

08/21/2001
11:54 am

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CITY OF SANTA BARBARA
CITY COUNCIL MINUTES

REGULAR MEETING
February 27, 2001
COUNCIL CHAMBER, DE LA GUERRA PLAZA

CALL TO ORDER:

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

ROLL CALL:

Councilmembers present: Marty Blum, H. P. Fairly, Gilbert
Garcia, Gregg A. Hart 2:18 p.m.), Tom Roberts, Dan B. Secord,
Mayor Miller.

Councilmembers absent: None.

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

CEREMONIAL ITEMS:

To Honor and Give Thanks

Mayor Miller led a moment of silence in remembrance of the four
students killed in Isla Vista on February 23, 2001.

120.04

Presentations

1. Re: DONATION TO THE POLICE DEPARTMENT'S BICYCLE PATROL PROGRAM Recommendation that Council:
 - A. Accept a donation in the amount of \$1,000 for the Santa Barbara Police Department Bicycle Patrol Program from Dr. William Gabriel on behalf of the Rotary Club of Santa Barbara North;
 - B. Accept a donation in the amount of \$350 for the Santa Barbara Police Department Bicycle Patrol Program from Bruce Davis on behalf of Hazards Bicycle Shop; and

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- C. Appropriate the funds to the Police Special Operations Account 171-3481-53130-3101 to purchase a fully equipped patrol bicycle.

DOCUMENTS:

February 23, 2001, City Administrator's report.

SPEAKERS:

Staff: Police Captain Robert Lowry.
Members of the Public: Dr. William Gabriel, Rotary Club; Bruce Davis, Hazards Bicycle Shop.

By consensus, the Council concurred with the recommendations.

520.04
Programs

PUBLIC COMMENT:

2. Scott Wenz, Bruce Rittenhouse, Eva Inbar, Bob Hansen and Richard Robinson spoke.

180.03

CONSENT CALENDAR Item Nos. 3 14):

MOTION:

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

VOTE:

Unanimous voice vote Absent: Councilmember Hart).

3. Re: MINUTES Recommendation that Council waive the reading and approve the minutes of the regular meeting of February 13, 2001.

Concurred with the recommendation.

4. Re: CITY ADVISORY GROUP GUIDELINES REVISION

Recommendation that Council adopt, by reading of title only,
A Resolution of the Council of the City of Santa Barbara
Approving the Guidelines for the City of Santa Barbara
Advisory Groups and Rescinding Resolution No. 99-072.

Concurred with the recommendation; Resolution
No. 01-018 February 23, 2001, City Administrator's
report).

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140.02

5. Re: APPROPRIATION OF ADDITIONAL FUNDS TO LIBRARY DEPARTMENT

Recommendation that Council:

- A. Appropriate to the FY00-01 operating budget of the Library Department \$50,600 from the Carpinteria Library Insurance Trust for purchase of computer equipment, collection materials, and facilities improvements at the Carpinteria Branch Library;
- B. Appropriate to the FY00-01 operating budget of the Library Department \$60,000 from the Eleanor d'Arrast Trust for computer equipment, collection materials, and paraprofessional assistance at the Montecito Branch Library;
- C. Appropriate to the FY00-01 operating budget of the Library Department \$39,840 from the Donations Account for County branch libraries; and
- D. Appropriate to the FY00-01 budget of the Library Department \$441,660 from the Miscellaneous Library Trust Account for computer equipment, collection materials, furnishings, facilities maintenance, and professional services at Central and branch libraries.

Concurred with the recommendations February 23, 2001,
City Administrator's report).

570.04

Admin., Policies & Proced.

6. Re: LEASE AGREEMENT WITH RANDALL D. FORSYTH, A SOLE PROPRIETOR, DBA RF IMAGES, AT THE AIRPORT Recommendation that Council approve and authorize the City Administrator to execute a one-year Lease Agreement with Randall D. Forsyth, a Sole Proprietor, dba RF Images, for 1,276 square feet of Building 312, 1503-B Cecil Cook Place, at the Santa Barbara Municipal Airport, effective February 1, 2001, for a total monthly rental of \$1,697, exclusive of utilities.

Concurred with the recommendation; Agreement No. 20,151

February 23, 2001, City Administrator's report).

