



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING July 29, 2003 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 12:00 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 Blum.

### ROLL CALL

Councilmembers present: H. P. Fairly, Iya G. Falcone, Babatunde Fodayemi, Roger L. Horton, Dan B. Secord, Mayor Blum.

Councilmembers absent: Gregg A. Hart.

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

### CEREMONIAL ITEMS

1. SUBJECT: ACKNOWLEDGEMENT OF THE SANTA BARBARA – PUERTO VALLARTA SISTER CITY COMMITTEE HOSTING 40 INDIVIDUALS (130.03)

#### DOCUMENTS:

July 8, 2003, letter from the Santa Barbara-Puerto Vallarta Sister Cities Committee.

#### SPEAKERS:

City of Puerto Vallarta: Ismael Perez, Sister City Committee President; Salvador Peña, representing the Department of Tourism.

#### DISCUSSION:

Mayor Blum and the Puerto Vallarta representatives exchanged gifts in acknowledgement of this annual visit.

Councilmember Hart entered the meeting at 2:05 p.m.

2. SUBJECT: SANTA BARBARA TRUST FOR HISTORIC PRESERVATION  
DONATION OF A CITY MAP TO THE CITY OF SANTA BARBARA (640.06)

DOCUMENTS:

July 8, 2003, letter from the Santa Barbara Trust for Historic Preservation.

SPEAKERS:

Santa Barbara Trust for Historic Preservation: Executive Director Jarrell Jackman, Board member Mary Louise Days.

DISCUSSION:

The Trust representatives presented a framed print of an early Santa Barbara city map to Mayor Blum in appreciation for the City's support of major projects undertaken by the Trust.

3. SUBJECT: 2003 ARCHITECTURAL BOARD OF REVIEW AND HISTORIC  
LANDMARKS COMMISSION DESIGN AWARDS (640.03)

RECOMMENDATION: That Council join the Architectural Board of Review and Historic Landmarks Commission in presenting the 2003 ABR/HLC Design Awards.

DOCUMENTS:

July 29, 2003, Community Development Director's report.

SPEAKERS:

- Historic Landmarks Commission: Commissioner Anthony Spann, Vice Chair William LaVoie.
- Planning Commission: Commissioner Barbara Chen Lowenthal.
- Architectural Board of Review: Member Carol Gross.

DISCUSSION:

A PowerPoint presentation was made that detailed the contributions made by the individuals selected to receive awards. Mayor Blum presented the awards, and the recipients made comments in accepting them.

**PUBLIC COMMENT**

SPEAKERS: Ken Loch.

**CONSENT CALENDAR** (Item Nos. 4 – 21)

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

MOTION:

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

VOTE:

Unanimous voice vote.

4. SUBJECT: NOTICE OF COMPLETION OF STATE STREET CROSSWALKS AT 400 AND 500 BLOCKS AND CABRILLO BOULEVARD INTERSECTION (530.04)

RECOMMENDATION: That Council accept the work completed by Lash Construction, Incorporated (Lash), Contract No. 20,980, Bid No. 3357, for the State Street Crosswalks 400 and 500 Blocks and the Cabrillo Boulevard Intersection Project, located at the intersections and midblocks of the 400 and 500 blocks of State Street, and at the intersection of State Street and Cabrillo Boulevard, in the final contract amount of \$244,338.14, and approve filing of a Notice of Completion.

ACTION: Approved the recommendation (July 29, 2003, Public Works Director's report).

5. SUBJECT: REPLACEMENT OF EMPLOYEE ASSISTANCE PROGRAM (EAP) PROVIDER EFFECTIVE SEPTEMBER 1, 2003 (430.03)

RECOMMENDATION: That Council authorize the Assistant City Administrator to negotiate and execute a new contract with United Behavioral Health Plan for Employee Assistance Program (EAP) services.

ACTION: Approved the recommendation; Contract No. 21,069 (July 29, 2003, Assistant City Administrator's report).

6. SUBJECT: AWARD OF CONTRACT FOR SIDEWALK INFILL FISCAL YEAR 2001-2002 CONSTRUCTION (530.04)

RECOMMENDATION: That Council:

- A. Approve and authorize the Public Works Director to execute a contract with Granite Construction Company (Granite Construction) in their low bid amount of \$463,605 for construction of the Sidewalk Infill FY 2001-2002, Bid No. 3354; and
- B. Authorize the Public Works Director to approve expenditures up to \$55,633 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.

