



**CITY OF SANTA BARBARA
CITY COUNCIL MINUTES**

**REGULAR MEETING
September 18, 2001
COUNCIL CHAMBER, DE LA GUERRA PLAZA**

CALL TO ORDER

Mayor Harriet Miller called the meeting to order at 2:02 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: Acting City Administrator/Clerk Peter K. Wilson, Acting City Attorney Stephen P. Wiley, Deputy City Clerk Susan Tschech.

CEREMONIAL ITEMS

To Honor and Give Thanks

Mayor Miller honored the community shown by United States citizens following last week's tragic events, and urged us to look beyond our differences and to show mutual respect and care for others.

CHANGES TO THE AGENDA

Items Removed from Agenda

At the request of Acting City Administrator Peter Wilson, the following items were removed from the Agenda:

26. SUBJECT: YOUTH SPEAK OUT (570.06)

RECOMMENDATION: That Council hear an informational report from the Santa Barbara Youth Council regarding the May 21, 2001, Youth Speak Out.

27. SUBJECT: TOBACCO EDUCATION PREVENTION PROGRAM REPORT (800.07)

RECOMMENDATION: That Council hear a presentation from the Santa Barbara Youth Council regarding the Parks and Recreation Department's Tobacco Education Prevention Programs.

30. SUBJECT: REPORT FROM CENTER STAGE THEATER (330.04)

Request from the Center Stage Theater to present a report on how the theater's operation satisfies the Taubman Company's obligation to the City.

PUBLIC COMMENT

SPEAKERS: Frank Becchio, Bruce Rittenhouse, and David Diaz.

CONSENT CALENDAR (Item Nos. 1 - 18):

MOTION:

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

VOTE:

Unanimous voice vote.

1. SUBJECT: MINUTES

RECOMMENDATION: That Council waive the reading and approve the minutes of the adjourned regular meeting of July 23, 2001, the special and regular meetings of August 28, 2001, and the regular meeting of September 4, 2001.

ACTION: Approved the recommendation.

2. SUBJECT: ADVISORY GROUP RESIGNATION (580.03)

RECOMMENDATION: That Council accept the resignation of Ana Luna from the Franklin Center Advisory Committee.

ACTION: Approved the recommendation (August 23, 2001, letter of resignation).

3. SUBJECT: APPROVAL AND EXECUTION OF AGREEMENTS AND ACCEPTANCE OF WATER EXTRACTION RIGHTS AT TWO SEPARATE LOCATIONS (330.03)

RECOMMENDATION: That Council 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 Assigning Water Extraction Rights to the City and Accepting Interests in Real Property Located at 2543 Mesa School Lane, APN 041-311-031, and at 31 West Carrillo Street, APN 039-321-001.

ACTION: Approved the recommendation; Resolution No. 01-108; Agreement Nos. 20,401 and 20,402 (September 14, 2001, Acting City Administrator's report).

4. SUBJECT: LEASE AGREEMENT WITH DANIEL R. WALLER, DBA PRECISION MOTORCYCLES, AT THE AIRPORT (330.04)

RECOMMENDATION: That Council approve and authorize the City Administrator to execute a five-year Lease Agreement with Daniel R. Waller, a Sole Proprietor, dba Precision Motorcycles, for 2,281 square feet of Building 225, 6150-C Francis Botello Road, effective August 1, 2001, and ending July 31, 2006, for a total monthly rental of \$1,939, exclusive of utilities.

ACTION: Approved the recommendation; Agreement No. 20,403 (September 7, 2001, Acting City Administrator's report).

5. SUBJECT: LEASE AGREEMENTS WITH MARIPRO, INC., AT THE AIRPORT (330.04)

RECOMMENDATION: That Council:

