



**CITY OF SANTA BARBARA  
CITY COUNCIL MINUTES**

**REGULAR MEETING  
November 27, 2001  
COUNCIL CHAMBER, DE LA GUERRA PLAZA**

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**CALL TO ORDER**

Mayor Harriet Miller called the meeting to order at 2:00 p.m. (The Finance Committee met at 1:30 p.m. The Ordinance Committee, which is 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, Tom Roberts, Dan B. Secord, Mayor Miller.  
Councilmembers absent: None.  
Staff present: City Administrator/Clerk James L. Armstrong, City Attorney Daniel J. Wallace, Deputy City Clerk Brenda Alcazar.

**CEREMONIAL ITEMS**

To Honor and Give Thanks

Mayor Miller remembered Sara Shoresman who spent her life working on behalf of the homeless, children, the elderly, and those with HIV and Aids, and who will be remembered as a conscience of our community.

**CHANGES TO THE AGENDA**

At the request of City Administrator James L. Armstrong, Item No. 23, shown below, was removed from the Agenda due to withdrawal of the appeal:

23. SUBJECT: APPEAL OF PLANNING COMMISSION APPROVAL OF THE APPLICATION OF BOB EASTON, AGENT FOR SYLVIA AND JACK ARIAN, FOR THE DEMOLITION OF AN EXISTING 3,050 SQUARE FOOT SINGLE-STORY RESIDENCE AND SWIMMING POOL, AND CONSTRUCTION OF A NEW 5,231 SQUARE FOOT TWO-STORY RESIDENCE WITH AN ATTACHED 1,164 SQUARE FOOT GARAGE ON A 1.41 ACRE LOT AT 485 BRAEMAR RANCH LANE, APN 047-030-029, A-1 SINGLE FAMILY RESIDENCE/SD-3 COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL, 1 UNIT PER ACRE. (640.07)

RECOMMENDATION: That Council:

- A. Hold a public hearing on the appeal of Jana Zimmer on behalf of Patricia and Tom Foley; and
- B. Deny the appeal, uphold the Planning Commission's decision to grant approval of the proposed new residence, and direct Staff to prepare a Resolution of the Council making the necessary decision with appropriate findings, for subsequent consideration and possible adoption by the City Council.

Affidavit of Publication - Noticed for 6:00 p.m.  
Session

**PUBLIC COMMENT**

SPEAKERS: Joe Palminteri and Ken Loch.

**CEREMONIAL ITEMS (Cont'd)**

Introduction

City Attorney Daniel Wallace introduced Michelle Montez, who was recently hired as a Deputy City Attorney.

**CONSENT CALENDAR (Item Nos. 1 - 12)**

**ANNOUNCEMENT:**

City Administrator James L. Armstrong announced that an appeal has been filed for Item No. 9 of the Consent Calendar.

**MOTION:**

Councilmembers Roberts/Hart 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 regular meeting of November 13, 2001.

ACTION: Approved the recommendation.

2. SUBJECT: FISCAL YEAR 2002 INTERIM FINANCIAL STATEMENTS FOR THE FOUR MONTHS ENDED OCTOBER 31, 2001 (250.02)

RECOMMENDATION: That Council accept the fiscal year 2002 Interim Financial Statements for the four months ended October 31, 2001.

ACTION: Approved the recommendation (November 21, 2001, City Administrator's report).

3. SUBJECT: ANNUAL APPROVAL OF DISADVANTAGED BUSINESS ENTERPRISE PROGRAM (670.05)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving the City of Santa Barbara Disadvantaged Business Enterprise Program for the United States Department of Transportation.

ACTION: Approved the recommendation; Resolution No. 01-133 (November 21, 2001, City Administrator's report).

4. SUBJECT: APPROPRIATION OF ADDITIONAL FUNDS TO LIBRARY DEPARTMENT (570.04)

RECOMMENDATION: That Council appropriate \$200,000 from the County Library Fund Reserve Account to the FY01-02 Library Department budget.

ACTION: Approved the recommendation (November 21, 2001, City Administrator's report).

5. SUBJECT: AGREEMENT BETWEEN THE CITY OF SANTA BARBARA AND THE SANTA BARBARA COUNTY SHERIFF'S DEPARTMENT FOR HOURLY LAW ENFORCEMENT SERVICES AT SPECIAL EVENTS (150.04)

RECOMMENDATION: That Council approve and authorize the City Administrator to execute an agreement between the City of Santa Barbara and the Santa Barbara County Sheriff's Department for Hourly Law Enforcement Services at Special Events which will extend until June 30, 2004.

(Cont'd)

5. (Cont'd)

ACTION: Approved the recommendation; Agreement No. 20,460 (November 21, 2001, City Administrator's report).