ACTION: Approved the recommendations; Contract No. 21,070 (July 29, 2003, Public Works Director's report).

7. SUBJECT: AWARD OF CONTRACT FOR SLURRY SEAL - MAINTENANCE AREA E (530.04)

RECOMMENDATION: That Council:

- A. Award and authorize the Public Works Director to execute a contract with Roy Allen Slurry Seal, Inc., in their low bid amount of \$726,227, and bid alternate items numbers 5, 6, and 7 in the amount of \$164,705, for a total of \$890,932 for construction of the Area E Slurry Seal Project FY 04, Bid No. 3361;
- B. Authorize the Public Works Director to approve expenditures up to \$89,100 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;
- 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 Area E Slurry Seal and Pavement Preparation, in an amount not to exceed \$125,889; and
- D. Authorize the Public Works Director to approve expenditures of up to \$12,588 for extra services of Flowers that may result from necessary changes in the scope of work.

ACTION: Approved the recommendations; Contract Nos. 21,071 and 21,072 (July 29, 2003, Public Works Director's report).

8. SUBJECT: AWARD OF CONTRACT FOR PAVEMENT PREPARATION - MAINTENANCE AREA E (530.04)

RECOMMENDATION: That Council:

- A. Award and authorize the Public Works Director to execute a contract with Lash Construction in their low base bid amount of \$58,147, for construction of the Area E Pavement Preparation Project FY 2004, Bid No. 3366; and
- B. Authorize the Public Works Director to approve expenditures up to \$5,815 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.

ACTION: Approved the recommendations; Contract No. 21,073 (July 29, 2003, Public Works Director's report).

9. SUBJECT: FINANCE DEPARTMENT RECORDS DESTRUCTION (160.06)

RECOMMENDATION: That the Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Certain Documents Held by the Risk Management Division of the Finance Department.

(Cont'd)

9. (Cont'd)

ACTION: Approved the recommendation; Resolution No. 03-077 (July 29, 2003, Finance Director's report).

10. SUBJECT: INTRODUCTION OF ORDINANCE FOR MEMORANDUM OF UNDERSTANDING WITH POLICE OFFICERS ASSOCIATION (440.02)

RECOMMENDATION: That Council:

- A. Ratify the Memorandum of Understanding between the City and the Santa Barbara Police Officers Association for the period of July 1, 2003, through June 30, 2004, by introduction and subsequent adoption of, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting the Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara Police Officers Association;
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 03-049, the Position and Salary Control Resolution for Fiscal Year 2003-2004, Affecting the Police Sworn and Non-Sworn Salaries Effective July 12, 2003; and
- C. Appropriate \$739,240 to the Fiscal Year 2004 Police Department budget for salary and benefit increases from General Fund unappropriated reserves.

ACTION: Approved the recommendations; Resolution No. 03-078 (July 29, 2003, City Administrator's report).

11. SUBJECT: APPROVE THE COOPERATIVE PURCHASE OF ONE CUSTOM SPARTAN FIRE ENGINE (520.03)

RECOMMENDATION: That Council:

- A. Find it in the City's best interest to waive the formal bid procedure as authorized by Municipal Code 4.52.080(k) and authorize the General Services Manager to issue a purchase order to Hi-Tech Emergency Vehicle Service, Inc., in the amount of \$336,085.18 for the assembly and delivery of one custom Spartan Fire Engine meeting the same specifications as the vehicle assembled and delivered to the Livermore/Pleasanton Fire Department, California; and
- B. Appropriate \$156,100 from the Unappropriated Reserves of the Intra-City Services (ICS) Fund to the fiscal year 2004 ICS Vehicle Replacement Capital Account to fund the balance of the pumper purchase.

ACTION: Approved the recommendations (July 29, 2003, Fire Chief's report).

12. SUBJECT: APPROVE VENDOR FOR THE SUPERVISORY CONTROL AND DATA ACQUISITION SYSTEM (540.13)

RECOMMENDATION: That Council:

- A. Find it to be in the City's best interest to approve AIA Automation as the vendor for the programming and networking of the SCADA system at El Estero, without bids, as authorized by Municipal Code Section 4.52.080 (k); and
- B. Authorize the General Services Manager to award purchase order contracts to AIA Automation for such services and equipment as needed for the next four-year period.

ACTION: Approved the recommendations (July 29, 2003, Public Works Director's report).