- A. Approve and authorize the City Administrator to execute a one-year Lease Agreement with MariPro, Inc., a California Corporation, for 6,240 square feet of Building 303, 11,030 square feet of unpaved land and 4,876 square feet of parking, at 51 Gerald Cass Place, at the Santa Barbara Municipal Airport, effective April 1, 2001, and ending March 31, 2002, for a monthly rental of \$6,407, exclusive of utilities;
- B. Approve and authorize the City Administrator to execute a one-year Lease Agreement with MariPro, Inc., a California Corporation, for 16,030 square feet of Building 333, 11,310 square feet of paved and unpaved land and 6,797 square feet of parking, at 1522 Cecil Cook Place, at the Santa Barbara Municipal Airport, effective April 1, 2001, and ending March 31, 2002, for a monthly rental of \$18,482, exclusive of utilities; and
- C. Approve and authorize the City Administrator to execute a one-year Lease Agreement with MariPro, Inc., a California Corporation, for 11,408 square feet of Building 344, 46,316 square feet of paved land and 6,463 square feet of parking, at 1440 Cecil Cook Place, at the Santa Barbara Municipal Airport, effective April 1, 2001, and ending March 31, 2002, for a monthly rental of \$15,887, exclusive of utilities.

ACTION: Approved the recommendations; Agreement Nos. 20,404 - 20,406 (September 7, 2001, Acting City Administrator's report).

6. SUBJECT: TRAINING SERVICES AGREEMENT BETWEEN THE CITY OF SANTA BARBARA AND SANTA BARBARA CITY COLLEGE (570.03)

RECOMMENDATION: That Council authorize the City Administrator to execute a Training Services Agreement between the City of Santa Barbara and Santa Barbara City College, and to implement its provisions regarding training and college credit for Harbor Patrol Officers.

ACTION: Approved the recommendation; Agreement No. 20,407 (September 7, 2001, Acting City Administrator's report).

7. SUBJECT: PERMITTED MORTGAGE TO REFINANCE A LOAN FOR HARBOR RESTAURANT (330.04)

RECOMMENDATION: That Council:

- A. Find Stearns Wharf Lessee, Longharbor LLC (John Scott and Dave Perry, Harbor Restaurant operators) to be a tenant in good standing;
- B. Consider and approve the tenant's request to refinance an existing long term loan, pursuant to Section 13.02 D of Amendment No. Seven (7) to the lease between Longharbor LLC and the City; and
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving a Permitted Mortgage to Refinance an Existing Loan for the Harbor Restaurant, Located at 210 Stearns Wharf, and Providing That Such Mortgage Shall Be Subject and Subordinate to the Rights of the City and Lease Agreement No. 10,355.

ACTION: Approved the recommendations; Resolution No. 01-109 (September 7, 2001, Acting City Administrator's report).

8. SUBJECT: PROFESSIONAL SERVICES CONTRACT WITH PENFIELD AND SMITH, INC. FOR THE CATER WATER TREATMENT PLANT IMPROVEMENTS PROJECT (540.10)

RECOMMENDATION: That Council:

- A. Award, and authorize the City Administrator to execute, a professional services contract with Penfield and Smith, Inc. (P&S) for project management services for the Cater Water Treatment Plant Improvements Project, at a total amount not to exceed \$113,400; and
- B. Authorize the Public Works Director to approve extra services of P&S that may result from necessary changes in the scope of work at a total amount not to exceed \$11,300.

ACTION: Approved the recommendations; Contract No. 20,408 (September 7, 2001, Acting City Administrator's report).

9. SUBJECT: PROFESSIONAL SERVICES CONTRACT WITH CASTLEBERG ASSOCIATES FOR DESIGN OF EL ESTERO WASTEWATER TREATMENT PLANT LANDSCAPE AND PARKING IMPROVEMENTS (540.13)

RECOMMENDATION: That Council:

- A. Authorize the City Administrator to execute a contract with Castleberg Associates for professional services for the El Estero Wastewater Treatment Plant Landscape and Parking Improvements, at a total fee not to exceed \$36,800; and
- B. Authorize the Public Works Director to approve extra services of the Contractor that may result from necessary changes in the scope of work at a total amount not to exceed \$3,700.

ACTION: Approved the recommendations; Contract No. 20,409 (September 14, 2001, Acting City Administrator's report).

