



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING May 18, 2004 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Marty Blum called the joint meeting of the Council and Redevelopment Agency to order at 2:03 p.m. (The Finance Committee met at 12:00 p.m., and the Ordinance Committee met at 12:30 p.m.)

### PLEDGE OF ALLEGIANCE

Mayor Blum.

### ROLL CALL

Councilmembers present: Brian B. Barnwell, Iya G. Falcone, Helene Schneider, Dan B. Secord, Das Williams, Mayor Blum.

Councilmembers absent: Roger L. Horton.

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

### CEREMONIAL ITEMS

1. SUBJECT: PROCLAMATION DECLARING MAY 15 - 23, 2004, AS BIKE WEEK (120.04)

ACTION: Proclamation presented to Ralph Fertig, representing the Santa Barbara Bicycle Coalition, and City Supervising Transportation Planner Rob Dayton.

2. SUBJECT: PROCLAMATION DECLARING MAY 17 - 23, 2004, AS NATIONAL PUBLIC WORKS WEEK (120.04)

ACTION: Proclamation presented to Public Works Director Anthony Nisich.

## **PUBLIC COMMENT**

SPEAKERS: Scott Wenz and Lee Moldaver.

## **CONSENT CALENDAR** (Item Nos. 3 - 11 and 14 - 17)

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

### **MOTION:**

Councilmembers Barnwell/Williams to approve the Consent Calendar as recommended.

### **VOTE:**

Unanimous roll call vote (Absent: Councilmember Horton).

### **3. SUBJECT: MINUTES**

**RECOMMENDATION:** That Council waive the reading and approve the minutes of the special meeting of May 3, 2004, and the regular meeting of May 4, 2004.

**ACTION:** Approved the recommendation.

### **4. SUBJECT: FREEWAY GUIDE SIGNS FOR SANTA BARBARA HARBOR (570.03)**

**RECOMMENDATION:** That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara in Support of Caltrans Adding Directional Signage to the Santa Barbara Harbor on the Northbound U.S. 101 Freeway at the Garden Street Exit.

**ACTION:** Approved the recommendation; Resolution No. 04-032 (May 18, 2004, Waterfront Director's report; proposed resolution).

### **5. SUBJECT: LEASE AGREEMENT WITH OCEANAIRE ELECTRONICS (330.04)**

**RECOMMENDATION:** That Council:

- A. Approve and authorize the City Administrator to execute a three-year lease agreement with two three-year options with Doug Chessmore, doing business as Oceanaire Electronics, for a 339 square-foot retail store at 125 Harbor Way at an initial base rent of \$823 per month; and
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Three-Year Lease Agreement with Two Three-Year Options with Doug Chessmore, Doing Business As Oceanaire Electronics, for a 339 Square-Foot Retail Store at 125 Harbor Way at an Initial Base Rent of \$823 per Month.

(Cont'd)

5. (Cont'd)

ACTION: Approved the recommendations (May 18, 2004, Waterfront Director's report; proposed ordinance).

6. SUBJECT: LICENSE AGREEMENT WITH ALIOTTI FISH COMPANY (330.08)

RECOMMENDATION: That Council approve a four-year license agreement with Aliotti Fish Company, Inc., for a squid unloading operation at the City Pier in the Santa Barbara Harbor, for a minimum fee of \$1,000 per month or \$6 per ton, whichever is greater, during the November through March squid fishing season, and \$6 per ton from April through October.

ACTION: Approved the recommendation; Agreement No. 21,405 (May 18, 2004, Waterfront Director's report).

7. SUBJECT: CONTRACT FOR TECOLOTITO CREEK BERM RESTORATION DESIGN (560.04)

RECOMMENDATION: That Council

- A. Authorize the Public Works Director to execute a contract with URS Corporation (URS), in the amount of \$64,255, for design services associated with the Tecolotito Creek Berm Restoration project; and
- B. Authorize the Public Works Director to approve expenditures of up to \$6,500 for extra services of URS that may result from necessary changes in the scope of work.

ACTION: Approved the recommendations; Contract No. 21,406 (May 18, 2004, Public Works Director's report).

8. SUBJECT: PARCEL MAP AND AGREEMENT FOR 217 SANTA BARBARA STREET (640.08)

RECOMMENDATION: That Council:

- A. Approve and authorize the City Administrator to record Parcel Map No. 20,680 by Las Villas de Ortega, LLC, Owner, to create a one-lot subdivision for two residential condominium units; and
- B. Approve and authorize the City Administrator to execute and record an Agreement Relating to Subdivision Map Conditions Imposed on Real Property.

