



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING October 22, 2002 COUNCIL CHAMBER, DE LA GUERRA PLAZA

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### CALL TO ORDER

Mayor 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 Blum.

### ROLL CALL

Councilmembers present: Iya G. Falcone, Babatunde Fodayemi, Gregg A. Hart, Roger L. Horton, Dan B. Secord, Mayor Blum.

Councilmembers absent: H. P. Fairly.

Staff present: City Administrator/Clerk James L. Armstrong, City Attorney Daniel J. Wallace, Deputy City Clerk Susan Tschech.

### CEREMONIAL ITEMS

#### Proclamations

1. SUBJECT: PROCLAMATION DECLARING OCTOBER 27, 2002, AS THE THIRD ANNUAL PEP (POSTPARTUM EDUCATION FOR PARENTS) CHILDREN'S COSTUME PARADE AND FAMILY FESTIVAL (120.04)

ACTION: Proclamation presented to PEP Chair Traile Schulman.

2. SUBJECT: PROCLAMATION DECLARING THE WEEK OF OCTOBER 26 - NOVEMBER 2, 2002, AS FREE TIBET WEEK (120.04)

ACTION: Proclamation presented to Leron Kattan.

3. SUBJECT: PROCLAMATION DECLARING THE MONTH OF OCTOBER 2002 AS NATIONAL BREAST CANCER AWARENESS MONTH (120.04)

ACTION: Proclamation presented to Diana Young Parrish, Breast Resource Center Executive Director.

### **PUBLIC COMMENT**

SPEAKERS: Beverly Roland, Ken Loch, Bob Hansen, Michael Magne, and David Williams.

Councilmember Fairly arrived at the meeting at 2:18 p.m.

### **CONSENT CALENDAR** (Item Nos. 4 - 13)

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

#### **MOTION:**

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

#### **VOTE:**

Unanimous voice vote.

4. SUBJECT: MINUTES

RECOMMENDATION: That Council waive the reading and approve the minutes of the adjourned regular meeting of October 7, 2002, and the regular meeting of October 8, 2002.

ACTION: Approved the recommendation.

5. SUBJECT: LEASE AGREEMENT WITH CROSS COUNTRY LENDING, INC., DBA SANTA BARBARA MAILWORKS, AT THE AIRPORT (330.04)

RECOMMENDATION: That Council approve and authorize the City Administrator to execute a one-year Lease Agreement, with one (1) one-year option, with Cross Country Lending, Inc., a California Corporation, dba Santa Barbara MailWorks, for 6,240 square feet of Building 302, 40 Gerald Cass Place, at the Santa Barbara Airport, effective September 1, 2002, for a monthly rental of \$4,680, exclusive of utilities.

ACTION: Approved the recommendation; Agreement No. 20,806 (October 22, 2002, Airport Director's report).

6. SUBJECT: CONVEYANCE OF CITY-OWNED PROPERTIES COMPRISING PARKING LOT NO. 6 TO THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA IN PREPARATION FOR THE GRANADA GARAGE PROJECT (550.05)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the Execution of a Grant Deed to the Redevelopment Agency of the City of Santa Barbara, Conveying Certain Real Properties Owned by the City of Santa Barbara Underlying the Existing Surface Parking Facility at 1221 Anacapa Street Known as Parking Lot No. 6, Being Also the Site of the Proposed Transportation Facilities Known as "Granada Garage" and "Paseo De Las Granadas," as Named by Resolution No. 02-042. (Introduced on October 15, 2002)

ACTION: Approved the recommendation; Ordinance No. 5259.

7. SUBJECT: TOBACCO RETAILER LICENSING ORDINANCE (800.07)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the City Council of the City of Santa Barbara Adding Chapter 9.21 to the Santa Barbara Municipal Code Pertaining to the Regulation of Tobacco Retailers. (Introduced on October 15, 2002)

ACTION: Approved the recommendation; Ordinance No. 5260.

