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Type Code MIN COUNCIL MINUTES

Subject  
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CITY OF SANTA BARBARA  
CITY COUNCIL MINUTES

REGULAR MEETING  
May 23, 2000  
COUNCIL CHAMBER, DE LA GUERRA PLAZA

CALL TO ORDER:

Mayor Harriet Miller called the meeting to order at 2:03 p.m.  
The Ordinance Committee met at 1:30 p.m., and the Finance  
Committee met at 1:45 p.m.)

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: 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 May 24,  
2000 as Day of the Young Scholar.

Proclamation presented to Santa Barbara Scholarship  
Foundation President Nancyann Flaling and Santa Barbara  
Foundation Executive Director Charles Slosser.

120.04

PUBLIC COMMENT:

2. Les Dayka spoke.

180.03

CONSENT CALENDAR Item Nos. 3 20):

MOTION:

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

VOTE:

Unanimous voice vote Absent: Councilmember Roberts).

3. Minutes of the regular meeting of May 9, 2000 and the special meeting of May 12, 2000. Dispense with reading and approve.

Approved.

4. Recommendation that Council:

- A. Set Monday, June 26, 2000, at 5:00 p.m. as the deadline for receipt of applications in the City Clerk's Office;
- B. Set Tuesday, July 11, 2000, at 6:00 p.m. and July 18, 2000, at 2:00 p.m. for interviews of applicants to various City Advisory Groups; and
- C. Set Tuesday, July 25, 2000, for appointments to the various City Advisory Groups by the City Council.

Concurred with the recommendations May 19, 2000 City Administrator's report).

140.05

5. Recommendation that Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring its Intention to Order the Construction of Certain Sidewalk Improvements on State Street Within the 600, 700,

800 and 900 Blocks, Pursuant to the Provisions of Santa Barbara Municipal Code Chapter 4.60; Declaring the Work to be of More Than General or Ordinary Benefit and Describing the District to be Assessed to Pay the Costs and Expenses Thereof; and Establishing a Time of 6:00 P.M. on Tuesday, July 18, 2000 in the City Council Chambers for a Public Hearing on the 1998 Phase II and Phase III; 600 900 Blocks) State Street Sidewalk Improvement District and Project.

Concurred with the recommendation; Resolution  
No. 00-040 May 19, 2000 City Administrator's report).

530.04

Sidewalk Const., Maint, & Repair

X

290.00

6. Recommendation that Council adopt, by reading of title only,

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A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 99-050, the Position and Salary Control Resolution for Fiscal Year 1999-2000, Affecting the Parks and Recreation Department Effective May 24, 2000.

Concurred with the recommendation; Resolution  
No. 00-041 May 19, 2000 City Administrator's report).

410.06

X

570.08

Admin., Pol. & Proced.

7. 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. 00-042 May 19, 2000 City Administrator's report).  
160.06  
X  
210.01

8. Recommendation that the City Council approve and authorize the City Administrator to execute the Community Promotion contract with Semana Nautica in the amount of Three Thousand One Hundred Eighty-Two Dollars (\$3,182).

Concurred with the recommendation; Contract  
No. 19,953 May 19, 2000 City Administrator's report).  
230.02  
Contracts

9. Recommendation that Council approve and authorize the City Administrator to execute a month-to-month Lease Agreement with Naretto Gandolfo, Inc., a California Corporation, dba Nargan Fire and Safety, for 1,500 square feet of Building 258, 629 Norman Firestone Road, at the Santa Barbara Municipal Airport, effective May 1, 2000 for a monthly rental of \$1,298, exclusive of utilities.

Concurred with the recommendation; Agreement No. 19,954  
May 19, 2000 City Administrator's report).  
330.04  
Airport

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10. Recommendation that Council approve and authorize the City Administrator to execute a Lease Agreement with Cox Communications, Inc., a Delaware Corporation, dba Cox Communications Santa Barbara, for 907 square feet of Building 304 at 53 Cass Place, at the Santa Barbara Municipal Airport, effective May 1, 2000 for a total monthly rental of \$680, exclusive of utilities.

