



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING October 15, 2002 COUNCIL CHAMBER, DE LA GUERRA PLAZA

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:00 p.m. (The Finance Committee met at 1:00 p.m. The Ordinance Committee, which ordinarily meets 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, Gregg A. Hart, Roger L. Horton, Dan B. Secord, Mayor Blum.

Councilmembers absent: None.

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

CEREMONIAL ITEMS

Proclamations

1. SUBJECT: PROCLAMATION DECLARING OCTOBER 15, 2002, AS WHITE CANE SAFETY DAY (120.04)

ACTION: Proclamation presented to Elaine Bornstein, Member, Local Chapter of the National Federation of the Blind.

2. SUBJECT: PROCLAMATION DECLARING THE WEEK OF OCTOBER 20 – 26, 2002, AS CHARACTER COUNTS! WEEK (120.04)

ACTION: Proclamation presented to Kevin Redig, Executive Director, Boys and Girls Club.

CHANGES TO THE AGENDA

Item Removed from Agenda

At the request of City Administrator James L. Armstrong, the following item was removed from the agenda:

5. SUBJECT: RESOLUTION AUTHORIZING THE PUBLIC WORKS DIRECTOR AND CITY CLERK TO EXECUTE AGREEMENTS ASSIGNING WATER EXTRACTION RIGHTS (330.03)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Public Works Director to Administratively Execute Agreements Assigning Water Extraction Rights and Authorize the City Clerk to Assign and Provide Appropriate Agreement Numbers and Resolution Numbers.

PUBLIC COMMENT

SPEAKERS: No one wished to speak.

CONSENT CALENDAR (Item Nos. 3, 4, and 6 – 8)

The title of the resolution related to the Consent Calendar was read.

MOTION:

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

VOTE:

Unanimous voice vote.

3. SUBJECT: MINUTES

RECOMMENDATION: That Council waive the reading and approve the minutes of the regular meeting of October 1, 2002.

ACTION: Approved the recommendation.

4. SUBJECT: CHANGE IN FEE SCHEDULE FOR DOWNTOWN PARKING FACILITIES - REVISED HOURS (550.01)

RECOMMENDATION: That Council:

- A. Approve a change in Downtown Parking operating hours for Thursdays to be consistent with current Monday through Wednesday operating hours; and

(Cont'd)

4. (Cont'd)

- B. Adopt by reading of title only, A Resolution of the Council of the City of Santa Barbara Setting a Fee Schedule for Downtown Parking Facilities and Repealing Resolution 99-112.

SPEAKERS:

Staff: Transportation Operations Parking Manager George Gerth, Parking Supervisor Rebecca Jimenez.

ACTION: Approved the recommendations; Resolution No. 02-123 (October 15, 2002, Public Works Director's report).

6. **SUBJECT: NOTICE OF COMPLETION – CATER SEDIMENTATION BASIN TRANSFER PUMP PROJECT, BID NO. 3320, CONTRACT NO. 20,448 (540.10)**

RECOMMENDATION: That Council accept the work completed by Cushman Contracting Corporation under Contract No. 20,448, including approved changes, for the Cater Sedimentation Basin Transfer Pump Project, Bid No. 3320, in the final contract amount of \$103,397.50, and that a Notice of Completion be filed for the project.

ACTION: Approved the recommendation (October 15, 2002, Public Works Director's report).

NOTICES

7. The City Clerk has on Thursday, October 10, 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.
8. That the City Council will conduct a site visit on Monday, October 21, 2002, at 2:30 p.m. to the Homeless Shelter, located at 816 Cacique Street.

This concluded the Consent Calendar.

FINANCE COMMITTEE REPORTS

FINANCE COMMITTEE

9. **SUBJECT: FINANCE COMMITTEE AGENDA, OCTOBER 15, 2002, 1:00 P.M., IN ROOM 15 FOR CONSIDERATION OF THE ALLOCATION OF CITY'S FY 2003 COMMUNITY PROMOTION GRANTS FUNDING (120.03)**

10. SUBJECT: REPORT FROM THE FINANCE COMMITTEE

ACTION: Finance Committee Chair Dan Secord reported that the Committee met to review the grant funding recommendations for Community Events and Festivals, Organizational Development, and Community Arts. He stated that a report will be presented to Council next week.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

INFORMATION:

- Councilmember Falcone provided an update on outside funding for the Bohnett Park Restoration Project. She also stated that she was appointed as the Second Vice President for the Channel Counties Division of the League of California Cities.
- Councilmember Secord reported that he has been appointed Chair of the League of California Cities Environmental Quality Committee.

RECESS

2:12 p.m. – 2:31 p.m., during which time the first portion of the Redevelopment Agency meeting, Item Nos. 11 and 12, were completed.

JOINT REDEVELOPMENT AGENCY/CITY COUNCIL SESSION

The City Council and Redevelopment Agency convened in joint session at 2:31 p.m.

