



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING July 1, 2003 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:00 p.m. (The Ordinance Committee met at 1:00 p.m. The Finance 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: H. P. Fairly, Iya G. Falcone, Babatunde Fodayemi, Gregg A. Hart, Roger L. Horton, Dan B. Secord, Mayor Blum.

Councilmembers absent: None.

Staff present: City Administrator/Clerk James L. Armstrong, City Attorney Daniel J. Wallace, Deputy City Clerk Susan Tschech.

CEREMONIAL ITEMS

1. SUBJECT: PROCLAMATION DECLARING JULY 13-19, 2003, AS NATIONAL AQUATICS WEEK (120.04)

ACTION: Proclamation presented to Aquatic Advisory Committee member Jane Cairns.

2. SUBJECT: PROCLAMATION DECLARING JULY 2003 AS NATIONAL RECREATION AND PARKS MONTH (120.04)

ACTION: Proclamation presented to Youth Council members Dekker Deacon, Melinda Radsliff and Autry Liggett.

3. SUBJECT: EMPLOYEE RECOGNITION - SERVICE AWARD PINS

RECOMMENDATION: That Council authorize James L. Armstrong, City Administrator, to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through July 31, 2003.

DOCUMENTS:

July 1, 2003, Assistant City Administrator's report.

SPEAKERS:

Staff: City Administrator James Armstrong.

By consensus, the Council approved the recommendation. The following employees were recognized:

25-Year Pin

Anita Ho, Parks and Recreation

Sheryl Hone, Police

Gabe Alcantar, Public Works

20-Year Pin

Linda Gunther, City Administrator's Office

Cindy Goodrich, Police

Steve Maragopoulos, Police

Noel Rivas, Police

Gil Torres, Police

Joanne Fults, Public Works

Louis Chiourn, Public Works

15-Year Pin

Mike Aspland, Police

Bill Marazita, Police

Ralph Molina, Police

5-Year Pin

Craig Fraki, Community Development

Jennifer Erickson, Police

Cindy Garcia, Police

Vince Calderon, Public Works

Pat Henry, Waterfront

Mayor Blum welcomed Councilmember Folayemi back to the Council from his medical leave.

PUBLIC COMMENT

SPEAKERS: Bill Spencer, Ken Loch and Alison Adams.

ITEMS REMOVED FROM CONSENT CALENDAR

8. SUBJECT: ONE-YEAR LICENSE AGREEMENT WITH LAND & SEA TOURS (330.08)

RECOMMENDATION: That Council authorize the City Administrator to execute a one-year license agreement for an amphibious vehicle tour with Land & Sea Tours, L.L.C., owned and operated by Andre Manoux and Dany Levine, with a license fee of 5% of gross sales.

DOCUMENTS:

- July 1, 2003, Waterfront Director's report.
- Unsigned letter with attachments, received June 30, 2003, by the Mayor and Council Office.

SPEAKERS:

- Staff: Waterfront Business Manager Scott Riedman, Waterfront Director John Bridley, City Attorney Daniel Wallace.
- Members of the Public: Mickey Flacks, Louise Boucher.

MOTION:

Councilmembers Secord/Horton to deny approval for the license agreement.

VOTE:

Unanimous voice vote.

9. SUBJECT: REPRESENTATIVE SERVICES AGREEMENT WITH E. DEL SMITH AND COMPANY (570.03)

RECOMMENDATION: That Council authorize the City Administrator to execute a Representative Services Agreement between the City of Santa Barbara and E. Del Smith of E. Del Smith and Company, Inc., for liaison and contact services with the United States Government, at a rate not to exceed \$1,250 per month, and in a total amount not to exceed \$30,000 for the fiscal years 2004 and 2005.

DOCUMENTS:

July 1, 2003, Waterfront Director's report.

SPEAKERS:

Staff: Waterfront Director John Bridley.

MOTION:

Councilmembers Secord/Fairly to approve the recommendation; Agreement No. 21,049.

VOTE:

Unanimous voice vote.