10. SUBJECT: PROFESSIONAL SERVICES CONTRACT WITH INTEGRATED RECYCLING, INCORPORATED (IRI) FOR THE NEW SOLID WASTE COLLECTION AND DISPOSAL CONTRACT (630.01)

RECOMMENDATION: That Council:

- A. Authorize the City Administrator to negotiate and execute a professional services contract in an amount not to exceed \$50,000 with Integrated Recycling, Incorporated (IRI), to assist staff with selection and award process for the new Solid Waste Collection and Disposal Contracts with BFI/Allied and MarBorg Industries;
- B. Authorize the Public Works Director to approve extra services of the Contractor that may result from necessary changes in the scope of work at a total amount not to exceed \$5,000;
- C. Authorize the General Services Manager to increase Purchase Order No. 361933 with the law firm of Hanson, Bridgett, Marcus, Vlahos & Rudy, LLP, from \$10,000 to \$40,000 to assist with legal work in the selection and award process for the new Solid Waste Collection and Disposal Contracts with BFI/Allied and MarBorg Industries; and
- D. Appropriate \$60,000 from the fiscal year 2002 General Fund Appropriated Reserve to the Public Works Operating Budget.

(Cont'd)

10. (Cont'd)

SPEAKERS:

Member of the Public: Bruce Rittenhouse.

ACTION: Approved the recommendations; Contract No. 20,410 (September 14, 2001, Acting City Administrator's report).

11. SUBJECT: ENROLL IN THE MICROSOFT STATE AND LOCAL ENTERPRISE AGREEMENT FOR MAINTENANCE OF MICROSOFT DESKTOP SOFTWARE (170.04)

RECOMMENDATION: That Council:

- A. Find it in the City's best interest to approve a cooperative purchase agreement with Riverside County for three (3) years to obtain services offered by ASAP Software Express for the maintenance of City desktop software (Microsoft State and Local Government Enterprise Agreement), as authorized by Municipal Code Section 4.52.080(k); and
- B. Authorize the General Services manager to issue a purchase order to ASAP Software Express for the first year in an amount not to exceed \$154,179.

ACTION: Approved the recommendations (September 14, 2001, Acting City Administrator's report).

12. SUBJECT: NOTICE OF COMPLETION - STATE STREET SIDEWALK IMPROVEMENT PROJECT, PHASE II, CONTRACT NO. 20,116 (530.04)

RECOMMENDATION: That Council accept the work completed by Valley Crest, Incorporated, under Contract No. 20,116, including approved changes, for the State Street Sidewalk Improvement Project, Phase II, 800 and 900 blocks, Bid No. 3292, in the final contract amount of \$1,417,680.80, and that a Notice of Completion be filed for the project.

ACTION: Approved the recommendation (September 7, 2001, Acting City Administrator's report).

13. SUBJECT: LEGISLATIVE ANALYSIS AND RECOMMENDATIONS
(160.02)

RECOMMENDATION: That Council take the following action regarding legislative matters:

- A. OPPOSE SB 71 (Burton), which would increase workers' compensation benefits by up to \$3 billion, increasing some cities' workers' compensation costs by nearly 25 percent, but would offer little in way of cost-savings reform; and
- B. 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.

ACTION: Approved the recommendations (September 7, 2001, Acting City Administrator's report).

NOTICES

14. The City Clerk has on Friday, September 14, 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.
15. Finance Committee meeting, September 18, 2001, at 1:00 p.m. in Room 15 for consideration of the Interim Financial Statements for the Twelve Months Ended June 30, 2001. (120.03)
16. Ordinance Committee meeting, September 18, 2001, at 1:00 p.m. in the Council Chamber for consideration of a View Dispute Resolution Process. (120.03)
17. Cancellation of Redevelopment Agency meeting, September 18, 2001, at 2:00 p.m. (620.03)
18. The City Council will conduct a site visit on Monday, September 24, 2001, at 1:30 p.m. to the property located at 3069 Lucinda Lane, which is the subject of an appeal hearing set for September 25, 2001, at 6:00 p.m.

This completed the Consent Calendar.

REPORTS FROM FINANCE AND ORDINANCE COMMITTEES

19. Report from the Finance Committee.

Finance Committee Chair Tom Roberts reported that the Committee had reviewed the Interim Financial Statements for the Twelve Months Ended June 30, 2001. He stated that Staff would make a report to the full Council at this time (Agenda Item No. 21).

ADMINISTRATIVE REPORTS

FINANCE DEPARTMENT

21. SUBJECT: FISCAL YEAR 2001 INTERIM FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2001 (250.02)

RECOMMENDATION: That Council accept the Fiscal Year 2001 Interim Financial Statements for the fiscal year ended June 30, 2001.