330.04

Airport

7. Re: LEASE AGREEMENT WITH BEACHSIDE ASSOCIATES, INC., A CALIFORNIA CORPORATION, AT THE AIRPORT Recommendation that Council approve and authorize the City Administrator to execute a month-to-month Lease Agreement with Beachside

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Associates, Inc., a California Corporation, for 144 square feet of Building 258 at 629-A Norman Firestone Road, at the Santa Barbara Municipal Airport, effective February 1, 2001, for a total monthly rental of \$144, exclusive of utilities.

Concurred with the recommendation; Agreement No. 20,152 February 23, 2001, City Administrator's report).

330.04
Airport

8. Re: EXECUTION OF CONTRACTS FOR IMAGING AND STORAGE OF LAND DEVELOPMENT DOCUMENTS GENERATED FROM COMMUNITY DEVELOPMENT AND PUBLIC WORKS DEPARTMENTS Recommendation that Council:

- A. Authorize the City Administrator to execute a contract with Integrated Scanning of America in the amount of \$94,000.00 for records imaging and mass scanning of Special Project, Land Development, and Real Property documents generated by the Community Development and Public Works Departments;
- B. Authorize the City Administrator to execute a contract with Pro-File Business Records Storage in the amount of \$4,654.00 to provide off-site storage with the ability to retrieve, deliver and provide the ongoing maintenance of Public Works Engineering and Land Development file documents month to month contract); and
- C. Appropriate \$100,000.00 from the General Fund Reserve for Records Management to the fiscal year 2001 Community Development Department Budget to cover the above costs.

Concurred with the recommendations; Contract Nos. 20,153 and 20,154 February 23, 2001, City Administrator's report).

160.06

Set a date for public hearing:

9. Re: APPEAL OF CARRILLO HOTEL PROJECT APPROVAL
Recommendation that Council set the date of March 20, 2001,
at 2:00 p.m. for hearing the appeal filed by Richard
Untermann of the Planning Commission approval, with amended
conditions, of an application for the property located at 31
West Carrillo Street, APN 39-321-01, C-2 Commercial Zone,
General Plan Designation: General Commerce.

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The discretionary applications required for the project are:
1) approval of the demolition and replacement of a nonconforming building subject to the Seismic Safety Ordinance; and 2) approval by the City Council of proposed encroachments into the public right-of-way. The Council must also make the required California Environmental Quality Act findings for the Environmental Impact Report (EIR) and Addendum.

Concurred with the recommendation February 19, 2001, letter of appeal).

640.07
Planning Commission

Notices to be filed:

10. that the City Clerk has on Friday, February 23, 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.
11. of Finance Committee meeting, February 27, 2001, at 1:00 p.m. in Room 15 for consideration of:
 - A. January 31, 2001, Investment Report and December 31, 2000, Fiscal Agent Report; and
 - B. Capital Program.

120.03
Finance Committee
12. of Special Redevelopment Agency meeting, February 27, 2001, at 2:00 p.m. in the Council Chamber.

620.03
Agendas
13. of joint City Council/Redevelopment Agency meeting, February 27, 2001, at 2:00 p.m. to consider Item No. 17 on the Council Agenda and Item No. 3 on the Redevelopment Agency Agenda.

620.03
Agendas

14. of cancellation of the regular City Council meeting of March 13, 2001, due to lack of a quorum.

120.09

This completed the Consent Calendar.

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RECESS:

2:17 p.m. 2:18 p.m., during which time the first portion of the
Redevelopment Agency meeting was completed.

Councilmember Hart entered the meeting at 2:18 p.m.

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY SESSION:

The City Council and the Redevelopment Agency convened in joint
session at 2:18 p.m.

ADMINISTRATIVE REPORTS:

Community Development Department

17. Re: FUNDING FOR REDEVELOPMENT AGENCY ACQUISITION OF REAL
PROPERTY IDENTIFIED AS ASSESSOR'S PARCEL NUMBERS
017-113-029, 017-113-030, 017-113-034 AND 017-113-035, FROM
SPUMONI HOLDING COMPANY, LLC Recommendation that Council:

- A. Authorize a short term loan of \$2,875,000 from the
City's General Fund to the Redevelopment Agency for the
acquisition of real property identified as Assessor's
Parcel Numbers 017-113-029, 017-113-030, 017-113-034
and 017-113-035, from Spumoni Holding Company, LLC; and
- B. Authorize the City Administrator to execute a loan
agreement between the City and the Agency for the
amount of \$2,875,000 in a form acceptable to the City
Attorney.

To be considered with Redevelopment Agency Agenda
Item No. 3)

CITY COUNCIL DOCUMENTS:

February 23, 2001, City Administrator's report.

