



**CITY OF SANTA BARBARA
CITY COUNCIL MINUTES**

**REGULAR MEETING
September 25, 2001
COUNCIL CHAMBER, DE LA GUERRA PLAZA**

CALL TO ORDER

Mayor Harriet Miller called the meeting to order at 2:00 p.m.
(The Ordinance Committee met at 1:00 p.m. The Finance Committee met at 1:30 p.m.)

PLEDGE OF ALLEGIANCE

Mayor Harriet Miller.

ROLL CALL

Councilmembers present: Marty Blum, H. P. Fairly, Gilbert Garcia, Gregg A. Hart, Tom Roberts, Dan B. Secord, Mayor Miller.
Councilmembers absent: None.
Staff present: Acting City Administrator/Clerk Peter K. Wilson, City Attorney Daniel J. Wallace, Deputy City Clerk Brenda Alcazar.

CEREMONIAL ITEMS

To Honor and Give Thanks

Mayor Miller recognized and thanked KTYD for organizing the human flag at the stadium on Sunday, and also thanked the participants. It expressed our pride in America and our caring thoughts to the families and loved ones of those who gave their lives on September 11. It captured the essence of America and what is in our hearts. (120.04)

Proclamations

1. SUBJECT: ISSUANCE BY THE MAYOR OF A PROCLAMATION DECLARING SEPTEMBER 29, 2001, AS AFFORDABLE HOUSING DAY. (120.04)

ACTION: Proclamation presented to Nancy Hancock and Detlev Peikert, Co-Chairs, Tour to Celebrate Affordable Housing.

2. SUBJECT: ISSUANCE BY THE MAYOR OF A PROCLAMATION DECLARING THE MONTH OF SEPTEMBER 2001 AS SCHOOL CHILDREN'S PEDESTRIAN SAFETY AWARENESS MONTH. (120.04)

ACTION: Proclamation presented to Eva Inbar, Chairperson, Santa Barbara Area Council of PTAs Safety Committee, and Della Rosales, President, Santa Barbara Area Council of PTAs.

3. SUBJECT: ISSUANCE BY THE MAYOR OF A PROCLAMATION DECLARING THE MONTH OF OCTOBER 2001 AS FAMILY HISTORY MONTH. (120.04)

ACTION: Proclamation presented to Jim Friestad, President, Santa Barbara County Genealogical Society.

Presentations

4. SUBJECT: 2001 EXCELLENCE IN TRANSPORTATION AWARD (670.07)

RECOMMENDATION: That Council receive a presentation of the 2001 Excellence in Transportation Award which was awarded to the City for the Milpas Roundabout Project.

SPEAKERS:

Staff: Acting City Administrator Peter K. Wilson,
Transportation Operations Parking Manager George Gerth.

ACTION: Presentation received.

PUBLIC COMMENT

SPEAKER: Peter Marin.

REPORTS FROM FINANCE AND ORDINANCE COMMITTEES

18. SUBJECT: REPORT FROM THE FINANCE COMMITTEE

ACTION: Finance Committee Chair Tom Roberts reported that the Committee met to consider the August 2001 Investment Report which would be presented to Council today, Item No. 20.

ADMINISTRATIVE REPORTS

FINANCE DEPARTMENT

20. SUBJECT: AUGUST 2001 INVESTMENT REPORT (260.02)

RECOMMENDATION: That Council receive and accept the August 2001 Investment Report.

DOCUMENTS:

- September 21, 2001, Acting City Administrator's report.

SPEAKERS:

Staff: Treasury Manager Cynthia Odell.

MOTION:

Councilmembers Roberts/Secord to approve the recommendation.

VOTE:

Unanimous voice vote.

CITY ADMINISTRATOR

21. SUBJECT: RECREATIONAL VEHICLE PARKING/OVERNIGHT SLEEPING ORDINANCE (640.04)

RECOMMENDATION: That Council:

- A. Direct Staff to work with County of Santa Barbara and City of Carpinteria officials to coordinate development of ordinance provisions and an implementation program, that would apply throughout the South Coast area, to allow for parking and habitation of recreational vehicles (RVs) and other motor vehicles;

(Cont'd)

21. (Cont'd)

- B. Initiate an amendment to Chapter 10.44 of the Municipal Code to provide more appropriate tools for enforcement of existing restrictions on the parking of RVs and other vehicles on City Streets and in public parking lots, and direct Staff to present the draft ordinance amendment to the Ordinance Committee along with proposed amendments for regulation of overnight parking in public lots in the Waterfront and City Parks; and
- C. Initiate an amendment to the Zoning Ordinance to incorporate development standards for Single Room Occupancy (SRO) housing.