13. SUBJECT: ADOPTION OF ORDINANCE FOR AMENDMENT TO THE MUNICIPAL CODE REGARDING MANDATORY TRASH SERVICE (630.01)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Section 7.16.021 of the Santa Barbara Municipal Code With Respect to Mandatory Trash Service. (Introduced on July 22, 2003)

ACTION: Approved the recommendation; Ordinance No. 5284.

14. SUBJECT: DESIGNATION OF DEPUTY CITY CLERKS (170.02)

RECOMMENDATION: That Council approve the designation of Deputy City Clerk for the following City Clerk's staff: Mabi Covarrubias Plisky, Roxanne Fiorillo, Susan Tschech, Brenda Alcazar, and Starla Russell.

ACTION: Approved the recommendation (July 29, 2003, Assistant City Administrator's report).

15. SUBJECT: RENTAL AGREEMENT FOR HILDA RAY HOUSE (570.05)

RECOMMENDATION: That Council authorize the Parks and Recreation Director to enter into an agreement with George Jimenez for a month-to-month rental agreement for the Hilda Ray House at Hilda McIntyre Ray Park, starting August 15, 2003.

ACTION: Approved the recommendation; Agreement No. 21,074 (July 29, 2003, Parks and Recreation Director's report).

16. SUBJECT: AGREEMENT FOR THE SCHEDULING AND MONITORING OF ATHLETIC FIELDS AT LA COLINA, SANTA BARBARA, AND LA CUMBRE JUNIOR HIGH SCHOOLS AND FRANKLIN ELEMENTARY SCHOOL (150.05)

RECOMMENDATION: That Council:

- A. Approve and authorize the Parks and Recreation Director to execute an agreement with the Santa Barbara School Districts for the Scheduling and Monitoring of Athletic Fields at La Colina, Santa Barbara, and La Cumbre Junior High Schools, and Franklin Elementary School;
- B. Authorize the transfer of \$24,971 in budgeted salaries and benefits in the Parks and Recreation Department General Fund expenditure funds, to the Parks and Recreation Department Miscellaneous Grants Fund for the Field Scheduling Program budget;
- C. Appropriate \$34,318 in expenditures and \$59,289 in revenues to the Parks and Recreation Department Miscellaneous Grant Fund for the Field Scheduling Program budget;
- D. Transfer \$7,500 in excess Miscellaneous Grants revenue collected during FY 2003 for Field Reservations and appropriate \$7,500 in expenditures and revenues to the Parks and Recreation Department Miscellaneous Grant Fund for the FY 2004 Field Scheduling Program budget; and
- E. Appropriate \$5,000 in additional expenditures and revenue to the Parks and Recreation Department Miscellaneous Grant Fund for use as recommended by the City/School District Joint Use Committee.

ACTION: Approved the recommendations; Agreement No. 21,075 (July 29, 2003, Parks and Recreation Director's report).

17. SUBJECT: CONTRACT FOR SAFETY AREA GRADING MITIGATION MAINTENANCE AND MONITORING SERVICES (560.04)

RECOMMENDATION: That Council authorize the Airport Director to execute a contract with URS Corporation (URS), in an amount not to exceed \$127,600 for services associated with the Safety Area Grading project mitigation maintenance and monitoring, and authorize the Airport Director to approve expenditures up to \$12,700 for extra services that may result from necessary changes in the scope of work.

ACTION: Approved the recommendation; Contract No. 21,076 (July 29, 2003, Airport Director's report).

18. SUBJECT: AIRPORT LEASE AGREEMENT WITH BECHTEL NEVADA  
(330.04)

RECOMMENDATION: That Council approve and authorize the Airport Director to execute a five-year lease agreement with Bechtel Nevada Corporation, a Nevada corporation, for 2,276 square feet of Building 226 and 46,092 square feet of land at 6190 Francis Botello Road, at the Santa Barbara Airport, commencing August 1, 2003, and ending July 31, 2008, for a total monthly rental of \$9,945, exclusive of utilities.

ACTION: Approved the recommendation; Agreement No. 21,077 (July 29, 2003, Airport Director's report).

19. SUBJECT: CONTRACT FOR FISCAL YEAR 2003-2004 COMMUNITY PROMOTION FUNDING (180.01)

RECOMMENDATION: That the City Council approve and authorize the Finance Director to execute a Community Promotion contract with the Santa Barbara Region Chamber of Commerce in the amount of \$59,492 to support year-round expenses of the Visitor Information Center for August 1, 2003, through July 31, 2004.