6. SUBJECT: NOTICE OF COMPLETION - SANTA BARBARA MUNICIPAL AIRPORT NORTH HOLLISTER AVENUE DRAINAGE IMPROVEMENTS FOR LOTS 1, 2, & 3, CONTRACT NO. 20,225 (560.04)

RECOMMENDATION: That Council accept the work completed by Lash Construction, Inc., Contract No. 20,225, for the Santa Barbara Municipal Airport North Hollister Avenue Drainage Improvements for Lots 1, 2, & 3, Bid No. 3295, located at the 6200 Block of Hollister Avenue, Santa Barbara Municipal Airport, in the final contract amount of \$153,592.80, including approved changes, and approve filing of a Notice of Completion.

ACTION: Approved the recommendation (November 21, 2001, City Administrator's report).

7. SUBJECT: CABLE POSITIVE GRANT FOR LOCAL HIV/AIDS AWARENESS VIDEO (510.04)

RECOMMENDATION: That Council:

- A. Accept a grant from the Cable Positive Tony Cox Fund for Local HIV/AIDS Awareness Video in the amount of \$12,100; and
- B. Increase estimated fiscal year 2002 General Fund revenue in the amount of \$12,100 and appropriate the funds to the fiscal year 2002 Government Access Budget.

ACTION: Approved the recommendations (November 21, 2001, City Administrator's report).

8. SUBJECT: RECIPROCAL EASEMENT AGREEMENT-CITY PARKING LOT NO. 2 (550.05)

RECOMMENDATION: That Council:

- A. Approve exterior alterations to the retail condominium at 16 and 20 W. Canon Perdido Street (APN 039-321-049 and APN 039-321-050); and
- B. Authorize the City Administrator to execute a letter of approval for the exterior alterations to the retail condominium at 16 and 20 W. Canon Perdido.

(Cont'd)

8. (Cont'd)

ACTION: Approved the recommendations (November 21, 2001, City Administrator's report).

9. SUBJECT: SET THE DATE FOR THE AIRPORT FACILITIES PLAN PUBLIC HEARING (560.09)

RECOMMENDATION: That Council set the date of December 11, 2001, at 6:00 p.m. for a public hearing on the adoption of the Airport Aviation Facilities Plan (AFP), an associated Local Coastal Program (LCP) Amendment, and possible appeal of the AFP Environmental Impact Report (EIR).

ACTION: Approved the recommendation (November 21, 2001, City Administrator's report).

#### NOTICES

10. The City Clerk has on Wednesday, November 21, 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.
11. Finance Committee meeting, November 27, 2001, at 1:30 p.m. in Room 15 for consideration of the October 31, 2001, Investment Report and September 30, 2001, Fiscal Agent Report. (120.03)
12. Cancellation of the regular City Council meetings of December 18, 2001, December 25, 2001, and January 1, 2002, due to lack of a quorum. (120.09)

This completed the Consent Calendar.

#### **REPORT FROM FINANCE COMMITTEE**

13. SUBJECT: REPORT FROM THE FINANCE COMMITTEE

ACTION: Finance Committee Chair Tom Roberts reported that the Committee met to review the October 31, 2001, Investment Report, and the September 30, 2001, Fiscal Agent Report, which will be presented to the Council for acceptance as Item No. 14 on the Agenda.

**ADMINISTRATIVE REPORTS**

FINANCE DEPARTMENT

14. SUBJECT: OCTOBER 31, 2001, INVESTMENT REPORT AND  
SEPTEMBER 30, 2001, FISCAL AGENT REPORT (260.02)

RECOMMENDATION: That Council:

- A. Accept the October 31, 2001, Investment Report; and
- B. Accept the September 30, 2001, Fiscal Agent Report.

DOCUMENTS:

November 21, 2001, City Administrator's report.

SPEAKERS:

Staff: Treasury Manager Cynthia Odell.

MOTION:

Councilmembers Secord/Roberts to approve the  
recommendations.

VOTE:

Unanimous voice vote.

ADMINISTRATIVE SERVICES DEPARTMENT

15. SUBJECT: CERTIFICATION OF RESULTS OF NOVEMBER 6, 2001,  
GENERAL MUNICIPAL ELECTION (110.03)

RECOMMENDATION: That Council adopt, by reading of title  
only, A Resolution of the Council of the City of Santa  
Barbara Accepting and Approving the Certification of  
Election Results of the Official Canvass of the General  
Municipal Election Held in Said City November 6, 2001.

DOCUMENTS:

- November 21, 2001, City Administrator's report.
- Proposed Resolution.

SPEAKERS:

Staff: City Clerk Services Manager Mabi Covarrubias  
Plisky.