CONSENT CALENDAR (Item Nos. 4 - 7 and 10 - 17)

The titles of all resolutions and ordinances related to Consent Calendar items were read.

MOTION:

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

VOTE:

Unanimous voice vote.

4. **SUBJECT: MINUTES**

RECOMMENDATION: That Council waive the reading and approve the minutes of the regular meeting of June 17, 2003.

ACTION: Approved the recommendation.

5. **SUBJECT: AWARD OF CONTRACT FOR STREET OVERLAY, RECONSTRUCTION, AND WATER MAIN REPLACEMENT (530.04)**

RECOMMENDATION: That Council:

- A. Award and authorize the Public Works Director to execute a contract with Lash Construction, Inc. (Lash Construction), in their low bid amount of \$447,149, for construction of the Street Overlay, Reconstruction, and Water Main Replacement, Phase III of the State Transportation Improvement Plan (STIP), Bid No. 3363;
- B. Authorize the Public Works Director to approve expenditures up to \$44,714 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment; and
- C. Authorize the Public Works Director to execute a contract with Flowers and Associates, Incorporated (Flowers), for professional services for the management, testing, and inspection of the Street Overlay, Reconstruction, and Water Main Project, Phase III of the STIP, at total fee not to exceed \$77,667, and authorize the Public Works Director to approve expenditures of up to \$7,766 for extra services of Flowers that may result from necessary changes in the scope of work.

ACTION: Approved the recommendations; Contract Nos. 21,046 and 21,047 (July 1, 2003, Public Works Director's report).

6. SUBJECT: AIRPORT LEASE AGREEMENT WITH HOTLINE CONSTRUCTION, INC. (330.04)

RECOMMENDATION: That Council approve and authorize the Airport Director to execute a month-to-month lease agreement with Hot Line Construction, Inc., a California corporation, for 264 square feet of Building 258 at 629-D Norman Firestone Road, at the Santa Barbara Airport, commencing June 1, 2003, for a total monthly rental of \$256, exclusive of utilities.

ACTION: Approved the recommendation; Agreement No. 21,048 (July 1, 2003, Airport Director's report).

7. SUBJECT: AIRPORT LEASE AGREEMENT WITH FEDERAL AVIATION ADMINISTRATION FOR RUNWAY END IDENTIFIER LIGHTS (330.04)

RECOMMENDATION: That Council:

- A. Approve and authorize the Airport Director to execute a 20-year Lease Agreement with the U.S. Department of Transportation, Federal Aviation Administration, for two 0.009 acre parcels of land at the east end of Runway 7-25 for Runway End Identifier Lights (REIL), effective October 1, 2003, and ending September 30, 2023, at the Santa Barbara Airport, with no monetary consideration; and
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara approving a lease agreement between the City of Santa Barbara and the U.S. Department of Transportation, Federal Aviation Administration, for two 0.009 acre parcels of land for Runway End Identifier Lights (REIL) on Runway 25 at the Santa Barbara Airport.

ACTION: Approved the recommendations (July 1, 2003, Airport Director's report).

10. SUBJECT: AIRPORT DEPARTMENT RECORDS DESTRUCTION (160.06)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Certain Records Held by the Airport Department.

ACTION: Approved the recommendation; Resolution No. 03-066 (July 1, 2003, Airport Director's report).

11. SUBJECT: WILDLAND FIRE MASTER PLAN ENVIRONMENTAL IMPACT REPORT (EIR) CONTRACT (520.03)

RECOMMENDATION: That Council:

- A. Authorize the City Administrator to execute a professional services contract with URS Corporation for the preparation of the Wildland Fire Master Plan Environmental Impact Report (EIR) in an amount not to exceed \$73,690.00; and
- B. Authorize the Community Development Director to approve expenditures to URS Corporation up to \$6,310.00 to cover any cost increases that may result from contract change orders for extra work.

ACTION: Approved the recommendations; Contract No. 21,050 (July 1, 2003, Community Development Director's report).

