

08/21/2001
11:54 am

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CITY OF SANTA BARBARA
CITY COUNCIL MINUTES

REGULAR MEETING
October 3, 2000
COUNCIL CHAMBER, DE LA GUERRA PLAZA

CALL TO ORDER:

Mayor Pro Tempore Marty Blum called the meeting to order at 2:00 p.m. The Finance and Ordinance Committees, which are ordinarily scheduled to meet at 1:00 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE:

Mayor Pro Tempore Blum.

ROLL CALL:

Councilmembers present: H. P. Fairly, Gilbert Garcia, Gregg A. Hart, Tom Roberts, Dan B. Secord, Mayor Pro Tempore Blum.

Councilmembers absent: Mayor Harriet Miller.

Staff present: City Administrator/Clerk Sandra Tripp-Jones, City Attorney Daniel J. Wallace, Deputy City Clerk Susan Tschech.

CEREMONIAL ITEMS:

Proclamations

2. Issuance by the Mayor of a proclamation declaring October 15, 2000 as White Cane Safety Day.

Proclamation presented to Joy Smith, representing the Federation of the Blind, Santa Barbara Chapter.

120.04

1. Issuance by the Mayor of a proclamation declaring October 4, 2000 as Walk to School Day.

Proclamation presented to City Mobility Coordinator
Drusilla van Hengel.

120.04

3. Issuance by the Mayor of a proclamation declaring the month

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of October 2000 as Beyond Tolerance Month.

Proclamation presented to David Landecker, Building
Bridges Coalition representative.

120.04

Presentations

4. Recommendation that Council authorize Sandra Tripp-Jones, City Administrator, to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through October 31, 2000.

DOCUMENTS:

September 29, 2000 City Administrator's report.

SPEAKERS:

Staff: City Administrator Sandra Tripp-Jones.

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

20-Year Pin

Rene Smit, Airport

Laurence Dunkley, Public Works

Brian Ehler, Public Works

15-Year Pin

Charles Logan, Airport

Jeffrey Hill, Police

10-Year Pin

Robert Pike, City Attorney

Kristi Andersen, Community Development

Sandra Hall, Finance

Geronimo Reyes, Police

Walter Lositzki, Public Works

Edwin MacGregor, Public Works

5-Year Pin

Walter Orso, Finance

410.01

PUBLIC COMMENT:

5. Katie Lynn spoke.

180.03

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RECESS:

2:13 p.m. 2:14 p.m., during which time the first portion of the
Redevelopment Agency meeting was completed.

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY SESSION:

The City Council and the Redevelopment Agency convened in joint
session at 2:14 p.m.

CLOSED SESSIONS:

19. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION

recommendation from the City Attorney that Council hold a
closed session to consider anticipated litigation pursuant
to subsection c) of section 54956.9 of the Government Code
and take appropriate action as needed. Initiation of
litigation: one potential case.

Scheduling: Duration, 20 minutes; anytime
To be considered with Redevelopment Agency Agenda
Item No. 2)

CITY COUNCIL DOCUMENTS:

September 29, 2000 City Attorney's report.
September 29, 2000 letter from Attorney Frederick W.
Clough.
October 3, 2000 letter from Attorney Peter N. Brown.
October 3, 2000 letter from Attorney Jana Zimmer.

REDEVELOPMENT AGENCY DOCUMENTS:

September 29, 2000 Agency Counsel's report recommending
that the Redevelopment Agency Board hold a closed
session to consider initiation of litigation pursuant
to subsection c) of section 54956.9 of the Government
Code and take appropriate action as needed.

SPEAKERS:

Staff: City Attorney/Agency Counsel Daniel Wallace.

Members of the Public: Jana Zimmer, Attorney representing the Balboa Building; Ron Robertson and Nanci Robertson, Balboa Building Co.; Gary Hudlow, Mel's Place; Hamid Falahi, Café Express; Traci Taitt, The Taubman Company; Allen Jones; Stan M. Neisser; Mary Weeks; Roz Robertson, Balboa Building Co.

160.03

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20. CONFERENCE WITH REAL PROPERTY NEGOTIATOR recommendation

from the City Attorney that Council hold a closed session to consider instructions to City staff regarding real property negotiations with Attorney Peter Brown regarding the real property located at Paseo Nuevo Mall APN 037-400-002). Instructions to negotiator will direct staff to negotiate the terms of easement rights in the real property pursuant to the authority of section 54956.8 of the Government Code. Negotiations will be conducted by City Staff, Redevelopment Agency Staff, and the City Attorney with Attorney Peter Brown.