DOCUMENTS:

September 7, 2001, Acting City Administrator's report.

SPEAKERS:

Staff: Assistant Finance Director Robert Samario.

MOTION:

Councilmembers Secord/Roberts to approve the recommendation.

VOTE:

Unanimous voice vote.

REPORTS FROM FINANCE AND ORDINANCE COMMITTEES

20. Report from the Ordinance Committee.

Ordinance Committee Chair Marty Blum reported that the Committee had considered a proposed ordinance establishing a view dispute resolution process. The Committee acted to forward the ordinance to the City Council for introduction and subsequent adoption.

ADMINISTRATIVE REPORTS

PUBLIC WORKS DEPARTMENT

22. SUBJECT: AWARD AND EXECUTION OF CONTRACT FOR OUTER STATE STREET SIGNALS, BID NO. 3310 (530.05)

RECOMMENDATION: That Council:

- A. Authorize the City Administrator to execute a contract with Taft Electric Company in their low bid amount of \$1,087,868 for construction of the Outer State Street Signals, Bid No. 3310;
- B. Authorize the Public Works Director to approve expenditures up to \$151,762 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual measured quantities for payment;
- C. Approve and authorize the City Administrator to execute a contract with Synchronex in the amount of \$422,460 to provide the traffic-adaptive signal system and construction installation services for the project;
- D. Approve and authorize the City Administrator to execute a contract with Synchronex in their low bid amount of \$109,910 to provide Video Detection Equipment and Installation Services;
- E. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara to Approve and Authorize the City Administrator to Execute Program Supplement No. M-001 to the Local Agency-State Agreement for Federal-Aid Project No. 05-5007;
- F. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara to Approve and Authorize the City Administrator to Execute Program Supplement No. TCRP01-5007(023) to the Local Agency-State Agreement for State Funded Projects No. 05-000008;
- G. Increase the fiscal year 2001-2002 Streets Capital Fund estimated revenue by \$1,102,000 and appropriate same to the Streets Capital Fund to reflect anticipated State Transportation Improvement Program (STIP) revenues for the project;

(Cont'd)

22. (Cont'd)

- H. Increase the fiscal year 2001-2002 Streets Capital Fund estimated revenue by \$400,000 and appropriate same to the Streets Capital Fund to reflect anticipated Transportation Congestion Relief Program (TCRP) revenues made available by Assembly Bill (AB) 2928 for the project; and
- I. Appropriate \$300,000 from Measure D Fund Unappropriated Reserves to the fiscal year 2001-2002 Measure D Fund budget.

DOCUMENTS:

- September 14, 2001, Acting City Administrator's report.
- Proposed Resolutions.

SPEAKERS:

Staff: Acting Public Works Director Pat Kelly, Supervising Transportation Engineer Derek Rapp, Public Works Administrative Officer Bill McTomney.

MOTION:

Councilmembers Secord/Garcia to approve the recommendations; Contract Nos. 20,411 - 20,413; Resolution Nos. 01-110 and 01-111; Agreement Nos. 20,414 and 20,415.

VOTE:

Unanimous roll call vote.

23. SUBJECT: ENERGY CONSERVATION UPDATE (630.06)

RECOMMENDATION: That Council:

- A. Receive an update from staff on the City's energy conservation efforts;
- B. Appropriate \$50,000 from the General Fund Reserve for Future Year Budgets to the fiscal year 2002 Public Works Department operating budget to fund costs associated with the purchase and distribution of additional bulbs for the Energy Saver Light Bulb Program;
- C. Authorize the City Administrator to negotiate and execute an interconnection agreement with Southern California Edison Company (SCE) for the reactivation of the City's hydroelectric plant;

(Cont'd)

23. (Cont'd)

- D. Authorize the City Administrator to negotiate and execute an agreement for scheduling coordination services for the hydroelectric plant to be provided by a Scheduling Coordinator recognized by the California Independent System Operator and other agreements as may be necessary for the plant's reactivation in a total estimated amount of \$50,000; and
- E. Support the California Energy Commission's (CEC) Cool Roof Program Technology for City facilities, recognize the issues associated with the color properties of the reflective material used to qualify for this program, and direct appropriate City boards and commissions to work with staff to ~~resolve~~ consider design issues that discourage the use of energy efficient reflective roofing materials on City facilities.

