



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING MAY 17, 2005 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:00 p.m. (The Finance Committee met at 10:00 a.m. The Ordinance Committee, which ordinarily meets at 12:30 p.m., did not meet on this date.)

### PLEDGE OF ALLEGIANCE

Mayor Marty Blum.

### ROLL CALL

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

Councilmembers absent: Brian B. Barnwell.

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

### CEREMONIAL ITEMS

1. SUBJECT: PROCLAMATION DECLARING MAY 15 - 21, 2005, AS NATIONAL PUBLIC WORKS WEEK (120.04)

ACTION: Proclamation presented to Public Works Director Anthony Nisich.

2. SUBJECT: LETTER OF RECOGNITION DECLARING MAY 21, 2005, AS THE 40TH ANNIVERSARY OF THE SANTA BARBARA ARTS & CRAFTS SHOW (120.04)

ACTION: Letter of recognition presented to Recreation Programs Manager Judith Cook.

## **CEREMONIAL ITEMS (CONT'D)**

3. SUBJECT: PROCLAMATION DECLARING MAY 24, 2005, AS THE DAY OF THE YOUNG SCHOLAR (120.04)

ACTION: Proclamation presented to Kenneth Saxon, President of the Santa Barbara Scholarship Foundation, and Board member Roberta Heter.

## **CHANGES TO THE AGENDA**

### Item Removed From Agenda

At the recommendation of City Administrator James L. Armstrong, the following item was removed from the Agenda:

18. SUBJECT: LICENSE AGREEMENT WITH SANTA BARBARA WATER TAXI L.L.C. (330.08)

RECOMMENDATION: That Council approve and authorize the Waterfront Director to execute a two-year license agreement for a water taxi service dedicated to providing direct transportation between Stearns Wharf and Cabrillo Landing in the Harbor and a limited charter service restricted to within the Harbor area.

## **PUBLIC COMMENT**

SPEAKERS: Jack Campbell, Lee Moldaver, and Bubbha.

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

### INFORMATION:

- Councilmember Horton reported on his attendance at an event sponsored by the Assistance League of Santa Barbara to honor women of purpose in our community.
- Councilmember Schneider reported on her attendance at the annual Santa Barbara Weihai Sister City Association dinner meeting; she also provided an update on the Neighborhood Preservation Ordinance Update.
- Councilmember Williams reported on the Speak Out that was sponsored by the Youth Council.
- Councilmember Falcone reported on the following: 1) her attendance at the Sacramento Legislative Action Days; 2) a meeting with Assembly Member Pedro Nava; 3) two fundraisers held for the City at Peace and Community Mediation; and 4) the letter to the Coastal Commission regarding the City's position on offshore energy issues.
- Councilmember Secord reported on his attendance at the recent Coastal Commission meeting.

**CONSENT CALENDAR** (Item Nos. 4 – 13)

**MOTION:**

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

**VOTE:**

Unanimous voice vote (Absent: Councilmember Barnwell).

Councilmember Schneider stated that she meant to step down for Item No. 7 due to a conflict of interest relating to her ownership of property located in proximity to the project.

**MOTION:**

Councilmembers Horton/Secord to reconsider the prior action on the Consent Calendar.

**VOTE:**

Unanimous voice vote (Absent: Councilmember Barnwell).

**MOTION:**

Councilmembers Williams/Schneider to approve Consent Calendar Item Nos. 4 – 6 and 8 – 13.

**VOTE:**

Unanimous voice vote (Absent: Councilmember Barnwell).

**4. SUBJECT: MINUTES**

**RECOMMENDATION:** That Council waive the reading and approve the minutes of the regular meeting of April 26, 2005, the adjourned regular meeting of May 2, 2005 (cancelled due to withdrawal of appeal), and the regular meeting of May 3, 2005.

**ACTION:** Approved the recommendation.

**5. SUBJECT: FEDERAL AVIATION ADMINISTRATION (FAA) GRANT AND AGREEMENT FOR AIRPORT IMPROVEMENT PROGRAM (560.04)**

**RECOMMENDATION:** That Council:

- A. Accept the FAA Grant offer of \$2,776,290 in Airport Improvement Program (AIP) grant funds for Project No. AIP-3-06-0235-33, for Phase III construction of the Construct Standard Runway Safety Areas for Runway 7-25, including extension of Taxiway A; construction of access road; Phase IV of Implementation of Master Plan Drainage projects; and Phase II of Security Access Control enhancements;

(Cont'd)

5. (Cont'd)

- B. Authorize the Airport Director to execute, on behalf of the City, the subject grant agreement 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;
- C. Transfer \$53,871 from the Passenger Facility Charge (PFC) Fund and \$92,250 from the Airport Operating Fund, each from Unappropriated Reserves, to the Airport Federal Aviation Administration Grant Fund; and
- D. Increase appropriations and estimated revenues by \$2,922,411, of which \$2,776,290 will be funded from FAA Airport Improvement Program Grant No. AIP-03-06-0235-33.

ACTION: Approved the recommendations; Agreement No. 21,710 (May 17, 2005, Airport Director's report).

6. SUBJECT: FEDERAL AVIATION ADMINISTRATION NAVIGATIONAL EQUIPMENT AGREEMENT (560.04)

RECOMMENDATION: That Council approve and authorize the Airport Director to execute a Reimbursable Agreement, DTFAWP-05-Z-00006, with the Federal Aviation Administration (FAA) Western-Pacific Region, for the relocation of navigation equipment, at a not-to-exceed cost of \$1,640,090, at the Airport.

ACTION: Approved the recommendation; Agreement No. 21,711 (May 17, 2005, Airport Director's report).

