.

Public Works Department

16. Recommendation that Council approve the selection of the following five consulting firms to provide design and construction management services for a two-year period for capital improvement projects:

Flowers and Associates Incorporated Flowers);  
Penfield and Smith Engineers Incorporated P&S);  
John Carollo Engineers;  
Martin, Northart, Spencer, Inc. MNS); and  
URS Greiner URS).

DOCUMENTS:

July 14, 2000 City Administrator's report.

SPEAKERS:

Staff: Public Works Director David Johnson.

MOTION:

Councilmembers Secord/Garcia to concur with the recommendation.

VOTE:

Unanimous voice vote Absent: Councilmember Roberts).

530.01

Admin., Policies & Proced.

17. Recommendation that Council:

- A. Receive a presentation from Integrated Recycling, Incorporated (IRI), regarding the results of the City's Waste Disposal and Diversion Programs Evaluation;
- B. Approve, in concept, the Staff recommended diversion programs that are estimated to enable the City to reach approximately 55% diversion;

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- C. Authorize the General Services Manager to increase Purchase Order No. 357658 with IRI from \$25,000 to \$60,000 to cover the cost of services necessary to assist staff in the negotiation and implementation of new diversion programs;
- D. Direct staff to set a public hearing to obtain public input regarding the timing of residential commingled recyclables weekly versus biweekly) and input regarding the use of various sized wheeled carts for the collection of residential commingled recyclables and green waste recyclables at curbside versus maintaining the existing backyard service using 32-gallon cans; and
- E. Direct staff to return to Council within six weeks with specific recommendations for implementation of new diversion programs.

**DOCUMENTS:**

July 14, 2000 City Administrator's report.  
City of Santa Barbara Waste Disposal and Diversion Programs Evaluation, prepared by Integrated Recycling, Inc. and dated June 23, 2000.

**SPEAKERS:**

Staff: Principal Civil Engineer Diane Gabriel, Acting City Administrator Peter Wilson.  
Integrated Recycling, Inc.: Partner John McInnes.  
County of Santa Barbara: Public Works Department Deputy Director Mark Schleich.  
Members of the Public: Patrick DeRueda, BFI Waste Systems; Mario Borgatello and David Borgatello, Marborg Industries.

**MOTION:**

Councilmembers Garcia/Secord to concur with the recommendations and request the solid waste franchisee (Browning-Ferris Industries) to solicit additional public input through its proposed survey regarding the

issues noted in recommendation D.

VOTE:

Unanimous voice vote Absent: Councilmember Roberts).

630.01

Administration

Parks and Recreation Department

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18. Recommendation that Council hear a presentation on the status of the Creeks Inventory and Assessment Study, including a Geographical Information System GIS) demonstration.

DOCUMENTS:

July 14, 2000 City Administrator's report.  
Copy of PowerPoint presentation made by Staff.

SPEAKERS:

Staff: Principal Civil Engineer Diane Gabriel,  
Assistant Park Planner Allyson Biskner.  
URS Greiner Woodward Clyde City Consultant): John  
Gray, Mark de la Garza.  
Santa Barbara County: Water Resources Planning Manager  
Robert Almy.

The Council thanked Staff and the consultant for the  
presentation.

540.14

RECESS: 5:08 p.m. 6:00 p.m.

Mayor Miller presiding.  
Councilmembers present: Blum, Fairly, Garcia, Hart 6:05 p.m.),  
Secord 6:01 p.m.), Mayor Miller.  
Councilmembers absent: Roberts.  
Staff present: Acting City Administrator Wilson, City Attorney  
Wallace, Deputy City Clerk Tschech.

PUBLIC COMMENT:

22. Bruce Rittenhouse and Manuel Valle spoke.  
180.03

MAYOR AND COUNCIL MATTERS:

20. Recommendation that Council consider and determine whether

or not to refer to the Ordinance Committee for consideration  
a proposal to amend Chapter 9.99 of the Santa Barbara  
Municipal Code dealing with access to health care facilities  
and places of worship. Mayor Miller)

DOCUMENTS:

July 14, 2000 City Attorney's report.

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**MOTION:**

Mayor Miller/Councilmember Secord to concur with the recommendation; proposal referred to the Ordinance Committee.

**VOTE:**

Unanimous voice vote Absent: Councilmember Roberts).  
800.04

**ORDINANCES FOR INTRODUCTION:**

21. Recommendation that Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the Municipal Code by Adding Section 15.16.175 and Amending Sections 10.06.010, 15.16.150, 15.16.180, and 15.16.260 Relating to Skateboarding, Roller Skating and In-Line Skating.

**DOCUMENTS:**

July 14, 2000 City Administrator's report.  
Proposed Ordinance.

**MOTION:**

Councilmembers Secord/Blum to concur with the recommendation; introduced the ordinance as Bill No. 5180.