ACTION: Approved the recommendations; Agreement No. 21,407 (May 18, 2004, Public Works Director's report).

9. SUBJECT: COMMUNITY PROMOTION CONTRACT WITH SEMANA NAUTICA (230.02)

RECOMMENDATION: That Council approve the Finance Director to execute the community promotion contract for Fiscal Year 2004 with Semana Nautica in the amount of \$3,182 for May 1, 2004, to July 15, 2004.

ACTION: Approved the recommendation; Contract No. 21,408 (May 18, 2004, Finance Director's report).

10. SUBJECT: USED OIL RECYCLING BLOCK GRANT APPLICATION (630.01)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the City Administrator to Submit an Application to the State of California Integrated Waste Management Board for Fiscal Year 2004/2005, Used Oil Recycling Block Grant - Tenth Cycle, in the Amount of \$27,463.

SPEAKERS:

Staff: Solid Waste Specialist Karen Gumtow, Environmental Programs Supervisor Stephen MacIntosh.

ACTION: Approved the recommendation; Resolution No. 04-033 (May 18, 2004, Public Works Director's report; proposed resolution).

11. SUBJECT: CITY'S 2004 LEGISLATIVE PLATFORM (160.02)

RECOMMENDATION: That Council adopt the revised 2004 Legislative Platform and authorize the Mayor to forward the Platform to our elected representatives.

ACTION: Approved the recommendation (May 18, 2004, City Administrator's report).

Agenda Item Nos. 12 and 13 appear in the Redevelopment Agency minutes.

NOTICES

14. The City Clerk has on Thursday, May 13, 2004, 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.
15. A City Council site visit is scheduled on Monday, May 17, 2004, at 1:30 p.m. to the Riviera Campus property located at 2020-2064 Alameda Padre Serra, which is the subject of public hearings set for May 18, 2004, at 2:00 p.m.

16. Received a communication advising of the vacancy created on the Rental Housing Mediation Task Force with the departure of Member Ionita Heinze; the vacancy will be part of the next City Advisory Group recruitment.
17. The Mayor recently sent the following advocacy letters expressing the City's position, consistent with the Council-adopted Legislative Platform, on pending state or federal legislation: (160.02)
  - April 29, 2004: Senator Escutia; SB 1659 - Opposition to the use of one measure of owner compensation only in eminent domain proceedings;
  - May 7, 2004: Assemblymember Chu; AB 2902 - Urge Support for CEQA project mitigation issues.

This concluded the Consent Calendar.

## **FINANCE COMMITTEE AND ORDINANCE COMMITTEE REPORTS**

### FINANCE COMMITTEE

18. SUBJECT: SPECIAL FINANCE COMMITTEE AGENDA, MAY 18, 2004, 12:00 P.M., IN ROOM 15 (120.03)
  - A. Fiscal Year 2005 Recommended Budget; and
  - B. Prepayment of Fiscal Year 2005 PERS contribution and issuance of Fiscal Year 2005 Tax and Revenue Anticipation Notes (See Agenda Item 20)

19. SUBJECT: REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dan Secord reported that the Committee heard presentations from Finance, City Administrator, Administrative Services, Mayor and Council, and City Attorney staff covering their proposed budgets for Fiscal Year 2005. The Committee also reviewed and forwarded to Council a report on the proposed prepayment of the City's contribution to the Public Employees Retirement System for Fiscal Year 2005 (Agenda Item No. 20).

20. SUBJECT: PREPAYMENT OF FISCAL YEAR 2005 PUBLIC EMPLOYEES RETIREMENT SYSTEM CONTRIBUTION AND ISSUANCE OF FISCAL YEAR 2005 TAX AND REVENUE ANTICIPATION NOTES (240.03)

RECOMMENDATION: That Council:

- A. Authorize the Finance Director to prepay the City's Fiscal Year 2005 Public Employees Retirement System (PERS) employer contribution, taking advantage of PERS 4.04% prepayment discount;
- B. Authorize the Finance Director to use ~~either borrowed funds or~~ City cash reserves to prepay the City's Fiscal Year 2005 PERS employer contribution based upon the relative interest rates available at the time of prepayment;

(Cont'd)

20. (Cont'd)

- C. Authorize the Finance Director to proceed with the issuance of up to \$18 million of Tax and Revenue Anticipation Notes to be issued for the prepayment of the City's Fiscal Year 2005 PERS Obligation; and
- D. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing and Approving the Borrowing of Funds for Fiscal Year 2004 - 2005; the Entering into an Amended and Restated Joint Exercise of Powers Agreement; the Issuance and Sale of a 2004 - 2005 Tax and Revenue Anticipation Note Therefore and Participation in the California Communities Cash Flow Financing Program.