Concurred with the recommendation; Agreement No. 19,955  
May 19, 2000 City Administrator's report).

330.04  
Airport

11. Recommendation that Council approve and authorize the City Administrator to execute a Lease Agreement with Donald Kifer, a Sole Proprietor, dba Beachside Construction, for 144 square feet of Building 258 at 629 Norman Firestone Road, at the Santa Barbara Municipal Airport, effective May 1, 2000 for a total monthly rental of \$144, exclusive of utilities.

Concurred with the recommendation; Agreement No. 19,956  
May 19, 2000 City Administrator's report).

330.04  
Airport

12. Recommendation that Council approve and authorize the City Administrator to execute a month-to-month mooring agreement at a rate of \$830 per month with Coastal Dredging and Marine, Inc., for the temporary mooring of the dredging vessel Wyatt Earp" in the harbor.

Concurred with the recommendation; Agreement No. 19,957  
May 19, 2000 City Administrator's report).

330.04  
Harbor: Mooring Agreements

13. Recommendation that Council take the following action regarding legislative matters:  
A. SUPPORT ACA 24 Baugh) which would create the California Twenty-First Century Infrastructure Investment Fund and would shift 1 percent of the General Fund to the Infrastructure Fund during FY 2000-2001 and an additional 1/2 percent each year thereafter until California annually commits 5 percent of the General Fund to fund infrastructure improvements;

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- B. SUPPORT AB 2483 Kuehl) which would increase the liability of those who are responsible for MTBE contamination of drinking water and authorize city attorneys to undertake certain legal actions to recover clean-up costs;
- C. SUPPORT SB 1936 Schiff) which would extend the Citizens Option for Public Safety COPS) program until 2005, providing \$100 million in supplemental funding each fiscal year to local law enforcement agencies for front line law enforcement services;
- D. OPPOSE SB 1714 Brulte) which would prohibit a local government from restricting the height of amateur radio antennas to less than 200 feet in jurisdictions with less than 120 persons per square mile or 75 feet in areas of more than 120 persons per square mile; 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 May 19, 2000 City Administrator's report).

160.02  
State

14. Recommendation that Council:

- A. Accept a contribution from the Housing Authority of the City of Santa Barbara in the amount of \$5,000 for the Community Services Summer Youth Enrichment and Camp Program;
- B. Accept a contribution from the Parks and Recreation Community PARC) Foundation in the amount of \$33,075 for Department programs; and
- C. Increase estimated revenues and appropriations in the Fiscal Year 1999-2000 Miscellaneous Grants Fund for the Parks and Recreation Department in the amount of \$38,075.

Concurred with the recommendations May 19, 2000 City Administrator's report).

570.08  
Admin., Pol. & Proced.

Notices to be filed:

- 15. that the City Clerk has on Friday, May 19, 2000 at 3:00 p.m., duly posted this agenda in the Office of the City

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Clerk and on the City Hall Public Notice Board on the  
outside balcony of City Hall.

16. of Ordinance Committee meeting, May 23, 2000 at 1:30 p.m. in  
the Council Chamber for consideration of proposed amendment  
to Santa Barbara Municipal Code Section 10.60.015 to reduce  
prima facie speed limit on Cabrillo Boulevard, from Ninos  
Drive to U.S. Highway 101, from 40 to 35 miles per hour.

120.03

Ordinance Comm.

17. of Finance Committee meeting, May 23, 2000 at 1:45 p.m. in  
Room 15 for consideration of the April 30, 2000 Investment  
Report and March 31, 2000 Fiscal Agent Report.

120.03

Finance Comm.

18. of Special Finance Committee meeting, May 25, 2000 at  
1:00 p.m. in Room 15 for consideration of the Fiscal Year  
2001 Recommended Budget.

120.03

Finance Comm.

19. of Application No. 00-05-002 before the Public Utilities  
Commission filed by Southern California Gas Company  
requesting an increase in gas rates to pay for shareholder  
incentives related to the performance of various programs  
directed toward the more efficient use of energy.

150.02

Public Utilities Comm.

20. of cancellation of the regular City Council meeting of  
May 30, 2000 due to lack of a quorum.