ACTION: Approved the recommendation; Contract No. 21,078 (July 29, 2003, Finance Director's report).

## NOTICES

20. The City Clerk has on Thursday, July 24, 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.
21. Cancellation of the regular City Council and Redevelopment Agency meetings of August 12, 2003, at 2:00 p.m. due to the lack of a quorum.

This concluded the Consent Calendar.

## **FINANCE COMMITTEE REPORT**

22. SUBJECT: SPECIAL FINANCE COMMITTEE AGENDA, JULY 29, 2003, 12:00 P.M., IN ROOM 15 (120.03)
- A. Agreement for Workers' Compensation Claims Administration;
  - B. Santa Barbara Maritime Museum Lease Option Rent;
  - C. Subordination of Several Housing Authority Loans; and
  - D. Investment Management Review for the Second Quarter 2003.  
(See Item No. 24)

23. SUBJECT: REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Gregg Hart reported that the Committee reviewed several items, as follows: workers' compensation claims administration, the Maritime Museum's lease option rent, the subordination of Housing Authority loans, and the Investment Management Review for the Second Quarter 2003. The Committee approved and forwarded all Staff recommendations pertaining to these issues to the Council, with the Investment Management Review to be considered as Agenda Item No. 24.

24. SUBJECT: INVESTMENT MANAGEMENT REVIEW FOR THE SECOND QUARTER 2003 (260.02)

RECOMMENDATION: That Council receive and accept the second quarter 2003 Investment Management Review from PFM Asset Management, LLC (PFM).

DOCUMENTS:

July 29, 2003, Finance Director's report.

SPEAKERS:

- Staff: Treasury Manager Cynthia Odell.
- PFM Asset Management: Managing Director Nancy Jones.

MOTION:

Councilmembers Secord/Horton to approve the recommendation.

VOTE:

Unanimous voice vote.

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

INFORMATION: Councilmember Horton reported on his attendance at meetings regarding the County's Housing Element and the City's street sweeping program.

## **ADMINISTRATIVE AND ATTORNEY REPORTS**

### AIRPORT DEPARTMENT

25. SUBJECT: ACCEPTANCE OF FEDERAL AVIATION ADMINISTRATION GRANT (560.01)

RECOMMENDATION: That Council:

- A. Accept the FAA Grant offer of \$10,000,057 in Entitlement (\$2,827,053) and Discretionary Funds (\$7,173,004) for Project No. AIP-3-06-0235-31, for Phase I of the Construct Standard Runway Safety Areas for Runway 7-25, including extension of Taxiway A, and Phase I of Relocation of Taxiway B, and associated taxiway improvements; and

(Cont'd)

25. (Cont'd)

- B. Authorize the Airport Director to execute, on behalf of the City, the subject grant offers 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.

DOCUMENTS:

July 29, 2003, Airport Director's report.

SPEAKERS:

Staff: Airport Director Karen Ramsdell.

MOTION:

Councilmembers Horton/Secord to approve the recommendations; Agreement No. 21,079.

VOTE:

Unanimous voice vote.

COMMUNITY DEVELOPMENT DEPARTMENT

26. SUBJECT: NEIGHBORHOOD PRESERVATION ORDINANCE UPDATE (640.02)

RECOMMENDATION: That Council:

- A. Authorize the City Administrator to approve a contract for the services of RRM Design Group to update the Neighborhood Preservation Ordinance and the Design Guidelines at a total cost for services not to exceed \$85,000; and
- B. Allocate \$8,500 from the FY 2003 General Fund Appropriated Reserve to the Community Development Department for project contingency costs.

DOCUMENTS:

- July 29, 2003, Community Development Director's report.
- July 26, 2003, letter from The Riviera Association.
- July 29, 2003, letter from the La Mesa Neighborhood Association.

SPEAKERS:

- Staff: Community Development Director Paul Casey, City Planner Bettie Hennon, Acting City Attorney Stephen Wiley.
- Planning Commission: Commissioner Barbara Chen Lowenthal.

(Cont'd)

26. (Cont'd)

**SPEAKERS (Cont'd)**

- Members of the Public: Russell Doherty; Dianne Channing, Riviera Association; Catherine McCammon, League of Women Voters; Naomi Kovacs, Citizens Planning Association; Brigitte Forssell, Riviera Association; Claudia Madsen; Connie Hannah; Lee Moldaver, Allied Neighborhoods Association; Das Williams.