Scheduling: Duration, 20 minutes; anytime
To be considered with Redevelopment Agency Agenda Item No. 3)

CITY COUNCIL DOCUMENTS:

September 29, 2000 City Administrator's report.

REDEVELOPMENT AGENCY DOCUMENTS:

September 29, 2000 Agency Counsel's report recommending that the Redevelopment Agency Board hold a closed session to consider instructions to City Staff regarding real property negotiations with Attorney Peter Brown regarding the real property located at the Paseo Nuevo Mall APN 037-400-002). Instructions to negotiator will direct staff to negotiate the terms of easement rights in the real property pursuant to the authority of section 54956.8 of Government Code. Negotiations will be conducted by City Staff, Redevelopment Agency Staff, and the City Attorney with Attorney Peter Brown.

Following a brief recess, the City Council and Redevelopment Agency convened in joint closed session.

330.03
General

RECESS:

2:46 p.m. 2:47 p.m.

Closed Session for Agenda Item No. 19 held 2:47 p.m.
3:00 p.m.; Mayor/Chairperson Miller was absent. After
a recess, City Attorney/Agency Counsel Daniel Wallace
reported that in closed session the Council/Agency
directed him to take all necessary action to ensure the

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immediate removal of pushcarts from the De La Guerra
Street easement. Mr. Wallace also stated that the
Closed Session for Item No. 20 was not held.

RECESS:

3:00 p.m. 3:10 p.m. The City Council/Redevelopment Agency
reconvened in the Council Chamber. Agency Counsel/City Attorney
Daniel Wallace reported on the Closed Sessions, Item Nos. 19
and 20.

The City Council and Redevelopment Agency joint session concluded
at 3:11 p.m. The Redevelopment Agency meeting was adjourned at
3:11 p.m. The Council meeting remained in session.

CONSENT CALENDAR Item Nos. 6 15):

MOTION:

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

VOTE:

Unanimous voice vote Absent: Mayor Miller).

6. Recommendation that Council waive the reading and approve
the minutes of the regular meeting of September 12, 2000.

Concurred with the recommendation.

7. Recommendation that Council adopt, by reading of title only,
A Resolution of the Council of the City of Santa Barbara
Amending Resolution No. 00-054, the Position and Salary
Control Resolution for Fiscal Year 2000-2001, Affecting the
Community Development Department Effective September 9,
2000.

Concurred with the recommendation; Resolution
No. 00-109 September 29, 2000 City Administrator's
report).

410.06
X
610.01

8. Recommendation that Council authorize the City Administrator to execute a Professional Services Contract with Science Applications International Corporation SAIC) in an amount not to exceed \$109,666 for preparation of an Environmental

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Impact Report on the Entrada de Santa Barbara project.

Concurred with the recommendation; Agreement No. 20,060
September 29, 2000 City Administrator's report).
700.07

9. Recommendation that Council:

- A. Authorize the City Administrator to execute an agreement for professional services with URS Corporation in the amount of \$58,900 to develop a general aviation development plan; and
- B. Authorize the Airport Director to approve extra services of the Contractor that may result from necessary changes in the scope of work at a total amount not to exceed \$5,900.

Concurred with the recommendations; Agreement No. 20,061 September 29, 2000 City Administrator's report).

560.09
Airport Specific Plan

10. Recommendation that Council:

- A. Approve, and authorize the City Administrator to execute and record an Agreement Assigning Water Extraction Rights by CHEVRON U.S.A., INC., a Pennsylvania corporation;
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting Water Extraction Rights for the City and Accepting Interest in Real Property Located at 115 South La Cumbre Road, APN 051-010-015; and
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting Interest in Real Property Located at 115 South La Cumbre Road, APN 051-010-015.

Concurred with the recommendations; Agreement

No. 20,062; Resolution Nos. 00-110 and 00-111
September 29, 2000 City Administrator's report).
330.03
Easements, Water Extraction Rts.

Set a date for public hearing:

11. Recommendation that Council:

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- A. Set the date of November 21, 2000 at 6:00 p.m. for hearing the appeal filed by Don McDermott, Ray Sargent and Joe Guzzardi of the Planning Commission approval, with amended conditions, of an application for property located at 2550 Treasure Drive, APN 051-330-003, E-3 One-Family Residential Zone/ SD-2 Outer State Street Area, General Plan Designation: Residential, Five Units per Acre. The project involves alterations and the addition of 4,084 square feet to three existing buildings, and the discretionary applications required are an Amendment to a Conditional Use Permit and a Modification; and
- B. Set the date of November 20, 2000 at 1:30 p.m. for a site visit to the property located at 2550 Treasure Drive.

Concurred with the recommendations September 17, 2000 letter of appeal).