DOCUMENTS:

- September 21, 2001, Acting City Administrator's report.
- September 24, 2001, e-mail communications from Delia Moon and Patricia Hiles.
- September 25, 2001, letter from the League of Women Voters of Santa Barbara, Inc.

SPEAKERS:

- Staff: Special Projects Manager Don Olson, Police Officer Andrew Hill.
- Members of the Public: Community for Social Justice: Peter Marin and Michelle Wakin; Alison Adams; Bernie Glassman; Glen Mowrer, Legal Project; Ed Loing; Catherine McCammon, Citizens Planning Association; Davida Willis; Dr. Gary Linker, New Beginnings Counseling Center; Richard Solomon, ACLU; Richard Ramos, Faith Initiative.

MOTION:

Councilmembers Garcia/Blum to approve the recommendations.

VOTE:

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

CONSENT CALENDAR (Item Nos. 5 - 17)

MOTION:

Councilmembers Fairly/Blum to approve the Consent Calendar as recommended.

VOTE:

Unanimous voice vote.

5. SUBJECT: MINUTES

RECOMMENDATION: That Council waive the reading and approve the minutes of the regular meeting of September 11, 2001.

ACTION: Approved the recommendation.

6. SUBJECT: FISCAL YEAR 2002 INTERIM FINANCIAL STATEMENTS FOR THE ONE MONTH ENDED July 31, 2001 (250.02)

RECOMMENDATION: That Council accept the Fiscal Year 2002 Interim Financial Statements for the one month ended July 31, 2001.

ACTION: Approved the recommendation (September 21, 2001, Acting City Administrator's report).

7. SUBJECT: CITY ADVISORY GROUP RESIGNATION (640.03)

RECOMMENDATION: That Council accept the resignation of Thomas Bollay from the Historic Landmarks Commission.

ACTION: Approved the recommendation (August 1, 2001, letter of resignation).

8. SUBJECT: ALLOCATION OF FUNDS - HONDA VALLEY PARK (570.05)

RECOMMENDATION: That Council appropriate \$5,000 from the Miscellaneous Grant Fund's Park Improvement unappropriated reserve for improvements at Honda Valley Park.

ACTION: Approved the recommendation (September 21, 2001, Acting City Administrator's report).

9. SUBJECT: ACCEPTANCE OF CONTRIBUTION FROM THE PARKS AND RECREATION COMMUNITY (PARC) FOUNDATION FOR SENSORY GARDEN AT ALICE KECK PARK MEMORIAL GARDENS (570.05)

RECOMMENDATION: That Council:

- A. Accept a contribution from the Parks and Recreation Community (PARC) Foundation in the amount of \$18,190.84 for construction and installation of audio posts in the Sensory Garden at Alice Keck Park Memorial Gardens; and

(Cont'd)

9. (Cont'd)

B. Increase appropriations in the Fiscal Year 2001-2002 Parks and Recreation Miscellaneous Grants Fund in the amount of \$18,190.84, and estimated revenues in the amount of \$18,190.84.

SPEAKER:

Staff: Assistant Parks and Recreation Director Jeff Cope.

ACTION: Approved the recommendations (September 21, 2001, Acting City Administrator's report).

10. SUBJECT: TERMINATION OF LEASE AGREEMENT 20,143 WITH MICHAEL AND JULIA FINUCAN, DBA HORNET SPORTFISHING, 125 HARBOR WAY #3, IN THE SANTA BARBARA HARBOR (330.04)

RECOMMENDATION: That Council approve and authorize the City Administrator to terminate Lease Agreement No. 20,143 between the City and Michael and Julia Finucan for their sportfishing operation and 161 square foot office at 125 Harbor Way, Suite #3, in the Santa Barbara Harbor, effective September 15, 2001.

ACTION: Approved the recommendation; Agreement No. 20,143.1 (September 21, 2001, Acting City Administrators' report).

11. SUBJECT: COMMUNITY PROMOTION CONTRACT WITH SUMMER SOLSTICE CELEBRATION, INC. (180.02)

RECOMMENDATION: That Council approve and authorize the City Administrator to execute the Community Promotion contract with the Summer Solstice Celebration, Inc. in the amount of Forty-Five Thousand, Nine Hundred Fourteen Dollars (\$45,914) to support year-round salary and administrative expenses October 1, 2001, through September 30, 2002.

ACTION: Approved the recommendation; Contract No. 20,418 (September 21, 2001, Acting City Administrator's report).