**MOTION:**

Councilmembers Horton/Falcone to deny approval for the proposed contract and direct that the Neighborhood Preservation Ordinance update be prepared by department staff.

**VOTE:**

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

**DISCUSSION:**

To assist with its preparation of the NPO update, Staff will return to Council with a recommendation for outside services to update the Single Family Residential Design Guidelines (\$30,000 - \$40,000).

**RECESS**

3:53 p.m. - 4:04 p.m.

**PUBLIC HEARINGS**

27. SUBJECT: ANNEXATION OF 1267 VERONICA SPRINGS ROAD - KENNEDY ANNEXATION (680.04)

**RECOMMENDATION:** That Council:

- A. Consider the Planning Commission's recommendation to initiate the annexation;
- B. Make the environmental findings contained in the Council Agenda Report;
- C. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 28.12 of the Municipal Code Pertaining to Zoning Upon Annexation of Assessor Parcel Number 047-010-004 located at 1267 Veronica Springs Road;
- D. Adopt, by reading of title only, A Resolution of Application of the Council of the City of Santa Barbara Initiating Proceedings for a Reorganization of Boundaries, Annexation to the City of Santa Barbara, Detachment from the Goleta Water District, and Detachment from the Santa Barbara County Fire Protection District, for Property Located at 1267 Veronica Springs Road, Assessor Parcel Number 047-010-004;

(Cont'd)

27. (Cont'd)

- E. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending the General Plan Map of the City of Santa Barbara Pertaining to Property Located at 1267 Veronica Springs Road, Assessor Parcel Number 047-010-004, Which Will be Annexed to the City of Santa Barbara; and
- F. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara in the Matter of Providing for a Negotiated Exchange of Property Tax Revenues Pertaining to the Kennedy Reorganization: An Annexation to the City of Santa Barbara, Detachment from the Santa Barbara County Fire Protection District and Detachment from the Goleta Water District.

Affidavit of Publication - Noticed for 2:00 p.m. Session

DOCUMENTS:

- July 29, 2003, Community Development Director's report.
- Proposed Ordinance and Resolutions.
- Affidavit of Publication.

The titles of the ordinance and resolutions were read.

PUBLIC HEARING OPENED:

4:05 p.m.

SPEAKERS:

- Staff: Community Development Director Paul Casey, Project Planner Beatriz Ramirez, Water Supply Planner Bill Ferguson.
- Applicant: Suzanne Elledge, Planning & Permitting Services.

PUBLIC HEARING CLOSED:

4:29 p.m.

MOTION:

Councilmembers Horton/Falcone to approve the recommendations;  
Resolution Nos. 03-079 - 03-081.

VOTE:

Unanimous roll call vote.

28. SUBJECT: REMOVAL OF PARKING CONDITION AND APPEAL OF  
PLANNING COMMISSION APPROVAL FOR 318 WEST ORTEGA STREET  
(640.07)

RECOMMENDATION: That Council deny the appeal of John Clinton, uphold the Planning Commission decision and approve the removal of the parking condition imposed on 318 W. Ortega Street, for the residential project located at 318-322 W. Ortega Street, making the findings in the Council Agenda Report and subject to the Conditions of Approval in Planning Commission Resolution 036-03.

Affidavit of Publication - Noticed for 2:00 p.m. Session

DOCUMENTS:

- July 29, 2003, Community Development Director's report.
- PowerPoint presentation made by Staff.
- July 3, 2003, letter of appeal.
- July 29, 2003, letter from Cars Are Basic.
- Affidavit of Publication.

PUBLIC HEARING OPENED:

4:31 p.m.

SPEAKERS:

- Staff: Associate Planner Marisela Salinas, Acting City Attorney Stephen Wiley, City Planner Bettie Hennon, Community Development Director Paul Casey.
- Planning Commission: Commissioner Brian Barnwell.
- Appellant: John Clinton.
- Applicant: Ken Radtkey, Susan Van Atta.
- Member of the Public: Tim Clingen.

PUBLIC HEARING CLOSED:

5:02 p.m.

MOTION:

Councilmembers Falcone/Horton to approve the recommendation.

VOTE:

Unanimous voice vote.

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 5:10 p.m.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC  
CITY CLERK SERVICES MANAGER

ATTEST:

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

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