13. 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:

- A. That Council introduce and subsequently 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; and
- B. That the Redevelopment Agency Board accept the real properties described in the Grant Deed from the City of Santa Barbara underlying the public parking facility known as Parking Lot No. 6 (APNs 039-183-034, -037 and -038), and authorize the Executive Director to execute a Certificate of Acceptance for attachment to the Grant Deed authorizing its recordation in the Official Records of Santa Barbara County.

(Cont'd)

13. (Cont'd)

DOCUMENTS:

- October 15, 2002, Acting Deputy Director's and Public Works Director's report.
- Proposed City Council Ordinance.

SPEAKERS:

Staff: Transportation Operations Parking Manager George Gerth,
Housing and Redevelopment Manager David Gustafson.

MOTION:

Council/Agency members Falcone/Horton to approve the recommendations; Redevelopment Agency Certificate of Acceptance No. 2002-01.

VOTE:

Unanimous voice vote.

The City Council and Redevelopment Agency joint session concluded at 2:36 p.m.

ORDINANCE FOR INTRODUCTION

14. SUBJECT: TOBACCO RETAILER LICENSING ORDINANCE (800.07)

RECOMMENDATION: That Council:

- A. Introduce and subsequently 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;
- B. Adopt, by reading of title only, A Resolution of the City Council of the City of Santa Barbara establishing a tobacco retailer license fee for businesses selling tobacco products in accordance with Chapter 9.21 of the Santa Barbara Municipal Code; and
- C. Increase estimated Fiscal Year 2003 General Fund Revenues by \$3,000 and appropriate \$3,000 to the General Fund Finance Department budget for the tobacco retailer licensing program.

DOCUMENTS:

- October 15, 2002, City Administrator's report.
- Proposed Ordinance.
- Proposed Resolution.

(Cont'd)

14. (Cont'd)

SPEAKERS:

- Staff: Administrative Analyst Nina Johnson, Deputy City Attorney Michelle Montez.
- Members of the Public: Debbie Weeks, Executive Director, American Lung Association for Santa Barbara and Ventura Counties; Gilbert Canizales, California Grocers Association; Dawn Dunn, Administrator, County of Santa Barbara Public Health Department Tobacco Prevention Settlement Program; Ingrid Anderson Smith, American Lung Association; Todd Smith, American Cancer Society; Jan Koegler, County of Santa Barbara Public Health Department Tobacco Prevention Settlement Program.

MOTION:

Councilmembers Fodayemi/Secord to approve the recommendations; Resolution No. 02-124.

VOTE:

Unanimous roll call vote.

ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

15. 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.

(Cont'd)

15. (Cont'd)

DOCUMENTS:

October 15, 2002, Public Works Director's report.

SPEAKERS:

Staff: Principal Civil Engineer Homer Smith, Water Resources Manager Bob Roebuck, City Administrator James Armstrong; City Attorney Daniel Wallace.

MOTION:

Councilmembers Falcone/Horton to approve the recommendations.

VOTE:

Failed to carry by roll call vote (Ayes: Councilmembers Falcone, Hart, Horton; Noes: Councilmembers Fairly, Fodayemi, Secord, Mayor Blum).

MOTION:

Councilmembers Hart/Secord to continue the discussion regarding the next steps to the following week.

VOTE:

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

RECESS

3:43 p.m. – 3:52 p.m. Councilmember Fodayemi was absent when the Council reconvened.

16. **SUBJECT: STAFF REPORT CELEBRATING THE 30 YEAR ANNIVERSARY OF THE CLEAN WATER ACT (540.01)**

RECOMMENDATION: That Council hear a presentation by Water Resources Staff highlighting improvements in water quality stemming from the passage of the Clean Water Act in 1972.

DOCUMENTS:

- October 15, 2002, Public Works Director's report.
- October 15, 2002, PowerPoint presentation prepared by staff.

Councilmember Fodayemi entered the meeting at 4:00 p.m.

SPEAKERS:

Staff: Water Resources Supervisor Rebecca Bjork.

DISCUSSION:

Staff presented information regarding various improvements in water quality.

REQUESTS FROM THE PUBLIC

17. SUBJECT: PUBLIC REQUEST TO SUPPORT PROPOSITION 46, THE HOUSING AND EMERGENCY SHELTER TRUST FUND ACT (660.01)

RECOMMENDATION: That Council receive and consider a public request from the League of California Cities to adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara in Support of Proposition 46, the Housing and Emergency Shelter Trust Fund Act of 2002.

DOCUMENTS:

- October 9, 2002, memorandum from David Mullinax.
- October 15, 2002, City Administrator's report.
- Proposed Resolution.

SPEAKERS:

- Staff: Administrative Analyst Kristine Schmidt.
- League of California Cities: Regional Representative David Mullinax.

MOTION:

Councilmembers Hart/Falcone to approve the recommendation;
Resolution No. 02-125.

VOTE:

Unanimous roll call vote.