REDEVELOPMENT AGENCY DOCUMENTS:

February 23, 2001, Executive Director's report
recommending that the Redevelopment Agency Board:

- A. Adopt, by reading of title only, A Resolution of
the Board of the Redevelopment Agency of the City
of Santa Barbara Declaring its Intention to
Purchase Real Property Identified as Assessor's
Parcel Numbers 017-113-029, 017-113-030,
017-113-034, and 017-113-035 from Spumoni Holding

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Company, LLC;

- B. Authorize the Executive Director to execute a Purchase and Sale Agreement with Spumoni Holding Company, LLC and all other necessary documents required for completing the acquisition of certain real property identified as Assessor's Parcel Numbers 017-113-029, 017-113-030, 017-113-034, and 017-113-035 for a purchase price of \$2,872,815;
- C. Authorize the Executive Director to execute a loan agreement with the City of Santa Barbara for the amount of \$2,875,000 in a form acceptable to the Agency Counsel; and
- D. Adopt, by reading of title only, A Resolution of the Board of the Redevelopment Agency of the City of Santa Barbara Declaring its Official Intent to Reimburse Certain Expenditures from Proceeds of Indebtedness.

Proposed Resolutions.

SPEAKERS:

Staff: Housing and Redevelopment Manager David Gustafson, Assistant City Attorney/Assistant Agency Counsel Stephen Wiley, City Administrator/Executive Director Sandra Tripp-Jones.

Members of the Public: Patrick Davis, Arts Advisory Committee; Bruce Caron and Claudia Bratton, Summer Solstice; Mario Borgatello, Spumoni Holding Company.

MOTION:

Council/Agency members Roberts/Garcia to concur with the recommendations; City Council Agreement No. 20,155; Redevelopment Agency Resolution Nos. 947 and 948; Redevelopment Agency Purchase Agreement No. RO-368 and Loan Agreement No. RO-369.

VOTE:

Unanimous roll call vote.

The City Council and Redevelopment Agency joint session concluded

at 2:43 p.m. The Redevelopment Agency meeting was adjourned at
2:43 p.m. The Council meeting remained in session.

330.03

General

X

620.03

Actions

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REPORT FROM FINANCE COMMITTEE:

15. Report from the Finance Committee.

Finance Committee Chair Tom Roberts reported that the Committee had begun its review of the six-year Capital Program for Fiscal Years 2001-2002 through 2006-2007. The Committee also considered the January 31, 2001, Investment Report and December 31, 2000, Fiscal Agent Report; he suggested that Council take action on these matters at this time Agenda Item No. 16).

ADMINISTRATIVE REPORTS:

Finance Department

16. Re: JANUARY 31, 2001, INVESTMENT REPORT AND DECEMBER 31, 2000, FISCAL AGENT REPORT Recommendation that Council:
- A. Accept the January 31, 2001, Investment Report; and
 - B. Accept the December 31, 2000, Fiscal Agent Report.

DOCUMENTS:

February 23, 2001, City Administrator's report.

SPEAKERS:

Staff: Finance Director Robert Peirson.

MOTION:

Councilmembers Secord/Garcia to concur with the recommendations.

VOTE:

Unanimous voice vote.

260.02

Community Development Department

18. Re: PRESENTATION FROM LAFCO STAFF Recommendation that

Council receive a presentation from Santa Barbara County Local Agency Formation Commission (LAFCO) Staff regarding changes to LAFCO law resulting from the passage of AB 2838 (Hertzberg).

DOCUMENTS:

February 23, 2001, City Administrator's report.

Copy of PowerPoint presentation made by Bob Braitman.

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SPEAKERS:

Staff: Assistant Community Development Director Paul Casey, City Administrator Sandra Tripp-Jones.
Santa Barbara County Local Agency Formation Commission:
Executive Director Bob Braitman.

By consensus, the Council concurred with the recommendation.

680.03

19. Re: CREEK POLICY UPDATE WORK PROGRAM Recommendation that Council:

- A. Receive a presentation from Staff on the proposed work program for the Creek Policy Update;
- B. Approve the work program, initiate amendments to the Municipal Code and the Master Environmental Assessment, and declare the amendments as a project for compliance with California Environmental Quality Act (CEQA) provisions; and
- C. Allocate \$40,000 from the General Fund Appropriated Reserve for Clean Water and Creeks Restoration to the Fiscal Year 2001 General Fund Parks and Recreation budget, Clean Water and Creeks Restoration Program, for technical consulting services.