8. SUBJECT: TRI-COUNTY FISH TEAM - STATE GRANT FUNDING (FY 2003) (540.01)

RECOMMENDATION: That Council:

- A. Authorize the Public Works Director to execute an agreement with the State of California, by which the State will grant \$90,000 to the City as fiscal agent for the Tri-County Funding for Improved Salmonid Habitat (FISH) Team, a regional alliance of agencies and individuals working to promote the restoration of fish habitat in San Luis Obispo, Santa Barbara, and Ventura Counties;
- B. Increase estimated 2002-2003 revenues in the Miscellaneous Grants Fund by \$90,000 for anticipated grant funds and appropriate \$90,000 to the 2002-2003 Miscellaneous Grants Fund for implementation of the grant's objectives; and
- C. Authorize the Public Works Director to execute a professional services agreement between the City, Cachuma Conservation Release Board (CCRB), and Entrix, Inc. (Entrix), for CCRB's administration of the Grant Work Program and Entrix's completion of the required work products at an amount not to exceed \$90,000.

(Cont'd)

8. (Cont'd)

ACTION: Approved the recommendations; Agreement Nos. 19,948.1 ( 20,995 ) and 19,949.1 ( 20,996 ) (October 22, 2002, Public Works Director's report).

9. SUBJECT: COMMUNITY DEVELOPMENT AND HUMAN SERVICES  
COMMITTEE SOCIAL SERVICES CATEGORY REQUIREMENTS CHANGE  
(610.03)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 96-026 as it Pertains to the Membership Requirements of the Community Development and Human Services Committee's Social Service Category.

SPEAKERS:

Staff: Community Development Programs Supervisor Mark Taylor.

ACTION: Approved the recommendation; Resolution No. 02-126 (October 22, 2002, Acting Community Development Director's report).

10. SUBJECT: HOMETOWN SECURITY (160.02)

RECOMMENDATION: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara in Support of Federal Homeland Security Legislation, Including Hometown Security Funding; and
- B. Authorize the Mayor to send letters to and, as needed, contact legislators and other appropriate parties to convey the City's position.

ACTION: Approved the recommendations; Resolution No. 02-127 (October 22, 2002, City Administrator's report).

11. SUBJECT: SET A DATE FOR PUBLIC HEARING

RECOMMENDATION: That Council:

- A. Set the date of November 19, 2002, at 2:00 p.m. for hearing the appeal filed by Charles Chubak, agent for David Neunuebel, of the Park Commission denial of a request to remove a tree located at 1015 Roble Lane; and
- B. Set the date of November 18, 2002, at 1:30 p.m. for a site visit to 1015 Roble Lane.

ACTION: Approved the recommendations (October 4, 2002, letter of appeal).

## NOTICES

12. The City Clerk has on Thursday, October 17, 2002, 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.
13. A public workshop for the City's Housing Element Update will be held on Thursday, October 24, 2002, from 5:30 p.m. - 8:30 p.m. at the Faulkner Gallery of the Santa Barbara Public Library, 40 E. Anapamu Street, Santa Barbara.

This concluded the Consent Calendar.

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

### INFORMATION:

- Councilmember Horton acknowledged the efforts and current projects of the Historic Landmarks Commission, De La Guerra Plaza Planning Committee, Elings Park Foundation, and PARC (Parks and Recreation Community) Foundation.
- Councilmember Hart reported that a recent meeting of SBCAG (Santa Barbara County Association of Governments) had focused on the redistribution of housing unit numbers among the county's governments.

## **ADMINISTRATIVE AND ATTORNEY REPORTS**

### COMMUNITY DEVELOPMENT DEPARTMENT

14. SUBJECT: ALLOCATION OF THE CITY'S FISCAL YEAR 2003 COMMUNITY PROMOTION GRANTS FUNDING (230.02)

RECOMMENDATION: That Council review and approve the grant funding allocation recommendations of the City's Arts Advisory Committee for Fiscal Year 2003.

#### DOCUMENTS:

October 22, 2002, Acting Community Development Director's report.

#### SPEAKERS:

Arts Advisory Committee Staff: Patrick Davis.