12. SUBJECT: ADOPTION OF ORDINANCE AMENDING SOLID WASTE COLLECTION AND DISPOSAL CONTRACTS (630.01)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara to Adjust the Waste Collection Rates and Authorizing the Amendment of Future Rates by Resolution. (Introduced on June 24, 2003)

ACTION: Approved the recommendation; Ordinance No. 5279.

13. SUBJECT: SET A DATE FOR PUBLIC HEARING REGARDING ARCHITECTURAL BOARD OF REVIEW DECISION FOR 594 NORTH HOPE AVENUE

RECOMMENDATION: That Council:

- A. Set the date of July 15, 2003, at 2:00 p.m. for hearing the appeal filed by Donald Logan of the Architectural Board of Review approval of a Review After Final change to an application for property owned by Jim and Deanne Turner, and located at 594 N. Hope Avenue, APN 057-151-018, E-3 One-Family Residence/SD-2 Upper State Street Area Overlay Zones, General Plan Designation: Residential, Five Units per Acre. The change to the project involves the construction of a rear patio extension and seat wall for a new two-story residence with attached two-car garage; and
- B. Set the date of July 14, 2003, at 1:30 p.m. for a site visit to the property located at 594 N. Hope Avenue.

ACTION: Approved the recommendations (June 18, 2003, letter of appeal).

14. SUBJECT: SET A DATE FOR PUBLIC HEARING REGARDING SPECIFIC PLAN AMENDMENT FOR DOUBLETREE RESORT, 633 E. CABRILLO BLVD.

RECOMMENDATION: That Council:

- A. Set the date of July 22, 2003, at 2:00 p.m. for hearing the appeal filed by the Citizens Planning Association of Santa Barbara County of the Planning Commission approval of the application of Steven Amerikaner, Agent for the Park Plaza and Red Lion California Partnership, for the DoubleTree Resort property located at 633 E. Cabrillo Boulevard, APN 017-680-013, HRC-1/S-D-3 Hotel and Related Commerce-1 and Coastal Overlay Zones, General Plan Designation: Hotel and Related Commerce-1. The discretionary application being appealed is a Specific Plan Amendment to delete a water use restriction; and
- B. Set the date of July 22, 2003, at 2:00 p.m. for hearing the application of Steven Amerikaner, Agent for the Park Plaza and Red Lion California Partnership, to consider an Amendment of Specific Plan #1 Park Plaza to delete a required water use restriction.

ACTION: Approved the recommendations (June 23, 2003, letter of appeal).

NOTICES

15. The City Clerk has on Thursday, June 26, 2003, 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.
16. Cancellation of the regular Redevelopment Agency meeting of July 1, 2003, at 2:00 p.m. due to lack of business.
17. Cancellation of the regular City Council and Redevelopment Agency meetings of July 8, 2003, at 2:00 p.m. due to the lack of a quorum.

This concluded the Consent Calendar.

ORDINANCE COMMITTEE REPORT

18. SUBJECT: ORDINANCE COMMITTEE AGENDA, JULY 1, 2003, 1:00 P.M., IN COUNCIL CHAMBER FOR CONSIDERATION OF MUNICIPAL CODE AMENDMENTS REGARDING SEWAGE DISCHARGE (120.03)
19. SUBJECT: REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Iya Falcone reported that the Committee had considered proposed Municipal Code amendments related to the discharge of pollution or contaminants into the Santa Barbara Harbor. The Committee approved the amendments, which will be submitted to the Council for introduction and subsequent adoption.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

INFORMATION:

- Councilmember Horton reported on his attendance at a meeting regarding the possibility of commuter rail service for Santa Barbara.
- Councilmembers Secord and Fairly commented on recent meetings of committees of the California League of Cities.

COUNCIL AND STAFF COMMUNICATIONS

INFORMATION: Mayor Blum mentioned today's events to mark the groundbreaking for the new hotel at Carrillo and Chapala Streets, and the beginning of airport service from Horizon Air.