**VOTE:**

Unanimous voice vote Absent: Councilmember Roberts).  
570.07  
Skateboard Facilities

**PUBLIC HEARINGS:**

23. Public Hearing to consider formation of a Public Works Benefit Assessment District known as the State Street Sidewalk Improvement Assessment District No. 1998, pursuant to Santa Barbara Municipal Code Chapter 4.60, for the levying of assessments to finance the upgrading and improvement of the sidewalks within the 600 900 blocks of

State Street. As provided by Article XIID of the Constitution of the State of California Proposition 218), assessment ballots regarding formation of the Assessment District will be received, counted and tabulated at the time of the Public Hearing.

Staff recommendation that Council:

- A. Hold a Public Hearing; and
- B. Adopt, by reading of title only, A Resolution of

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the Council of the City of Santa Barbara  
Establishing the Absence of a Majority Protest for  
the State Street Sidewalk Improvement Assessment  
District No. 1998 Phase II and III; 600-900  
Blocks) Making the Findings Required by Article  
XIII(D) of the State Constitution, Confirming the  
Amount of the Phase II and Phase III State Street  
Sidewalk Improvement Assessment, Establishing the  
Proposed District Boundaries for Phase II and  
Phase III 600-900 Blocks), Approving the  
Necessary Engineer's Report, Ordering the  
Construction of the Enhanced Project Portion of  
the Improvements, Authorizing the Issuance of a  
Promissory Note in Favor of the Redevelopment  
Agency, and Designating the City Treasurer to  
Collect and Receive Assessment Payments and to  
Repay the Agency Loan.

**DOCUMENTS:**

July 14, 2000 City Administrator's report.  
Proposed Resolution.

**PUBLIC HEARING OPENED:**

6:13 p.m.

**SPEAKERS:**

Staff: Principal Civil Engineer John Schoof, City  
Clerk Services Manager Mabi Covarrubias Plisky.

The election results were declared as follows: The ballots  
indicated 1,798.71 frontage feet in favor and 945.87  
frontage feet opposed to the formation of the Assessment  
District. The yes votes represented 66% of the frontage  
footage covered by votes cast, while the no votes  
represented 34% of the frontage footage covered by votes  
cast.

**PUBLIC HEARING CLOSED:**

6:16 p.m.

**MOTION:**

Councilmembers Blum/Secord to concur with the recommendations; Resolution No. 00-076.

**VOTE:**

Unanimous roll call vote Absent: Councilmember Roberts).

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290.00

X

530.04

Sidewalk Const., Maint. and Repair

#### ADMINISTRATIVE REPORTS:

##### Public Works Department

24. Recommendation that Council take the following actions regarding a Special Municipal Election on November 7, 2000 for the purpose of authorizing a ballot measure to fund activities to improve runoff water quality and to carry out City creek restoration by increasing the Transient Occupancy Tax by two 2) percent:
- 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 7, 2000, for the Submission to the Voters A Proposed Ordinance Relating to Transient Occupancy Tax;
  - 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 7, 2000, with the Presidential 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 An Impartial Analysis of the City's Proposed Ordinance to be Placed on the Ballot for the November 7, 2000 Special Municipal Election of the City of Santa Barbara;
  - D. Determine whether the City Council or any member(s) of the City Council will file an argument regarding the proposed ordinance relating to Transient Occupancy Tax

on the November 7, 2000 ballot, and if so, adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Filing of a Written Argument Regarding the City's Proposed Ordinance to be Placed on the Ballot for the November 7, 2000 Special Municipal Election;

- E. Determine that the submission of rebuttal arguments will not be allowed; and

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- F. Establish an advisory committee to assist staff with the creek restoration and water quality programs if the voters approve the measure in November.

DOCUMENTS:

July 14, 2000 City Administrator's report.  
Proposed Resolutions.  
Copy of PowerPoint presentation made by Staff.

SPEAKERS:

Staff: Principal Civil Engineer Diane Gabriel, Water Supply Manager Steve Mack, City Attorney Daniel Wallace, Acting City Administrator Peter Wilson, Finance Director Robert Peirson.  
Members of the Public: Bruce Rittenhouse; Sue Higman; Sharyn Main, South Coast Watershed Alliance; Karen Feeney; Brian Trautwein, Environmental Defense Center; Bud Laurent, Community Environmental Council; Mary Gleason; Hillary Hauser, Heal the Ocean.

MOTION:

Councilmembers Secord/Hart to concur with the recommendations; Resolution Nos. 00-077 00-080.

VOTE:

Unanimous roll call vote Absent: Councilmember Roberts).

MOTION:

Councilmembers Secord/Blum to appoint Mayor Miller as the author of the Council's ballot argument recommendation D).

VOTE:

Unanimous voice vote Absent: Councilmember Roberts).

110.03  
Initiatives/Measures  
X  
540.14

ADJOURNMENT:

Mayor Miller adjourned the meeting at 7:06 p.m.

SANTA BARBARA CITY COUNCIL      MABI COVARRUBIAS PLISKY, CMC  
CITY CLERK SERVICES MANAGER

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ATTEST:

HARRIET MILLER  
MAYOR

SUSAN TSCHECH  
DEPUTY CITY CLERK