DOCUMENTS:

- May 18, 2004, Finance Director's report.
- Proposed Resolution.
- Copies of four legal documents associated with the possible issuance of Tax and Revenue Anticipation Notes.

The title of the resolution was read.

SPEAKERS:

Staff: Finance Director Robert Peirson, who explained that pursuant to the Finance Committee's earlier discussion of this matter, it was proposed that recommendation B be revised as shown above, and that recommendations C and D be omitted from the Council's consideration.

MOTION:

Councilmembers Secord/Falcone to approve recommendation A and revised recommendation B.

VOTE:

Unanimous voice vote (Absent: Councilmember Horton).

By consensus, no action was taken on recommendations C or D, and the resolution referred to in recommendation D was not adopted.

ORDINANCE COMMITTEE

- 21. SUBJECT: SPECIAL ORDINANCE COMMITTEE AGENDA, MAY 18, 2004, 12:30 P.M. IN THE COUNCIL CHAMBER (120.03)
  - A. False Alarm Ordinance Next Steps; and
  - B. Demolition Review Ordinance and Other Historic Preservation Regulations.

22. SUBJECT: REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Helene Schneider reported that the Committee referred the proposed ordinance and program to regulate false alarms to Staff for meetings with the Fire and Police Commission and the public to obtain their input. The Committee also reviewed the proposed Demolition Review Ordinance and related Administrative Regulations, and forwarded these items to Council for introduction and subsequent adoption.

**COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

INFORMATION:

- Councilmember Falcone reported on her attendance, along with Mayor Blum, at the "Legislative Action Days" sponsored by the League of California Cities, during which an agreement was reached with the State regarding future local agency revenues.
- Councilmember Schneider commented on a recent neighborhood meeting pertaining to the update of the Neighborhood Preservation Ordinance, and also mentioned events to publicize two local art exhibits.
- Councilmember Barnwell remarked upon a recent meeting of the Harbor Merchants Association, and on the pending agreement regarding the operations of the Casa Esperanza Homeless Center.
- Councilmember Williams reported that he had attended an event of the Conference & Visitors Bureau and mentioned that structural changes have been made to the Bureau's organization.

Agenda Item No. 23 appears in the Redevelopment Agency minutes.

**CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

PARKS AND RECREATION DEPARTMENT

24. SUBJECT: CREEKS RESTORATION AND WATER QUALITY IMPROVEMENT  
2003 ANNUAL REPORT (540.14)

RECOMMENDATION: That Council receive a presentation on the Creeks Restoration and Water Quality Improvement 2003 Annual Report.

DOCUMENTS:

- May 18, 2004, Acting Parks and Recreation Director's report.
- PowerPoint presentation made by Staff.

SPEAKERS:

Staff: Creeks Restoration/Clean Water Manager Jill Zachary.

By consensus, the Council received the presentation.

## **MAYOR AND COUNCIL REPORTS**

25. SUBJECT: RESOLUTION IN SUPPORT OF ASSEMBLY BILL 2662 - IMPLEMENTATION OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (160.02)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Supporting Assembly Bill 2662 (Jackson) Requiring the State of California to Implement the Convention on the Elimination of All Forms of Discrimination Against Women.

### **DOCUMENTS:**

- May 18, 2004, City Administrator's report.
- Proposed Resolution.

The title of the resolution was read.

### **SPEAKERS:**

Member of the Public: Jenifer Ancona, representing Assemblymember Hannah-Beth Jackson's office.

### **MOTION:**

Councilmembers Schneider/Falcone to approve the recommendation; Resolution No. 04-034.

### **VOTE:**

Unanimous roll call vote (Absent: Councilmember Horton).

## **RECESS**

3:49 p.m. – 4:03 p.m.