Continued from February 13, 2001, Item No. 13)

DOCUMENTS:

February 9, 2001, City Administrator's report.

SPEAKERS:

Staff: Creeks Restoration/Clean Water Program Manager Jill Zachary.

MOTION:

Councilmembers Secord/Hart to continue action on this item to March 6, 2001.

VOTE:

Unanimous voice vote.

540.14

RECESS:

3:30 p.m. 3:37 p.m. Councilmember Roberts was absent when the Council reconvened.

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ADMINISTRATIVE REPORTS:

Public Works Department

20. Re: CAPITAL PROJECTS SECOND QUARTER UPDATE FOR FISCAL YEAR 2000-2001 Recommendation that Council receive, for information only, the Capital Projects Second Quarter Update for Fiscal Year 2000-2001.

DOCUMENTS:

February 23, 2001, City Administrator's report.

SPEAKERS:

Staff: City Engineer Pat Kelly, who showed slides of various capital projects in progress or completed during the second quarter.

By consensus, the Council concurred with the recommendation.

230.01

REQUESTS FROM THE PUBLIC:

21. Re: ESTABLISHMENT OF PUBLIC MEMORIAL Request from Patrick L. Mc Avoy to establish a public memorial or place of reflection for those lost at sea.

Staff recommendation that Council refer a request from Patrick Mc Avoy to establish a public memorial or place of reflection for people lost at sea to the Parks and Recreation Director and Waterfront Director with direction to review the public memorial concept and process with the Park and Recreation Commission and Harbor Commission, and return to Council with a recommendation.

DOCUMENTS:

November 2, 2000, letter from Patrick Mc Avoy.

February 23, 2001, City Administrator's report.

SPEAKERS:

Members of the Public: Patrick Mc Avoy, Mujiba
Cabugos.

Staff: Parks and Recreation Director Richard Johns.

MOTION:

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Councilmembers Hart/Secord to concur with the Staff
recommendation.

VOTE:

Unanimous voice vote Absent: Councilmember Roberts).

570.08

Admin., Policies & Proced.

Councilmember Roberts returned to the meeting at 3:48 p.m.

ORDINANCES FOR INTRODUCTION:

22. Re: FIVE-YEAR AGREEMENT WITH MCCARTHY FAMILY FARMS, INC.,
FOR THE TRANSPORTATION AND LAND APPLICATION OR COMPOSTING OF
WASTEWATER BIOSOLIDS 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
an Agreement with McCarthy Family Farms, Inc., for Biosolids
Transportation and Land Application or Composting.

DOCUMENTS:

February 23, 2001, City Administrator's report.

Proposed Ordinance.

MOTION:

Councilmembers Secord/Blum to concur with the
recommendation; introduced Ordinance as Bill No. 5201;
Agreement No. 20,156.

VOTE:

Unanimous voice vote.

540.13

Admin., Policies & Proced.

ORDINANCES FOR ADOPTION:

23. Re: PERS FIRE SAFETY AMENDMENT TO PROVIDE 3% AT 50
Recommendation that Council adopt, by reading of title only,

An Ordinance of the Council of the City of Santa Barbara Amending Agreement No. 17,858 with the Board of Administration of the Public Employees' Retirement System (PERS) to Provide the 3% at 50 Benefit Formula for Local Fire Safety Members. Introduced on February 6, 2001, as Bill No. 5197)

DOCUMENTS:

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Previous documents submitted February 6, 2001.
Proposed Ordinance.

MOTION:

Councilmembers Blum/Secord to concur with the
recommendation; Ordinance No. 5179.

VOTE:

Unanimous roll call vote.

430.08

X

520.03

Admin., Pol. & Proced.

24. Re: LEASE AGREEMENT WITH MICHAEL AND JULIA FINUCAN, DBA
HORNET SPORTFISHING, 125 HARBOR WAY #3, IN THE SANTA BARBARA
HARBOR Recommendation that Council adopt, by reading of
title only, An Ordinance of the Council of the City of Santa
Barbara Approving a Month-to-Month Lease Agreement with
Michael and Julia Finucan, for a 161 Square Foot Office
Located at 125 Harbor Way #3, at an Initial Monthly Rental
Rate of \$300 and an Annual Base Rent of \$9,000 and
Percentage Rent Based on Gross Receipts From Hornet
Sportfishing Charter Boat Operations From the Accommodation
Dock in Santa Barbara Harbor. Introduced on February 20,
2001, as Bill No. 5200)

DOCUMENTS:

Previous documents submitted February 20, 2001.
Proposed Ordinance.