PUBLIC HEARING

18. SUBJECT: LOCAL LAW ENFORCEMENT BLOCK GRANT (L.L.E.B.G.) (520.04)

RECOMMENDATION: That Council:

- A. Hold a public hearing;
- B. Accept the Local Law Enforcement Block Grant (L.L.E.B.G.) award of \$114,471.00;
- C. Increase estimated revenues and appropriations by \$114,471.00 to the fiscal year 2002/03 L.L.E.B.G. Fund for the purchase of Fingerprint Pads, a Video Camera, Computer Equipment and Software, Motorola Portable Radios, Motorola Radio Charging Banks, Historical Homicide DNA Evidence Analysis, and Travel for Historical Homicide Cases, Laser for Bomb Squad Robot, Indoor Gun Range Upgrade, Tactical Van Update, AR15 Rifle Cases, Shotgun Cases, Tactical Vests, and Ballistic Entry Vests;
- D. 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 City General Services Manager to issue purchase orders to Telecom Communications, for thirty (30) Motorola HT1250 Portable Radios, plus four (4) banks of chargers, for the sum of \$21,110.00;

(Cont'd)

18. (Cont'd)

- E. 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 City General Services Manager to issue purchase orders to Caswell Detroit Armor Companies for Indoor Gun Range Upgrade for the sum of \$29,950.00; and
- F. Approve the transfer of \$12,719.00 from the Asset Forfeiture Fund to the L.L.E.B.G. Fund for the matching funds requirements.

DOCUMENTS:

October 15, 2002, Police Chief's report.

SPEAKERS:

Staff: Police Captain Edward Szeyller.

MOTION:

Councilmembers Secord/Falcone to approve the recommendations.

VOTE:

Unanimous voice vote.

RECESS

4:27 p.m. – 6:00 p.m.

Mayor Blum presiding.

Councilmembers present: Fairly, Falcone, Fodayemi, Horton, Secord, Mayor Blum.

Councilmembers absent: Hart.

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

PUBLIC COMMENT

SPEAKERS: No one wished to speak.

REQUEST FROM THE PUBLIC

- 19. SUBJECT: REQUEST FROM NANCY BROYLES, REPRESENTING THE GREEN PARTY, THAT COUNCIL REAFFIRM SANTA BARBARA'S STATUS AS A NUCLEAR-FREE CITY (800.06)

DOCUMENTS:

August 23, 2002, letter from Nancy Broyles.

(Cont'd)

19. (Cont'd)

SPEAKERS:

- Green Party: Arthur Schwartz, Nancy Broyles, William Smithers, Dorothy Holland.
- Members of the Public: Nancy Tunnell.
- Staff: City Attorney Daniel Wallace; City Administrator James Armstrong.

MOTION:

Councilmembers Fodayemi/Falcone to reaffirm Resolution No. 95-144.

VOTE:

Unanimous voice vote (Absent: Councilmember Hart).

ADMINISTRATIVE AND ATTORNEY REPORTS

WATERFRONT DEPARTMENT

20. SUBJECT: WATERFRONT DEPARTMENT ADMINISTRATIVE OFFICES
RELOCATION (570.03)

RECOMMENDATION: That Council:

- A. Receive a status report from staff on the expansion and remodeling of the Chandlery Building at 132 Harbor Way, and/or in the alternative, analysis of 125 Harbor Way, the Marine Center Building, 117 Harbor Way, former Coast Guard Building, in order to relocate the Waterfront Department Administrative Offices to a permanent location;
- B. Direct staff to continue with final design and construction plans of 132 Harbor Way, Chandlery Building; and
- C. Authorize staff to begin lease negotiations with West Marine as part of the expansion and remodeling project of 132 Harbor Way.

DOCUMENTS:

- October 15, 2002, Waterfront Director's report.
- October 15, 2002, PowerPoint presentation prepared by staff.
- October 6, 2002, letter from Linda Scheetz.
- October 8, 2002, letter from James R. and Juanita H. Wulff.
- October 15, 2002, letter and petitions signed by various persons submitted by Linda Sheetz.

Councilmember Hart entered the meeting at 6:27 p.m.

SPEAKERS:

- Staff: Waterfront Director John Bridley, Principal Civil Engineer John Schoof.

(Cont'd)

20. (Cont'd)

SPEAKERS (Cont'd):

- Harbor Commission: Commissioners John Arguelles, Terre Hawkins, Ken Owen.
- Members of the Public: Ted Tedesco, Paul Eitel, Jim Wulff, Barry Hunter, Howard Baker, Gayle Baker, Brent Baldwin, Dennis Longaberger, Gary Longaberger; Santa Barbara Harbor Association: Dan Bellerue, Linda Sheetz.

MOTION:

Councilmembers Fodayemi/Hart to approve the recommendations.

VOTE:

Majority voice vote (Noes: Councilmember Secord).

ADJOURNMENT

Mayor Blum adjourned the meeting at 8:28 p.m., to Monday, October 21, 2002, at 2:30 p.m. for a site visit to 816 Cacique Street. (See Item No. 8)

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC
CITY CLERK SERVICES MANAGER

ATTEST:

MARTY BLUM
MAYOR

BRENDA ALCAZAR
DEPUTY CITY CLERK