MOTION:

Councilmembers Secord/Hart to approve the  
recommendation; Resolution No. 01-134.

VOTE:

Unanimous roll call vote.

16. SUBJECT: APPOINTMENT OF MR. BABATUNDE FOLAYEMI TO THE CITY COUNCIL (110.03)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Appointing Babatunde Folayemi to the City Council Pursuant to City Charter Section 503.

DOCUMENTS:

- November 21, 2001, City Administrator's report.
- Proposed Resolution.

SPEAKERS:

Staff: City Clerk Services Manager Mabi Covarrubias Plisky.

MOTION:

Councilmembers Secord/Blum to approve the recommendation; Resolution No. 01-135.

VOTE:

Unanimous roll call vote.

COMMUNITY DEVELOPMENT DEPARTMENT

17. SUBJECT: ARROYO BURRO CREEK FLOOD ZONE RE-STUDY (530.03)

RECOMMENDATION: That Council:

- A. Authorize the City Administrator to execute a contract with Penfield & Smith, Inc. to provide engineering services for the Arroyo Burro Flood Insurance Rate Map Re-Study at a total not-to-exceed fee of \$95,050.00; and
- B. Authorize the Community Development Director to approve other services from Penfield & Smith, Inc. that may result from necessary changes in the scope of work at a total amount not to exceed \$4,950.00.

DOCUMENTS:

November 21, 2001, City Administrator's report.

SPEAKERS:

Staff: Chief Building Official George Estrella, Senior Plans Examiner Jim Buster.

MOTION:

Councilmembers Secord/Roberts to approve the recommendations; Contract No. 20,461.

VOTE:

Unanimous voice vote.

Councilmember Fairly left the meeting at 2:22 p.m.

PUBLIC WORKS DEPARTMENT

18. SUBJECT: MTD CROSSTOWN SHUTTLE - STATUS REPORT ON PHASE I AND IMPLEMENTATION OF PHASE II (670.08)

RECOMMENDATION: That Council:

- A. Receive a presentation from the Metropolitan Transit District (MTD) on the results of Phase I of the Crosstown Shuttle and the start-up of Phase II;
- B. Authorize the start of Phase II of the Crosstown Shuttle, beginning December 10, 2001;
- C. Authorize MTD to use five hours per weekday of the service hours assigned to the Cota Street Commuter Parking Lot toward the early implementation of the Crosstown Shuttle Phase II to provide all day service, in accordance with the Commuter Parking Lot Agreement No. 20,300;
- D. Request MTD to market the Crosstown Shuttle in Spanish as well as in English;
- E. Request MTD to submit a status report on Phase II in June 2002 to the Downtown Parking Committee (DPC) and the Transportation & Circulation Committee (TCC) for review and input to City Council; and
- F. Request MTD to submit a status report on Phase II in June 2002 to City Council for review and input to MTD.

DOCUMENTS:

- November 21, 2001, City Administrator's report.
- November 27, 2001, e-mail communication from Jonathan Maguire.

SPEAKERS:

- Staff: Acting Transportation Planning Manager Browning Allen.
- Metropolitan Transit District: Martin Erickson.
- Members of the Public: Bruce Rittenhouse.

MOTION:

Councilmembers Secord/Garcia to approve the recommendations.

VOTE:

Unanimous voice vote (Absent: Councilmember Fairly).

Councilmember Fairly entered the meeting at 2:41 p.m.

19. SUBJECT: PRESENTATION ON THE IMPLEMENTATION PROTOCOL OF "LITTER-FREE EVENTS" (530.01)

RECOMMENDATION: That Council:

- A. Receive a staff presentation on the proposed protocol for the implementation of "Litter-Free Events"; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Incorporation of the "Litter-Free Events" Protocol to the Special Events Permit Application.

DOCUMENTS:

- November 21, 2001, City Administrator's report.
- Proposed Resolution.

SPEAKERS:

Staff: Environmental Programs Supervisor Tony Raya.

MOTION:

Councilmembers Garcia/Hart to approve the recommendations; Resolution No. 01-136.

VOTE:

Unanimous roll call vote.

20. SUBJECT: RED LIGHT CAMERAS - AUTOMATED ENFORCEMENT OF RED LIGHT VIOLATIONS (530.05)

RECOMMENDATION: That Council hear an informational report on automated red light enforcement technology, and the results of a study on red light violations in Santa Barbara.

DOCUMENTS:

- November 21, 2001, City Administrator's report.
- November 26, 2001, e-mail communication from Steve Hausz.

SPEAKERS:

- Staff: Transportation Operations Parking Manager George Gerth, Supervising Transportation Engineer Derek Rapp, Police Sergeant William Marazita.
- Members of the Public: Bruce Rittenhouse.

ACTION:

The report was presented.