120.09

This completed the Consent Calendar.

REPORTS FROM FINANCE AND ORDINANCE COMMITTEES:

21. Report from the Finance Committee.

Finance Committee Chair Dan Secord reported that the

Committee had reviewed the April 30, 2000 Investment Report and the March 31, 2000 Fiscal Agent Report. He suggested that Council take action on these matters at this time (Agenda Item No. 23).

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ADMINISTRATIVE REPORTS:

Finance Department

23. Recommendation that Council:
- A. Accept the April 30, 2000 Investment Report; and
  - B. Accept the March 31, 2000 Fiscal Agent Report.

DOCUMENTS:

May 19, 2000 City Administrator's report.

SPEAKERS:

Staff: Treasury Manager Cynthia Odell.

MOTION:

Councilmembers Secord/Garcia to concur with the recommendations.

VOTE:

Unanimous voice vote Absent: Councilmember Roberts).

260.02

REPORTS FROM FINANCE AND ORDINANCE COMMITTEES:

22. Report from the Ordinance Committee.

Ordinance Committee Chair Gilbert Garcia reported that the Committee had reviewed a proposed Municipal Code amendment to reduce the prima facie speed limit on the portion of Cabrillo Boulevard from Niños Drive to U.S. Highway 101. The Committee acted to forward the amendment to Council for introduction and subsequent adoption.

ADMINISTRATIVE REPORTS:

Community Development Department

24. Recommendation that Council:

- A. Receive a presentation from Planning Staff on community efforts to preserve the Gaviota Coast and the National Park Service (NPS) Feasibility Study;
- B. Review the draft scoping comments for the NPS Feasibility Study; and
- C. Authorize the Mayor to sign and send a letter with the scoping comments to the National Park Service.

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DOCUMENTS:

May 19, 2000 City Administrator's report.  
Planning Commission comments on the proposed  
Feasibility Study, submitted by Staff.

SPEAKERS:

Staff: Regional Planner Jill Zachary, City  
Administrator Sandra Tripp-Jones.  
Planning Commission: Commissioner Maurie McGuire.  
Members of the Public: Kathleen Weinheimer, Land Trust  
for Santa Barbara; Lee Moldaver, Gaviota Coast  
Conservancy; Michael Feeney, Land Trust for Santa  
Barbara; Mike Lunsford, Gaviota Coast Conservancy.

MOTION:

Councilmembers Hart/Blum to direct Staff to meet with  
representatives of the Land Trust for Santa Barbara to  
redraft the proposed letter, which is to be resubmitted  
to the Mayor for review of its consistency with  
Council's comments and thereafter forwarded to the  
National Park Service.

VOTE:

Unanimous voice vote Absent: Councilmember Roberts).  
650.09  
X  
150.01  
Miscellaneous

REQUESTS FROM THE PUBLIC:

26. Request from Summer Solstice Celebration to hold the 2000 Summer Solstice Celebration on June 24, 2000.  
Staff recommendation that Council approve the request of Summer Solstice to hold the 2000 Summer Solstice event on Saturday, June 24, 2000, as more specifically set forth in Items 1-13 in their letter to the City Administrator dated April 25, 2000, subject to the conditions set forth in the Council Agenda Report.

DOCUMENTS:

April 25 and May 10, 2000 letters from Summer Solstice Celebration.  
May 19, 2000 City Administrator's report.

SPEAKERS:

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Staff: City Administrator Sandra Tripp-Jones.  
Summer Solstice Celebration: Executive Director  
Claudia Bratton.

MOTION:

Councilmembers Secord/Garcia to concur with the Staff recommendation.

VOTE:

Unanimous voice vote Absent: Councilmember Roberts).  
180.02  
Summer Solstice

MAYOR AND COUNCIL MATTERS:

- 27. Recommendation that Council appoint Councilmember Rusty Fairly as the Council Liaison to the Downtown Organization to replace current Councilmember Gregg Hart. (Mayor Miller) Continued from May 16, 2000, Item No. 25)

DOCUMENTS:

May 12, 2000 report from Mayor Miller.