MAYOR AND COUNCIL REPORTS

20. SUBJECT: RESOLUTION URGING THE LEGISLATURE TO USE A BALANCED APPROACH IN ADOPTING THE STATE BUDGET (150.02)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Urging the California Legislature to Use a Balanced Approach in Adopting the State Budget.

DOCUMENTS:

- July 1, 2003, City Administrator's report.
- Proposed Resolution.

The title of the resolution was read.

SPEAKERS:

Staff: Special Projects Manager Don Olson.

MOTION:

Councilmembers Horton/Secord to approve the recommendation;
Resolution No. 03-067.

VOTE:

Unanimous roll call vote.

PUBLIC HEARINGS

21. SUBJECT: PENDING LOCAL COASTAL PLAN AMENDMENT FOR THE HOTEL AND RELATED COMMERCE ZONES (650.04)

RECOMMENDATION: That Council consider options and provide direction for the City's response to the possible modifications (revisions) from the California Coastal Commission regarding visitor serving uses and limitations on residential development in the City's proposed Local Coastal Plan (LCP) Amendment for a new Ocean Oriented Commercial (OC) Zone and the existing Hotel and Related Commerce (HRC) Zones.

DOCUMENTS:

- July 1, 2003, Community Development Director's report.
- March 26, 2003, California Coastal Commission Staff Report.
- June 24, 2003, letter from the Citizens Planning Association of Santa Barbara County.
- Written statement of the League of Women Voters of Santa Barbara.

PUBLIC HEARING OPENED:

2:58 p.m.

SPEAKERS:

- Staff: City Planner Bettie Hennon.
- Members of the Public: Louise Boucher, Citizens Planning Association; Maureen Masson; Catherine McCammon and Connie Hannah, League of Women Voters; Nyle Utterback; Kim Kimbell, Committee for Santa Barbara.

PUBLIC HEARING CLOSED:

3:46 p.m.

By consensus, the Council directed Staff to work with Coastal Commission Staff to modify the LCP Amendment application as described by Option 1 in the July 1, 2003, Council Agenda Report. The following straw votes were taken concerning possible modifications to the application, detailed as part of Option 1:

VOTE FOR OPTION 1(a):

Unanimous voice vote.

VOTE FOR OPTION 1(b):

Unanimous voice vote.

VOTE FOR OPTION 1(c):

Majority voice vote (Noes: Councilmembers Falcone, Fodayemi, Hart).

(Cont'd)

21. (Cont'd)

VOTE FOR OPTION 1(d), specifying a mixed-use percentage standard of 60% residential/40% commercial:

Majority voice vote (Noes: Councilmembers Falcone, Hart).

VOTE FOR OPTION 1(e):

Unanimous voice vote.

RECESS

4:11 p.m. - 4:17 p.m.

CLOSED SESSIONS

22. 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 Brad Edwards v. City of Santa Barbara, et al., SBSC Case No. 1094146.

Scheduling: Duration, 30 minutes; anytime

DOCUMENTS:

July 1, 2003, City Attorney's report.

TIME:

4:17 p.m. - 5:01 p.m.

23. SUBJECT: CONFERENCE WITH LABOR NEGOTIATOR (440.05)

RECOMMENDATION: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiators Linda Jensen, Liebert Cassidy Whitmore, and Kristy Schmidt, Employee Relations Manager, regarding negotiations with the Santa Barbara Police Officers Association.

Scheduling: Duration, 40 minutes; anytime

DOCUMENTS:

July 1, 2003, Assistant City Administrator's report.

TIME:

5:01 p.m. - 5:45 p.m.

RECESS: 5:45 p.m. - 5:46 p.m. The City Council reconvened in the Council Chamber.

ANNOUNCEMENT:

City Attorney Daniel Wallace reported that the Council met in closed session for Agenda Item Nos. 22 and 23; no reportable action was taken during the closed sessions.

ADJOURNMENT

Mayor Blum adjourned the meeting at 5:47 p.m.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC
CITY CLERK SERVICES MANAGER

ATTEST:

MARTY BLUM
MAYOR

SUSAN TSCHECH
DEPUTY CITY CLERK