MOTION:

Councilmembers Secord/Blum to concur with the
recommendation; Ordinance No. 5180.

VOTE:

Unanimous roll call vote.

330.04

Harbor: Mooring
Agreements & Misc.

RECESS:

3:52 p.m. 3:55 p.m.

CLOSED SESSION:

25. Re: CONFERENCE WITH REAL PROPERTY NEGOTIATOR

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Recommendation from the City Administrator that Council hold a closed session to consider instructions to City staff regarding real property negotiations with the County of Santa Barbara, regarding the real property located at 1136 E. Montecito Street APN 017-061-002). Instructions to the negotiators will direct staff to negotiate the terms of a leasehold interest in the real property pursuant to the authority of section 54956.8 of the Government Code. Negotiations will be conducted by City Public Works representative William P. McTomney, Public Works Administrative Officer, with John Terrell, Assistant Auditor, representative of the tenants, the County of Santa Barbara. Under Negotiation: new lease of property.

Scheduling: Duration, 20 minutes; afternoon preferred

DOCUMENTS:

February 23, 2001, City Administrator's report.

TIME:

3:55 p.m. 4:35 p.m.

ANNOUNCEMENT:

At the beginning of the evening session, City Attorney Daniel Wallace announced that no reportable action was taken during the closed session.

330.03
General

RECESS:

4:35 p.m. 4:40 p.m.

CLOSED SESSION:

26. Re: CONFERENCE WITH LABOR NEGOTIATOR Recommendation from the City Administrator that Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Joan Kent regarding

negotiations with the Santa Barbara Police Officers Association.

Scheduling: Duration, 30 minutes; anytime

DOCUMENTS:

February 23, 2001, City Administrator's report.

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4:40 p.m. 5:00 p.m.

ANNOUNCEMENT:

At the beginning of the evening session, City Attorney Daniel Wallace announced that no reportable action was taken during the closed session.

440.05

RECESS:

5:00 p.m. 6:00 p.m.

Mayor Miller presiding.

Councilmembers present: Blum, Fairly, Garcia, Hart, Roberts, Secord, Mayor Miller.

Councilmembers absent: None.

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

The City Council reconvened in the Council Chamber. City Attorney Daniel Wallace reported on the Closed Sessions, Item Nos. 25 and 26.

PUBLIC COMMENT:

28. Tom Becker spoke.

180.03

REQUESTS FROM THE PUBLIC:

29. Re: SLIP PERMITS IN SANTA BARBARA HARBOR Request from Craig Cody for revision to the City's slip transfer policy as it relates to the transfer of slips to heirs.

Staff recommendation that the Council hear a request from Mr. Craig Cody to discuss matters pertaining to slip permits in the Santa Barbara Harbor, specifically inheritance of a slip permit upon death of permittee.

Continued from February 6, 2001, Item No. 15)

DOCUMENTS:

January 10, 2001, e-mail communication from Craig Cody.

February 2, 2001, City Administrator's report.

SPEAKERS:

Member of the Public: Craig Cody.

Staff: Waterfront Director John Bridley, City
Administrator Sandra Tripp-Jones.

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DISCUSSION:

Following Staff's comments and responses to Councilmembers' questions, the Council gave general direction to Staff regarding potential amendments to the Municipal Code for later consideration by the Ordinance Committee and City Council.

570.03

Admin., Policies & Proced.

WORK SESSIONS:

27. Re: REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM (RTIP) AND FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM (FTIP) TENTATIVE PROJECT CANDIDATES Recommendation that Council hold a work session regarding the development of the tentative candidate project list for the RTIP and FTIP funding opportunities.

DOCUMENTS:

February 23, 2001, City Administrator's report.
February 27, 2001, Report to Santa Barbara City Council on Proposed FTIP/RTIP Project Funding," submitted by Cars Are Basic.

SPEAKERS:

Staff: Supervising Transportation Planner Robert Dayton, Public Works Director David Johnson, City Administrator Sandra Tripp-Jones.
Member of the Public: Tom Becker, Cars Are Basic.

DISCUSSION:

Councilmembers made comments on the various projects proposed to be submitted to the Santa Barbara County Association of Governments for possible funding. Staff will return to Council on March 6, 2001, for approval of the candidate project list.

670.05

ADJOURNMENT:

Mayor Miller adjourned the meeting at 7:10 p.m.

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

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ATTEST:

HARRIET MILLER
MAYOR

SUSAN TSCHECH
DEPUTY CITY CLERK