Councilmember Hart left the meeting at 3:19 p.m.

**ORDINANCE FOR INTRODUCTION**

21. SUBJECT: AMENDMENT TO THE GOLF CONCESSION AGREEMENT AT THE SANTA BARBARA MUNICIPAL GOLF COURSE (330.04)

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 Golf Concession Agreement at the Santa Barbara Municipal Golf Course Minimum Concession Fee Consumer Price Index (CPI) Adjustment and Administrative Manual.

DOCUMENTS:

- November 21, 2001, City Administrator's report.
- Proposed Ordinance.

MOTION:

Councilmembers Roberts/Secord to approve the recommendation.

VOTE:

Unanimous voice vote (Absent: Councilmember Hart).

**RECESS**

3:20 p.m. - 6:00 p.m.

**ROLL CALL**

Mayor Miller presiding.

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

Councilmembers absent: None.

Staff present: City Administrator/Clerk Armstrong, City Attorney Wallace, Deputy City Clerk Alcazar.

**PUBLIC COMMENT**

SPEAKERS: Bob Hansen.

**ADMINISTRATIVE REPORTS**

PARKS AND RECREATION DEPARTMENT

22. SUBJECT: YOUTH COUNCIL REPORT ON YOUTH SPEAK OUT AND TOBACCO EDUCATION PREVENTION PROGRAMS, AND SKATER'S POINT RECOGNITION (800.07)

RECOMMENDATION: That Council:

- A. Receive a report from the Santa Barbara Youth Council on the Youth Speak Out and Tobacco Education Prevention programs; and
- B. Accept the Santa Barbara Youth Council's appreciation of Council's commitment to the building of Skater's Point.

DOCUMENTS:

- November 21, 2001, City Administrator's report.
- Photocopy of Power Point presentation.

SPEAKERS:

- Staff: Recreation Supervisor, Teen Programs, Susan Young.
- Santa Barbara Youth Council: Kevin Sprenger, Joseph Yang, Brian Dunlap.

ACTION:

The report was received; award to the Council was presented and accepted by Mayor Miller.

**RECESS**

6:15 p.m. - 6:59 p.m.

**MAYOR AND COUNCIL MATTERS**

24. SUBJECT: LIVING WAGE SUBCOMMITTEE REPORT (800.08)

RECOMMENDATION FROM THE MAYOR'S AD HOC SUBCOMMITTEE ON LIVING WAGE: That Council hear a report from the Mayor's Ad Hoc Subcommittee on Living Wage.

(Estimated Time: 7:00 p.m.)

(Cont'd)

24. (Cont'd)

DOCUMENTS:

- November 21, 2001, Mayor's Ad Hoc Subcommittee on Living Wage report.
- November 2, 2001, e-mail communications from Rita Madden and Loraine De Haas.
- November 4, 2001, e-mail communication from Patricia Hiles.
- November 6, 2001, e-mail communication from Steve Daniels.
- November 11, 2001, e-mail communication from Patricia Hiles.
- November 23, 2001, e-mail communication from Steve Kulchin.
- November 26, 2001, e-mail communication from Catherine Gaughen.
- November 27, 2001, e-mail communication from Leona Gonzalez.
- November 27, 2001, telephone comments to the City Council Office.
- November 27, 2001, written comments from Marshall Rose.

SPEAKERS:

- Staff: Assistant City Administrator Joan Kent.
- Members of the Public: Fred Clough, Santa Barbara Bank and Trust; Tom Banigan, Santa Barbara Industrial Association; Keith Coffman-Grey, Stonewall Democratic Club; Cesar Garcia; Nancy Cabrera; Nancy Tunnell; John Paine, Latinos for Better Government; Das Williams, C.A.U.S.E.; Zoila Cabrera; Patricia Hiles, Coalition for Living Wage; Zoilita Cabrera; Gwenivere Botens, Coalition for Living Wage; Ellen Boris; Walter Hamilton, SEIU Local 620; Alice O'Connor; Joe Armendariz, Taxpayers Association; Timothy Harding, Santa Barbara Jewish Secular Society; Catherine Gaughen, Santa Barbara Chamber of Commerce; Brian Helmle, Coalition for a Living Wage, Steve Cushman, Santa Barbara Chamber of Commerce; Ralph Armbruster; George Green; Chris White; Anna Rizo.

MOTION:

Councilmembers Blum/Roberts to accept the report.

VOTE:

Unanimous voice vote.

**ADJOURNMENT**

Mayor Miller adjourned the meeting at 8:13 p.m.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC  
CITY CLERK SERVICES MANAGER

ATTEST:

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HARRIET MILLER  
MAYOR

\_\_\_\_\_  
BRENDA ALCAZAR  
DEPUTY CITY CLERK