640.07
Planning Comm.

Notices to be filed:

12. that the City Clerk has on Friday, September 29, 2000 at 3:00 p.m., duly 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.
13. of Redevelopment Agency meeting, October 3, 2000 at 2:00 p.m. in the Council Chamber.
620.03
Agendas
14. of joint City Council/Redevelopment Agency meeting, October 3, 2000 at 2:00 p.m. to consider Item Nos. 19 and 20 on the Council Agenda and Item Nos. 2 and 3 on the Redevelopment Agency Agenda.
620.03

Agendas

15. of cancellation of the regular City Council meeting of October 31, 2000 due to lack of a quorum.

120.09

This completed the Consent Calendar.

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REQUESTS FROM THE PUBLIC:

16. Request from the Tynan Group to discuss the proposed installation of a wireless communications facility on an existing building at the Santa Barbara Zoological Gardens.
Staff recommendation that Council:
- A. Receive a presentation from Tynan Group, agent for AT&T Wireless, regarding the proposed Wireless Communication Facility at the Santa Barbara Zoological Gardens, located at 500 Niños Drive;
 - B. Determine that the Charter finding cannot be made that the proposed communication facilities are compatible and accessory to the use which the property is devoted as public park land; and
 - C. Direct Staff to draft a resolution establishing procedures for processing requests for the use of City property for purposes other than public or City purposes.

DOCUMENTS:

August 23, 2000 letter from the Tynan Group, Inc.
September 29, 2000 City Administrator's report.

SPEAKERS:

Tynan Group, Inc.: Bradley Hess.
Staff: Assistant City Attorney Robert Pike, Senior Planner Jaime Limón, City Administrator Sandra Tripp-Jones.

MOTION:

Councilmembers Garcia/Roberts to determine that the Charter finding referenced in Staff recommendation B can be made; concur with Option 1 outlined on page 5 of the September 29, 2000 Council Agenda Report, approving the proposed installation and allowing the application to proceed through the review process; and concur with recommendation C, with further direction to Staff to request master plans for the siting of these

facilities.

VOTE:

Majority voice vote Noes: Councilmembers Fairly,
Hart; Absent: Mayor Miller).

640.01

X

570.05

Parks, A-D

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Child's Estate Zoo

ORDINANCES FOR INTRODUCTION:

17. Recommendation that Council:

- A. Ratify the Memorandum of Understanding between the City and the Santa Barbara City Firefighters' Association for the period of July 1, 2000 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 City Firefighters' Association;
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring its Intention to Commence Reporting the Value of Employer Paid Member Contributions (EPMC) as Compensation for Public Employees' Retirement System (PERS) Fire Safety Members of the Santa Barbara City Firefighters' Association;
- C. Amend the contract for Public Employees' Retirement System (PERS) Fire Safety Members of the Santa Barbara City Firefighters' Association and Fire Safety Managers to provide the three percent (3%) at age fifty (50) retirement formula, effective June 16, 2001; and
- D. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the City of Santa Barbara Drug and Alcohol Testing Policy for Fire Unit Employees.

DOCUMENTS:

September 29, 2000 City Administrator's report.
Proposed Ordinance and Resolutions.

MOTION:

Councilmembers Roberts/Secord to concur with the recommendations; introduced the Ordinance as Bill No. 5184; Agreement No. 20,063; Resolution Nos. 00-112

and 00-113.

VOTE:

Unanimous roll call vote Absent: Mayor Miller).

440.02

X

430.08

X

410.01

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ORDINANCES FOR ADOPTION:

18. Recommendation that Council adopt, by reading of title only,
An Ordinance of the Council of the City of Santa Barbara
Approving a Supplemental Lease Agreement, Extending the Term
of Lease Agreement No. 17,661, as Amended, Between the City
of Santa Barbara and the United States Department of
Agriculture, U.S. Forest Service, at the Santa Barbara
Municipal Airport. Introduced on September 26, 2000 as
Bill No. 5183)

DOCUMENTS:

Previous documents submitted September 26, 2000.
Proposed Ordinance.

SPEAKERS:

Staff: Airport Director Karen Ramsdell.

MOTION:

Councilmembers Secord/Garcia to concur with the
recommendation; Ordinance No. 5162.

VOTE:

Unanimous roll call vote Absent: Mayor Miller).
330.04
Airport

ADJOURNMENT:

Mayor Pro Tempore Blum adjourned the meeting at 3:48 p.m.

SANTA BARBARA CITY COUNCIL MABI COVARRUBIAS PLISKY, CMC
CITY CLERK SERVICES MANAGER

ATTEST:

MARTY BLUM
MAYOR PRO TEMPORE

SUSAN TSCHECH
DEPUTY CITY CLERK