SPEAKERS:

Santa Barbara Downtown Organization: Roger Horton.

MOTION:

Councilmembers Secord/Blum to concur with the recommendation.

VOTE:

Unanimous voice vote Absent: Councilmember Roberts).

140.07

ADMINISTRATIVE REPORTS:

Public Works Department

- 25. Recommendation that the Council receive, for information only, the Capital Projects Third Quarter Update for Fiscal Year 1999-2000. Continued from May 16, 2000, Item No. 23)

DOCUMENTS:

May 12, 2000 City Administrator's report.

SPEAKERS:

Staff: City Engineer Pat Kelly, who showed overheads of various capital projects in progress or completed

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during the third quarter.

By consensus, the Council concurred with the recommendation.  
230.01

ORDINANCES FOR INTRODUCTION:

28. Recommendation that Council:

- A. Find David McCadden a tenant in good standing for the purposes of transferring Lease Agreement No. 18,326 for Breakwater T's, 119-C Harbor Way, and Lease Agreement No. 16,361 for Topside, 217-D Stearns Wharf, from McCadden Enterprises Inc., owner David McCadden, to Harbor Enterprises Inc., owners Robert and Joan Kieding;
- B. Approve and authorize the City Administrator to execute a Transfer of Lease Agreement No. 18,326 for Breakwater T's, and Lease Agreement No. 16,361 for Topside, from McCadden Enterprises Inc., to Harbor Enterprises Inc.; and
- C. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Transfer of Lease Agreement No. 18,326 for Breakwater T's, and Lease Agreement No. 16,361 for Topside, from McCadden Enterprises Inc., to Harbor Enterprises Inc.

DOCUMENTS:

May 19, 2000 City Administrator's report.  
Proposed Ordinance.

MOTION:

Councilmembers Secord/Blum to concur with the recommendations, authorize the City Administrator to execute Agreement No. 19,958, and introduce the ordinance as Bill No. 5175.

VOTE:

Unanimous voice vote Absent: Councilmember Roberts).  
330.04  
Harbor: Marine Center  
X  
330.04  
Stearns Wharf

PUBLIC HEARINGS:

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29. Recommendation that Council:
- A. Hold the public hearing on the Fiscal Year 2001 Recommended Operating and Capital Budget; and
  - B. Continue the public hearing to Tuesday, June 6, 2000 at 6:00 p.m.

DOCUMENTS:

May 19, 2000 City Administrator's report.  
May 19, 2000 letter from the Elings Park Foundation.

PUBLIC HEARING OPENED Continued from May 9, 2000):  
3:21 p.m.

SPEAKERS:

Member of the Public: Larry Littleton.  
Staff: City Administrator Sandra Tripp-Jones,  
Assistant Finance Director Robert Samario.

MOTION:

Councilmembers Secord/Garcia to refer the new funding requests from the Milpas Street Holiday Parade and the Elings Park Foundation to the Finance Committee for consideration at its special meeting of May 25, 2000.

VOTE:

Unanimous voice vote Absent: Councilmember Roberts).  
230.05

By consensus, the Council concurred with recommendation B.

RECESS:    3:28 p.m.    3:30 p.m.

CLOSED SESSIONS:

30. CONFERENCE WITH REAL PROPERTY NEGOTIATOR recommendation from the City Administrator that Council hold a closed session to consider instructions to City staff regarding real property negotiations with Howard G. Larson regarding the real property located at 222 E. Anapamu Street APN 029-162-005). Instructions to negotiator will direct staff to negotiate the terms of a possible acquisition of a City interest in the real property pursuant to the authority of section 54956.8 of the Government Code. Negotiations will be conducted by City Public Works staff with owner/partner Howard G. Larson. Under Negotiation: possible lease or acquisition terms. Continued from May 16, 2000, Item No. 26)

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Scheduling: Duration, 10 minutes; anytime

DOCUMENTS:

May 12, 2000 City Administrator's report.

Closed Session held 3:30 p.m. 3:45 p.m.;  
Councilmember Roberts was absent. At the beginning of  
the evening session, Assistant City Attorney Robert  
Pike announced that no reportable action was taken  
during the closed session.