#### MOTION:

Councilmembers Secord/Horton to approve the recommendation.

#### VOTE:

Unanimous voice vote.

15. SUBJECT: EXECUTE CONTRACT WITH THE SANTA BARBARA COUNTY ARTS COMMISSION FOR FY 2002 - 2003 SERVICES (150.04)

RECOMMENDATION: That Council authorize the City Administrator to execute a contract with the Santa Barbara County Arts Commission in the amount of \$522,770 as approved in the FY 2002 – 2003 Budget.

DOCUMENTS:

October 22, 2002, Acting Community Development Director's report.

SPEAKERS:

- Arts Advisory Committee Staff: Patrick Davis.
- Member of the Public: Ken Loch.

MOTION:

Councilmembers Secord/Horton to approve the recommendation; Contract No. 20,807.

VOTE:

Unanimous voice vote.

PUBLIC WORKS DEPARTMENT

16. SUBJECT: PURCHASE OF REAL PROPERTY AT 1020 SAN ROQUE ROAD (330.03)

RECOMMENDATION: That Council:

- A. Approve and authorize the Public Works Director to execute an Agreement of Sale with Connie A. Cooper for the purchase of the real property located at 1020 San Roque Road in the amount of \$1,150,000, plus applicable escrow costs and expenditures, in a total amount not to exceed \$1,165,000;
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting the Real Property Located at 1020 San Roque Road (APN 055-172-028);
- C. Authorize the Public Works Director to execute any and all documents, including escrow instructions, as necessary to purchase the property at 1020 San Roque Road in accordance with the Agreement of Sale; and
- D. Appropriate \$1,165,000 in the Water Fund from unappropriated reserves for the estimated acquisition costs of the real property.

DOCUMENTS:

- October 22, 2002, Public Works Director's report.
- Proposed Resolution.

The title of the resolution was read.

(Cont'd)

16. (Cont'd)

**SPEAKERS:**

Staff: Water System Manager Ken Goodenough.

**MOTION:**

Councilmembers Secord/Falcone to approve the recommendations;  
Agreement No. 20,808; Resolution No. 02-128.

**VOTE:**

Unanimous roll call vote.

17.1. **SUBJECT: RECONSIDERATION OF SHEFFIELD WATER QUALITY PROJECT FINAL DESIGN: INCREASED SCOPE OF SERVICES** (requested by Councilmember Secord) (540.09)

**RECOMMENDATION:** That Council reconsider its action of October 15, 2002, Item No. 15.

**DOCUMENTS:**

October 22, 2002, Public Works Director's report.

**MOTION:**

Councilmembers Secord/Falcone to approve the recommendation.

**VOTE:**

Unanimous voice vote.

17.2. **SUBJECT: SHEFFIELD WATER QUALITY PROJECT FINAL DESIGN: INCREASED SCOPE OF SERVICES** (540.09)

**RECOMMENDATION:** That Council:

- A. Approve and authorize the Public Works Director to increase the existing scope of services in Contract Agreement Number 20,528 with Carollo Engineers (Carollo) for additional Professional Services for the final design of the Sheffield Water Quality Project, at a total amount not to exceed \$502,885;
- B. Authorize the Public Works Director to approve extra services for Carollo that may result from necessary changes in the scope-of-work, at a total amount not to exceed \$50,288;
- C. Approve and authorize the Public Works Director to execute a contract with Pat Saley and Associates (Pat Saley), with the approval of the City Attorney's office, for professional services for the Sheffield Water Quality Project, at a total fee amount not to exceed \$30,000; and
- D. Authorize the Public Works Director to approve extra services of Pat Saley that may result from necessary changes in the scope-of-work at a total amount not to exceed \$3,000.

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17.2. (Cont'd)

**DOCUMENTS:**

- Previous documents submitted October 15, 2002.
- October 20, 2002, letter from Sally Sphar.
- October 22, 2002, letter from Citizens Planning Association of Santa Barbara County, Inc.
- Photograph of Sheffield Reservoir, submitted by Brigitte Forssell.