8. SUBJECT: CONTRACT FOR FINAL DESIGN FOR THE MASON STREET PEDESTRIAN BRIDGE AT SYCAMORE CREEK (530.04)

RECOMMENDATION: That Council:

- A. Authorize the Public Works Director to execute a contract with Harris & Associates (Harris), in the amount of \$67,272, for final engineering design for a new Mason Street Pedestrian Bridge at Sycamore Creek (Project); and
- B. Authorize the Public Works Director to approve expenditures of up to \$6,727 for extra services that may result from necessary changes in the scope of work.

ACTION: Approved the recommendations; Contract No. 21,712 (May 17, 2005, Public Works Director's report).

## NOTICES

9. The City Clerk has on Thursday, May 12, 2005, 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.
10. Received letters of resignation from Lower Westside Center Advisory Committee Members Victor Aguilar and Joseph Quiroga; the vacancies are part of the current City Advisory Group recruitment. (580.03)
11. Cancellation of the public hearing scheduled for Tuesday, May 17, 2005, at 2:00 p.m. to hear an appeal of the Park Commission denial of a request to remove a tree located at 202 Santa Catalina Avenue, due to withdrawal of the appeal.
12. Cancellation of the regular Redevelopment Agency meeting of May 17, 2005, due to lack of business.
13. A special meeting of the City Council will be held on Friday, May 20, 2005, at 8:00 a.m. in the Council Chamber for a public hearing on the Proposed Two-Year Financial Plan for Fiscal Years 2006 and 2007 and the Recommended Operating and Capital Budget for Fiscal Year 2006.

This concluded the Consent Calendar.

## **ITEM REMOVED FROM CONSENT CALENDAR**

7. SUBJECT: AMENDMENT TO AGREEMENT WITH THE COUNTY OF SANTA BARBARA FOR COST SHARING WESTSIDE STORM WATER CONTROL PROJECT (150.04)

RECOMMENDATION: That Council authorize the City Administrator to execute Amendment No. 1 to Agreement No. 17,697 for Cost Sharing Westside Storm Water Control Project.

### DOCUMENTS:

May 17, 2005, report from the Assistant City Administrator.

### MOTION:

Councilmembers Falcone/Secord to approve the recommendation; Agreement No. 17,697.1.

### VOTE:

Unanimous voice vote (Abstention: Councilmember Schneider; Absent: Councilmember Barnwell).

## **FINANCE COMMITTEE REPORT**

14. SUBJECT: SPECIAL FINANCE COMMITTEE AGENDA, MAY 17, 2005, 10:00 A.M., IN ROOM 15 FOR CONSIDERATION OF THE PROPOSED TWO-YEAR FINANCIAL PLAN FOR FISCAL YEARS 2006 AND 2007 (120.03)
15. SUBJECT: REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dan Secord reported that the Committee met to review the proposed budget for the Public Works Department; they also discussed the general fund support for Old Spanish Days, the Conference and Visitors Bureau, and others, and voted 2-1 to not support increases for these funds.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### AIRPORT DEPARTMENT

16. SUBJECT: AIRLINE TERMINAL POLICIES (560.09)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving Policies to Guide Development of the Airline Terminal Program Criteria Document (PCD).

#### DOCUMENTS:

- May 17, 2005, report from the Airport Director.
- PowerPoint presentation prepared by staff.
- Proposed Resolution.

The title of the resolution was read.

#### SPEAKERS:

- Staff: Airport Director Karen Ramsdell.
- Airport Commission: Commissioner William Gilbert.

#### MOTION:

Councilmembers Schneider/Falcone to adopt Resolution No. 05-042, and to direct staff to add the following sentence to the Green Building Techniques on page 3 of the resolution: The design process should first prioritize on incorporating green building design before considering other alternatives.

#### VOTE:

Majority roll call vote (Ayes: Councilmembers Falcone, Horton, Schneider, Williams, Mayor Blum; Noes: Councilmember Secord; Absent: Councilmember Barnwell).

Councilmembers Horton and Williams left the meeting at 3:24 p.m.

## PUBLIC WORKS DEPARTMENT

17. SUBJECT: POSITION AND SALARY CONTROL RESOLUTION FOR THE PUBLIC WORKS DEPARTMENT - PUBLIC WORKS REORGANIZATION (410.06)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 04-047, the Position and Salary Control Resolution for Fiscal Year 2005, Affecting the Administration, Engineering, and Water Resources Divisions of the Public Works Department, Effective May 14, 2005.

DOCUMENT:

- May 17, 2005, report from the Public Works Director.
- Proposed Resolution.

The title of the resolution was read.

Councilmember Horton returned to the meeting at 3:35 p.m.

SPEAKERS:

Staff: Public Works Director Anthony Nisich.

MOTION:

Councilmembers Secord/Schneider to approve the recommendation; Resolution No. 05-043.

VOTE:

Unanimous roll call vote (Absent: Councilmembers Barnwell, Williams).

## **RECESS**

The Mayor recessed the meeting at 3:37 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 19.

**CLOSED SESSIONS**

- 19. SUBJECT: CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION (160.03)

RECOMMENDATION: That Council hold a closed session to consider pending litigation pursuant to subsection (b) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation involves potential claims against the City of Santa Barbara by known and unknown entities because of City shipments to the Omega Chemical Site in the 1990s. The City has an opportunity to enter a settlement with the Omega Chemical PRP Operating Group, which shall be discussed in closed session.

Scheduling: Duration, 10 minutes; anytime  
Report: None anticipated

DOCUMENTS:

May 17, 2005, City Attorney's report.

TIME:

3:40 p.m. – 3:50 p.m.; Councilmembers Barnwell and Williams were absent.

No report made.

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 3:50 p.m.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC  
CITY CLERK SERVICES MANAGER

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

ATTEST: \_\_\_\_\_  
BRENDA ALCAZAR, CMC  
DEPUTY CITY CLERK