DOCUMENTS:

- September 14, 2001, Acting City Administrator's report.
- PowerPoint presentation made by Staff.

SPEAKERS:

Staff: Water Supply Planner Bill Ferguson, Facilities Manager Mike Grimes, Acting City Administrator Peter Wilson.

MOTION:

Councilmembers Secord/Garcia to approve the recommendations as revised; Agreement Nos. 20,416 and 20,417; directed City boards and commissions and Staff to also consider other options for the conservation of energy, such as photo-voltaic cells and planting of trees, as well as any design issues surrounding the various technologies.

VOTE:

Unanimous voice vote.

PARKS AND RECREATION DEPARTMENT

24. SUBJECT: ESTABLISH POLICY DIRECTION FOR USE OF STORKE PLACITA (570.05)

RECOMMENDATION: That Council:

- A. Hear a report from the Parks and Recreation Department on the use of Storke Placita for events; and
- B. Provide policy direction to the Parks and Recreation Department for future use of Storke Placita.

24. (Cont'd)

DOCUMENTS:

September 7, 2001, Acting City Administrator's report.

SPEAKERS:

- Staff: Assistant Parks and Recreation Director Nancy Rapp, Acting City Administrator Peter Wilson.
- Santa Barbara Downtown Organization: President Roger Horton.

MOTION:

Councilmembers Secord/Roberts to approve the recommendations and direct Staff to return to Council with a formal policy for adoption.

VOTE:

Unanimous voice vote.

RECESS

3:28 p.m. - 3:34 p.m. Acting City Attorney Stephen Wiley was absent when the Council reconvened. Assistant City Attorney Robert Pike took his place.

REQUESTS FROM THE PUBLIC

29. SUBJECT: REQUEST BY HIDDEN VALLEY RESIDENTS ASSOCIATION TO AMEND THE FLOOD INSURANCE RATE MAP FOR THE HIDDEN VALLEY AREA (530.03)

RECOMMENDATION: That Council:

- A. Hear the request of the Hidden Valley Residents Association for assistance from the City to amend the Flood Insurance Rate Map for the Hidden Valley area;
- B. Direct staff to release a Request for Proposal for professional engineering services to perform an analysis of the Hidden Valley area and submit the technical data to the Federal Emergency Management Agency to process a Letter of Map Revision based upon the findings; and
- C. Increase appropriations to the Community Development Department's budget by \$50,000, said appropriation to come from the appropriated reserve of the General Fund.

(Cont'd)

29. (Cont'd)

DOCUMENTS:

- April 21, 2001, letter from the Hidden Valley Residents Association.
- September 7, 2001, Acting City Administrator's report.
- PowerPoint presentation made by Staff.
- Remarks made by Maeda Palius.

SPEAKERS:

- Staff: Chief Building Official George Estrella, Senior Plans Examiner/Flood Plain Coordinator Jim Buster, Acting City Administrator Peter Wilson.
- Hidden Valley Residents Association: Maeda Palius.

Councilmember Secord left the meeting at 3:56 p.m.

MOTION:

Councilmembers Fairly/Roberts to approve the recommendations.

VOTE:

Unanimous voice vote (Absent: Councilmember Secord).

Acting City Attorney Stephen Wiley returned to the meeting at 3:58 p.m.

ADMINISTRATIVE REPORTS

PARKS AND RECREATION DEPARTMENT

25. SUBJECT: PARK AND RECREATION COMMISSION APPOINTMENT OF AN AQUATIC COMPLEX FEASIBILITY STUDY COMMITTEE (570.06)

RECOMMENDATION: That Council authorize the Park and Recreation Commission to appoint an Aquatic Complex Feasibility Study Committee to advise staff in preparing an Aquatic Complex Development Project feasibility study.

DOCUMENTS:

September 7, 2001, Acting City Administrator's report.

SPEAKERS:

- Staff: Landscape Architect/Project Coordinator Billy Goodnick.
- Member of the Public: Joan Russell Price, Elings Park Foundation.

(Cont'd)

25. (Cont'd)

MOTION:

Councilmembers Roberts/Blum to approve the recommendation.

VOTE:

Unanimous voice vote (Absent: Councilmember Secord).

Councilmember Secord returned to the meeting at 4:05 p.m.