330.03  
General

RECESS: 3:45 p.m. 6:00 p.m.

Mayor Miller presiding.  
Councilmembers present: Blum, Fairly, Garcia, Hart, Roberts,  
Secord, Mayor Miller.  
Councilmembers absent: None.  
Staff present: City Administrator/Clerk Tripp-Jones, Assistant  
City Attorney Robert W. Pike, Deputy City Clerk Tschech.

The City Council reconvened in the City Council Chamber.  
Assistant City Attorney Robert Pike reported on the Closed  
Session, Item No. 30.

PUBLIC COMMENT:

31. Shirley Rivera spoke.

180.03

REQUESTS FROM THE PUBLIC:

32. Request from the Channel Islands National Marine Sanctuary  
to make a presentation on the review and updating of the  
5-year management plan for the sanctuary.

Recommendation from the Harbor Commission that Council authorize the Mayor to send a letter to the Channel Islands National Marine Sanctuary (CINMS), on behalf of the Council of the City of Santa Barbara, requesting that status quo", no boundary change, be the preferred alternative in a Draft Environmental Impact Statement (DEIS) being prepared for the Sanctuary's revised Management Plan.

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Recommendation from the Board of Water Commissioners that Council take the position that in the event of any Channel Islands National Marine Sanctuary boundary change, the boundary be established no closer to shore than the existing State/Federal jurisdictional boundary, which is currently located three miles offshore.

Staff recommendation that Council:

- A. Receive a presentation by Waterfront Department staff outlining issues and concerns associated with potential Channel Islands National Marine Sanctuary (CINMS) boundary expansion; and
- B. Authorize the Mayor, on behalf of the Council of the City of Santa Barbara, to send a letter to the CINMS manager, outlining the City's concerns and requesting status quo", no boundary change, be the preferred alternative in a Draft Environmental Impact Statement (DEIS) being prepared for the Sanctuary's revised Management Plan.

DOCUMENTS:

- May 17, 2000 letter from the Channel Islands National Marine Sanctuary (CINMS).
- May 19, 2000 report from the Harbor Commission.
- May 19, 2000 report from the Board of Water

Commissioners.  
May 19, 2000 City Administrator's report.  
Fact Sheet regarding the Management Plan Revision  
Process, submitted by CINMS.  
May 18 and 23, 2000 letters from the Environmental  
Defense Center.  
May 21, 2000 letter from Commercial Fishermen of Santa  
Barbara Inc.  
May 22, 2000 letter from the Center for Marine  
Conservation.  
Petition to oppose the expansion of the Channel Islands  
Marine Sanctuary.

SPEAKERS:

Channel Islands National Marine Sanctuary: Management  
Plan Specialist Anne Walton.  
Staff: Waterfront Director John Bridley, Harbor  
Operations Manager Mick Kronman, Assistant City  
Attorney Robert Pike, City Administrator Sandra  
Tripp-Jones.

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Board of Water Commissioners: Commissioner Barry  
Keller.  
Members of the Public: Captain David Bacon; Eddie  
Harris, Santa Barbara Urban Creeks Council; Bruce  
Rittenhouse; Sharyn Main; Chris Miller; Michael Vincent  
McGinnis; Greg Helms, Center for Marine Conservation;  
Terre Hawkins; Jesse Colorado Swanhuysen; Linda Krop,  
Environmental Defense Center; Jon Clark; Mike McCorkle;  
Gordon Cota, Commercial Fishermen of Santa Barbara.

MOTION:

Councilmembers Blum/Garcia to direct Staff to draft and  
send a letter to the Channel Islands National Marine  
Sanctuary which expresses the City's concerns but does  
not state a preferred alternative for boundary  
redefinition.

VOTE:

Majority voice vote Noes: Councilmembers Hart,  
Roberts).

630.10

ADJOURNMENT:

Mayor Miller adjourned the meeting at 8:15 p.m.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC  
CHIEF DEPUTY CITY CLERK

HARRIET MILLER  
MAYOR

ATTEST:

SUSAN TSCHECH  
DEPUTY CITY CLERK