**SPEAKERS:**

- Staff: Water Resources Manager Bob Roebuck, City Attorney Daniel Wallace.
- Consultant to the City: Pat Saley.
- Planning Commission: Vice-Chair Bill Mahan, Chair Brian Barnwell.
- Historic Landmarks Commission: Vice-Chair Louise Boucher.
- Members of the Public: Naomi Kovacs, Citizens Planning Association; Dave Techentin, Riviera Association; Josiah Jenkins; Mary Quittner; Brigitte Forssell, Riviera Association; Steve Patchen; Dianne Channing, Riviera Association.

**MOTION:**

Councilmembers Fodayemi/Horton to approve the recommendations;  
Contract No. 20,809. \* 20,809a 11/1/02

**VOTE:**

Majority voice vote (Ayes: Councilmembers Falcone, Fodayemi, Hart, Horton, Secord; Noes: Councilmember Fairly, Mayor Blum).

**RECESS**

3:50 p.m. - 4:02 p.m. Councilmember Fairly was absent when the Council reconvened.

**REQUESTS FROM THE PUBLIC**

18. SUBJECT: REQUEST FOR RESOLUTION IN OPPOSITION TO UNILATERAL PREEMPTIVE MILITARY ACTION AGAINST IRAQ BY THE UNITED STATES (150.01)

**RECOMMENDATION:** That Council:

- A. Hear from members of the public requesting Council consideration of a resolution opposing unilateral preemptive military action against Iraq by the United States; and
- B. If Council chooses to act on this request, adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Opposing Unilateral Preemptive Military Action Against Iraq by the United States.

\*Minutes Correction: should be 20, 809a

(Cont'd)

18. (Cont'd)

**DOCUMENTS:**

- October 2, 2002, letter from Mary Jones.
- October 8, 2002, letter from Mac Bakewell, et al.
- October 16, 2002, letter from Betsy Cramer.
- October 22, 2002, City Administrator's report.
- Proposed Resolution.
- Petition supporting a resolution calling for no unilateral military action against Iraq, signed by area residents and submitted by Mac Bakewell.

The title of the resolution was read.

**SPEAKERS:**

- Staff: Special Projects Manager Don Olson.
- Members of the Public: Mary Jones, Mac Bakewell, Betsy Cramer, Nancy Tunnell, Jane Prettyman, Judith Evered, Dianne Karls, Laurie Potter, Bob Hansen, Georgia Funsten, Kenneth Collier, Lane Anderson.

**MOTION:**

Councilmembers Fodayemi/Horton to approve the recommendations;  
Resolution No. 02-129.

**VOTE:**

Majority roll call vote (Ayes: Councilmembers Falcone, Fodayemi, Horton, Mayor Blum; Noes: Councilmember Hart; Abstentions: Councilmember Secord; Absent: Councilmember Fairly).

**RECESS**

4:40 p.m. - 4:42 p.m.

**CLOSED SESSIONS**

19. SUBJECT: PUBLIC EMPLOYEE PERFORMANCE EVALUATION -  
GOVERNMENT CODE SECTION 54957 (440.05)

RECOMMENDATION: That Council hold a Closed Session for a Public Employee Performance Evaluation per Government Code Section 54957.

Title: City Administrator

Scheduling: Duration, one hour; anytime

**DOCUMENTS:**

October 22, 2002, report from Mayor Blum.

(Cont'd)

19. (Cont'd)

TIME:

4:42 p.m. - 5:24 p.m.

RECESS: 5:24 p.m. - 5:27 p.m. The City Council reconvened in the Council Chamber; Councilmembers Fodayemi, Hart and Horton were absent.

ANNOUNCEMENT:

City Attorney Daniel Wallace reported that the Council met in closed session for Agenda Item No. 19; no reportable action was taken during the closed session.

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 5:28 p.m.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC  
CITY CLERK SERVICES MANAGER

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

ATTEST: \_\_\_\_\_  
SUSAN TSCHECH  
DEPUTY CITY CLERK