28. SUBJECT: CLEAN BEACHES INITIATIVE GRANT APPLICATION
(570.05)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving the Application for Grant Funds from the State Water Resources Control Board for Clean Beaches Initiative Projects for Arroyo Burro and Mission Creek as Identified in the Budget Act of 2001 (SB 739).

DOCUMENTS:

- September 14, 2001, Acting City Administrator's report.
- Proposed Resolution.

SPEAKERS:

Staff: Creeks Restoration/Clean Water Manager Jill Zachary.

MOTION:

Councilmembers Secord/Roberts to approve the recommendation; Resolution No. 01-112.

VOTE:

Unanimous roll call vote.

MAYOR AND COUNCIL MATTERS

31. SUBJECT: NATIONAL LEAGUE OF CITIES MEETING (180.01)

Request from the National League of Cities for designation of Voting and Alternate Voting Delegates for the League's Annual Business Meeting, to be held December 8, 2001, at the Congress of Cities in Atlanta, Georgia.

(Cont'd)

31. (Cont'd)

DOCUMENTS:

August 17, 2001, letter from the National League of Cities.

MOTION:

Councilmembers Roberts/Blum to designate Councilmember Secord as the Voting Delegate and Mayor Miller as the Alternate Voting Delegate.

VOTE:

Unanimous voice vote.

RECESS

4:12 p.m. - 4:15 p.m.

CLOSED SESSIONS

32. SUBJECT: CONFERENCE WITH REAL PROPERTY NEGOTIATOR (330.03)

RECOMMENDATION FROM THE ACTING CITY ADMINISTRATOR: That Council hold a closed session pursuant to California Government Code §54956.8 to consider instructions to negotiators and take appropriate action as needed regarding Real Property located at 1020 San Roque Road, Santa Barbara, California, APN 055-172-028. The City's negotiator is Pat Kelly, Acting Public Works Director, and designated Staff, including Don Irelan, Senior Real Property Agent. Negotiations will be with Connie A. Cooper, and any designated agents of the owner. Under Negotiation: price, terms of payment, possible escrow instructions and relative facts.

Scheduling: Duration, 15 minutes; anytime

DOCUMENTS:

September 7, 2001, Acting City Administrator's report.

TIME:

4:15 p.m. - 4:20 p.m.

33. SUBJECT: CONFERENCE WITH REAL PROPERTY NEGOTIATOR (330.03)

RECOMMENDATION FROM THE ACTING CITY ADMINISTRATOR: That Council hold a closed session pursuant to California Government Code §54956.8 to consider instructions to negotiators and take appropriate action as needed regarding Real Property located at 3339 Laurel Canyon Road, Santa Barbara, California, APN 055-172-002. The City's negotiator is Pat Kelly, Acting Public Works Director, and designated Staff, including Don Irelan, Senior Real Property Agent. Negotiations will be with Frank Warren Rowe and Camilla Maria Rowe, and any designated agents of the owners, including John A. Sener, Village Properties, Realtors. Under Negotiation: price, terms of payment, possible escrow instructions and relative facts.

Scheduling: Duration, 15 minutes; anytime

DOCUMENTS:

September 7, 2001, Acting City Administrator's report.

TIME:

4:20 p.m. - 4:25 p.m.

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

RECOMMENDATION FROM THE CITY ATTORNEY: 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 *Stearns Wharf Company, etc., et al., v. Southern California Edison Company, etc., et al.*, SBSC Case No. 1002806.

Scheduling: Duration, 20 minutes; anytime

DOCUMENTS:

September 7, 2001, City Attorney's report.

TIME:

4:25 p.m. - 4:35 p.m.

RECESS

4:35 p.m. - 6:02 p.m.

Mayor Miller presiding.

Councilmembers present: Blum, Fairly, Garcia, Hart, Secord,
Mayor Miller.

Councilmembers absent: Roberts.

Staff present: Acting City Administrator/Clerk Wilson, Acting
City Attorney Wiley, Deputy City Clerk Tschech.

ANNOUNCEMENT

The City Council reconvened in the Council Chamber. Acting City
Attorney Stephen Wiley reported that the Council met in closed
session for Agenda Item Nos. 32, 33, and 34. The Council
provided instructions to Staff for those issues described in
Item Nos. 32 and 33. No reportable action was taken for Item
No. 34.