12. SUBJECT: CONEJO LANDSLIDE AREA HAZARD MITIGATION GRANT PROGRAM - CONSERVATION EASEMENT AT 508 CONEJO ROAD (640.04)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting a Conservation Easement on the Real Property Located at 508 Conejo Road, Santa Barbara County Assessor's APN 019-061-024.

ACTION: Approved the recommendation; Resolution No. 01-113 (September 21, 2001, Acting City Administrator's report).

NOTICES

13. The City Clerk has on Friday, September 21, 2001, 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.
14. Cancellation of a site visit on Monday, September 24, 2001, at 1:30 p.m., to the property of 3069 Lucinda Lane, which was the subject of an appeal hearing scheduled for 6:00 p.m. on September 25, 2001, due to withdrawal of appeal. (640.07)
15. Ordinance Committee meeting, September 25, 2001, at 1:00 p.m. in the Council Chamber for consideration of:
- A. Amendments to Municipal Code Sections 6.08.020 and 6.08.025 Pertaining to Animals at Large and Sanitation of Animal Quarters; and
 - B. Amendment of Santa Barbara Municipal Code Section 9.88.040 Regarding the Sale of Unclaimed Property at Public Auction. (120.03)
16. Finance Committee meeting, September 25, 2001, at 1:30 p.m. in Room 15 for consideration of the August 2001 Investment Report. (120.03)
17. The City Council will conduct a site visit on Monday, October 1, 2001, at 1:30 p.m. to the property located at 121 W. Mountain Drive, which is the subject of an appeal hearing set for October 2, 2001, at 6:00 p.m. (640.07)

This completed the Consent Calendar.

REPORTS FROM FINANCE AND ORDINANCE COMMITTEES

19. SUBJECT: REPORT FROM THE ORDINANCE COMMITTEE

ACTION: Ordinance Committee Chair Marty Blum reported that the Committee met to consider amendments to Municipal Code Sections 6.08.020 and 6.08.025 pertaining to animals at large and the sanitation of animal quarters, and amendments to Municipal Code Section 9.88.040 regarding the sale of unclaimed property at public auction. These will be referred to Council at a later date.

RECESS:

3:37 p.m. - 3:45 p.m.

ADMINISTRATIVE REPORTS (Cont'd)

COMMUNITY DEVELOPMENT DEPARTMENT

22. SUBJECT: PLANNING COMMISSION RECOMMENDATIONS, ENVIRONMENTAL FINDINGS, AND PROFESSIONAL SERVICES CONTRACT WITH PENFIELD & SMITH ENGINEERS, INCORPORATED, FOR LOWER MISSION CREEK FLOOD CONTROL PROJECT (530.03)

RECOMMENDATION: That Council:

- A. Consider the recommendations made by the Planning Commission at its June 28, 2001, meeting;
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara for the Lower Mission Creek Flood Control Project with Regard to the Environmental Findings and a Statement of Overriding Considerations; and
- C. Authorize the City Administrator to execute a contract with Penfield & Smith Engineers, Incorporated (P&S), for professional services to assist staff in the management of the Lower Mission Creek Flood Control Project, at a total fee not to exceed \$100,000 including reimbursable expenses.

DOCUMENTS:

- September 21, 2001, Acting City Administrator's report.
- October 23, 2000, letter from the Department of the Army with a copy of the September 2000, Santa Barbara County Streams, Lower Mission Creek Flood Control Feasibility Study.
- Proposed Resolution.

(Cont'd)

22. (Cont'd)

SPEAKERS:

- Staff: Acting City Administrator Peter K. Wilson, Acting Senior Planner Jan Hubbell, Acting Public Works Director Pat Kelly.
- Members of the Public: Brian Trautwein, Environmental Defense Center.

ACTION:

Report presented. By consensus, the Council agreed not to take action on Recommendations B and C.

MAYOR AND COUNCIL MATTERS

27. SUBJECT: CITY ADVISORY GROUP INTERVIEWS (140.05)

RECOMMENDATION: That Council hold interviews of applicants to various City Advisory Groups.

Estimated Time: 4:00 p.m.

DOCUMENTS:

- September 21, 2001, Acting City Administrator's report.

SPEAKERS:

The following applicants were interviewed:

- Creeks Restoration & Water Quality Improvement Program Citizen Advisory Committee:
Wayne R. Ferren, Jr.
- Housing Authority Commission:
Joanne F. Nay
- Water Commission:
Christopher E. Colbert

REQUEST FROM THE PUBLIC

26. SUBJECT: REPORT FROM CENTER STAGE THEATER (330.04)

Request from the Center Stage Theater to present a report on how the theater's operation satisfies the Taubman Company's obligation to the City.