## **PUBLIC HEARINGS**

26. SUBJECT: RIVIERA PARK SPECIFIC PLAN NO. 7 ADOPTION (650.01)

RECOMMENDATION: That Council:

- A. Hold a public hearing on the proposed Specific Plan and related Ordinance Amendment; and
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving Certain Environmental Findings Regarding an Environmental Impact Report and Approving a Statement of Overriding Considerations Under the California Environmental Quality Act, and Enacting an Amendment to Title 28 of the Santa Barbara Municipal Code to Add a New Chapter, Chapter 28.47, A Specific Plan for the Riviera Campus Property (The "SP-7 Zone"), and to Amend Chapter 22.22 of the Santa Barbara Municipal Code Pursuant to the Authority of State Government Code Sections 65450 - 65457.

26. (Cont'd)

DOCUMENTS:

- May 18, 2004, Community Development Director's report.
- Proposed Final Environmental Impact Report for the Riviera Park Research and Communications Center, Specific Plan No. 7, dated July 2003.
- Proposed Ordinance.
- December 12, 2003, letter from the Pearl Chase Society.
- May 17, 2004, letter from The Riviera Association.

The title of the ordinance was read.

PUBLIC HEARING OPENED:

4:04 p.m.

SPEAKERS:

- Staff: Associate Planner Trish Allen, City Attorney Stephen Wiley, City Planner Bettie Hennon.
- Applicant: Michael Towbes.
- Members of the Public: Dianne Channing and Loyd Applegate, Riviera Association.

PUBLIC HEARING CLOSED:

4:45 p.m.

MOTION:

Councilmembers Secord/Barnwell to approve the recommendations and introduce the ordinance as revised to correct errata.

VOTE:

Majority voice vote (Noes: Councilmember Williams; Absent: Councilmember Horton).

27. SUBJECT: DESIGNATION OF FOUR CITY LANDMARKS ON THE RIVIERA CAMPUS (640.06)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating the Quadrangle Building, the Grand Stairway, Furse Hall, and Ebbets Hall on the Riviera Campus, 2020-2040 Alameda Padre Serra (Assessor's Parcel No. 019-163-004), as City Landmarks.

DOCUMENTS:

- May 18, 2004, Community Development Director's report.
- Proposed Resolution.
- Historic Landmarks Commission Resolution Nos. 2004-01 – 2004-04.

(Cont'd)

27. (Cont'd)

The title of the resolution was read.

PUBLIC HEARING OPENED:

4:49 p.m.

SPEAKERS:

- Staff: Urban Historian Jake Jacobus.
- Applicant: Michael Towbes.
- Members of the Public: Louise Boucher; Barbara Lowenthal, Pearl Chase Society.

PUBLIC HEARING CLOSED:

5:00 p.m.

MOTION:

Councilmembers Secord/Falcone to approve the recommendation;  
Resolution No. 04-035.

VOTE:

Unanimous roll call vote (Absent: Councilmember Horton).

## **RECESS**

5:01 p.m. – 6:02 p.m.

Mayor Blum presiding.

Councilmembers present: Barnwell, Falcone, Schneider, Secord, Williams, Mayor Blum.

Councilmembers absent: Horton.

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

## **PUBLIC COMMENT**

No one wished to speak.

## **PUBLIC HEARINGS**

28. SUBJECT: FISCAL YEAR 2005 RECOMMENDED BUDGET (230.05)

RECOMMENDATION: That Council:

- A. Continue the public hearing from May 11, 2004, on the Fiscal Year 2005 Recommended Budget;

(Cont'd)

28. (Cont'd)

- B. Hear a report from Police and Fire Department staff covering their respective proposed budgets for Fiscal Year 2005; and
- C. Continue the public hearing to the Tuesday, May 25, 2004, Council meeting's afternoon session.

**DOCUMENTS:**

- May 18, 2004, Finance Director's report.
- PowerPoint presentations made by Staff of the Fire and Police Departments.

**PUBLIC HEARING OPENED (Continued from May 11, 2004):**  
6:03 p.m.

**SPEAKERS:**

Staff: Fire Chief Warner McGrew, Administrative Services Manager Peter Ramsdell, Fire Captain Gary Pitney, City Administrator James Armstrong, Police Chief Camarino Sanchez, Police Business Manager Errol Murphy, Deputy Police Chief Richard Glaus, Police Captain Edward Szeyller.

Councilmember Williams left the meeting at 7:32 p.m.

By consensus, the Council continued the public hearing to May 25, 2004.

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 7:54 p.m.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC  
CITY CLERK SERVICES MANAGER

ATTEST:

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

\_\_\_\_\_  
SUSAN TSCHECH  
DEPUTY CITY CLERK