PUBLIC COMMENT

SPEAKERS: Jem Robinson.

ADMINISTRATIVE REPORTS

ADMINISTRATIVE SERVICES DEPARTMENT

35. SUBJECT: LIVING WAGE PROPOSAL STATUS REPORT (800.08)

RECOMMENDATION: That Council:

- A. Receive a status report on the Living Wage Proposal;
and
- B. Authorize the Mayor to appoint a Living Wage Ad-hoc
Subcommittee to provide guidance to staff on the
development of a Living Wage.

DOCUMENTS:

- September 14, 2001, Acting City Administrator's
report.
- PowerPoint presentation made by Staff.
- June 25, 2001, e-mail communication from Cody Case.
- August 21, 2001, letter from the Santa Barbara
Zoological Gardens.
- August 23, 2001, e-mail communication from Catherine
Gaughen, Santa Barbara Region Chamber of Commerce.

(Cont'd)

35. (Cont'd)

DOCUMENTS (Cont'd):

- August 27, 2001, letter from Jack Overall.
- September 6, 2001, e-mail communication from Catherine Gaughen, Santa Barbara Region Chamber of Commerce.
- September 9, 2001, e-mail communication from Beverly Herbert.
- September 11, 2001, letter from the Santa Barbara Downtown Organization.
- September 12, 2001, e-mail communication from John Hunt.
- September 13, 2001, e-mail communication from Bob Knight.
- September 16, 2001, letter from the Goleta Valley Chamber of Commerce.
- September 17, 2001, letter from Michael Towbes.
- September 18, 2001, letter from The Community Action Commission.
- September 18, 2001, e-mail communications from Patricia Hiles; Ron Biscaro.
- Written comments of Allen Williams; Judith Evered; Cathy Duncan; Marilyn Ulvaeus.
- Comments made by telephone to the Mayor and Council Office, from Erica Savage; Dolores Brown.

SPEAKERS:

- Staff: Assistant City Administrator Joan Kent.
- Members of the Public: Rita Madden, Community Action Commission; Richard Moss and Joe Armendariz, Santa Barbara County Taxpayers Association; Robert Knight; Peter Conn; John Inddieri, Steve Cushman, and Catherine Gaughen, Santa Barbara Region Chamber of Commerce; Marc McGinnes; Pedro Nava; William Smithers; Allen Williams; Ruth Grande; Steve Lindsey; Judith Evered; Eric Kelley, Downtown Organization; Julie McGovern; Alice O'Connor; John Paine, Living Wage Coalition; Eric Cardenas; Jeanne Benjamin and Ralph Armbruster-Sandoval, Living Wage Coalition; George Green, Service Employees International Union; Das Williams; Aaron Jones; Patricia Hiles; John Strawn; Debbie McQuade, Living Wage Coalition; George Relles; Eileen Boris.

RECESS

7:37 p.m. - 7:41 p.m. Councilmember Roberts entered the meeting at 7:54 p.m.

35. (Cont'd)

SPEAKERS (Cont'd):

- Members of the Public: Arthur Schwartz; Nancy Tunnell; Silvia Rodriguez, Living Wage Coalition; Tim Allison; Nancy Cabrera; Nelson Lichtenstein; Jettie Townsend; Laura Price; Nicholas Centino; Chuck Blitz; Brian Helmle; Ana Rizo; Dianne Conn; Zoilita Cabrera; Marisol Moreno; Vicki Zeitner; Ron Perry; Keith Coffman-Grey, Stonewall Democratic Club; Timothy Harding.

MOTION:

Councilmembers Hart/Garcia to approve the recommendations and confirm Mayor Miller's appointment of Councilmembers Blum (Ordinance Committee Chair) and Roberts (Finance Committee Chair) and herself to a Living Wage Ad-hoc Subcommittee.

VOTE:

Majority voice vote (Noes: Councilmember Blum).

ADJOURNMENT

Mayor Miller adjourned the meeting at 8:33 p.m., to Monday, September 24, 2001, at 1:30 p.m. for a site visit to 3069 Lucinda Lane.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC
CITY CLERK SERVICES MANAGER

ATTEST:

HARRIET MILLER
MAYOR

SUSAN TSCHECH
DEPUTY CITY CLERK