DOCUMENTS:

- September 14, 2001, letter from Anne McNiff.
- August 21, 2001, letter from Anne McNiff.

(Cont'd)

26. (Cont'd)

SPEAKERS:

- Center Stage Theatre: Tom Hinshaw and Rod Lathim.
- Members of the Public: Ellen Anderson, Dramatic Women; Jose Santana, City at Peace and Bug Eye Theatre; Christina Allison; Keith Baker, Mango Productions.
- Staff: Acting City Administrator Peter K. Wilson, Housing and Redevelopment Manager Dave Gustafson.

ACTION:

Presentation received.

ADMINISTRATIVE REPORTS (Cont'd)

PUBLIC WORKS DEPARTMENT

23. SUBJECT: CITY OF SANTA BARBARA APPLICATION FOR RTIP/FTIP FUNDING - REVISION OF FUNDING APPLICATION AMOUNTS (670.05)

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing Submittal of Applications for Regional Flexible Funds and Approving Project Priorities and Local Matching Funds.

DOCUMENTS:

September 21, 2001, Acting City Administrator's report.

SPEAKERS:

Staff: Supervising Transportation Planner Robert Dayton.

MOTION:

Councilmembers Roberts/Secord to approve the recommendation; Resolution No. 01-114.

VOTE:

Unanimous roll call vote.

24. SUBJECT: CAPITAL PROJECTS ANNUAL REPORT FOR FISCAL YEAR
2000-2001 (230.01)

RECOMMENDATION: That Council receive, for information only, the Capital Projects Annual Report for Fiscal Year 2000-2001.

DOCUMENTS:

September 21, 2001, Acting City Administrator's report.

SPEAKERS:

Staff: Acting Public Works Director Pat Kelly.

ACTION:

Report received.

PARKS AND RECREATION DEPARTMENT

25. SUBJECT: APPROPRIATION OF FUNDS - PARMA PARK TRUST
(570.05)

RECOMMENDATION: That Council authorize an increase in estimated revenue of \$95,000 and appropriate the funds to the Parks and Recreation Department Miscellaneous Grants Fund for implementation of a Fiscal Year 2001-2002 work plan for Parma Park to be reimbursed by the Parma Park Trust.

DOCUMENTS:

September 21, 2001, Acting City Administrator's report.

SPEAKERS:

Staff: Assistant Parks and Recreation Director Jeff Cope.

MOTION:

Councilmembers Garcia/Roberts to approve the recommendation.

VOTE:

Unanimous voice vote.

ORDINANCE FOR INTRODUCTION

28. SUBJECT: PROPOSED FIVE-YEAR LEASE RENEWAL OF CITY-OWNED APN 017-165-007 FOR MILPAS STREET POST OFFICE PARKING LOT (330.04)

RECOMMENDATION: That Council introduce, and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the City Administrator to Execute in Duplicate a Ground Lease Agreement with the U.S. Postal Service for a Five-Year Lease of City-Owned Land (APN 017-165-007) for Parking Purposes Adjacent to the Milpas Street Post Office, at an Annual Rate of \$18,500, with a Renewal Option for an Additional Term of Five Years, at an Annual Rate of \$21,000.

DOCUMENTS:

- September 21, 2001, Acting City Administrator's report.
- Proposed Ordinance.

SPEAKERS:

Staff: Acting City Administrator Peter K. Wilson.

MOTION:

Councilmembers Secord/Fairly to approve the recommendation; Agreement No. 20,419.

VOTE:

Unanimous voice vote.

PUBLIC HEARING

29. SUBJECT: APPEAL OF PLANNING COMMISSION DENIAL OF THE MODIFICATION APPLICATION OF DAVID AND LYNN HOLZMAN, FOR FIRST-FLOOR ADDITIONS TO A SINGLE-FAMILY RESIDENCE AT 3069 LUCINDA LANE, APN 055-203-004. (640.07)
Letter from appellant withdrawing appeal on file in the City Clerk's Office.

DOCUMENTS:

- August 26, 2001, letter of appeal from David and Lynn Holzman.
- September 19, 2001, letter withdrawing appeal from David Holzman.
- Affidavit of publication.

ACTION:

No action required due to withdrawal of appeal.

ADJOURNMENT

Mayor Miller adjourned the meeting at 4:54 p.m., to Monday, October 1, 2001, at 1:30 p.m. for a site visit to 121 W. Mountain Drive. (See Item No. 17)

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC
CITY CLERK SERVICES MANAGER

ATTEST:

HARRIET MILLER
MAYOR

BRENDA ALCAZAR
DEPUTY CITY CLERK