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CITY OF SANTA BARBARA
CITY COUNCIL MINUTES

REGULAR MEETING
July 17, 2001
COUNCIL CHAMBER, DE LA GUERRA PLAZA

CALL TO ORDER

Mayor Harriet Miller called the meeting to order at 2:06 p.m.
(The Finance and Ordinance Committees met at 1:00 p.m.)

PLEDGE OF ALLEGIANCE

Mayor Harriet Miller.

ROLL CALL

Councilmembers present: Marty Blum, Gilbert Garcia, Gregg A.
Hart, Tom Roberts, Dan B. Secord, Mayor Miller.

Councilmembers absent: H. P. Fairly.

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

CEREMONIAL ITEMS

Proclamation

1. Issuance by the Mayor of a proclamation declaring the week
of July 16 20, 2001, as Dyslexia Awareness Week. 120.04)

Proclamation presented to Joan Esposito, Founder and
Director of the Dyslexia Awareness and Resource Center.

SPEAKER:

Dyslexia Awareness and Resource Center: Joan Esposito,

Founder and Director.

Presentations

2. Recommendation that Council recognize Robert Pearson, Executive Director, Housing Authority of the City of Santa Barbara, as the recipient of The American Institute of Architects California Council Community Housing Assistance Honor Award. 660.03)

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SPEAKERS:

Housing Authority of the City of Santa Barbara:
Executive Director Robert Pearson.
Members of the Public: Mickey Flacks; Catherine
Gaughen, Santa Barbara Chamber of Commerce.

DOCUMENTS:

July 2, 2001, memorandum from Rob Pearson.

ACTION:

By consensus, the Council approved the recommendation.

PUBLIC COMMENT

SPEAKER: Ken Loch.

CONSENT CALENDAR ITEM NOS. 3 17)

MOTION:

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

ACTION:

Unanimous voice vote. Absent: Councilmember Fairly)

3. SUBJECT: MINUTES

RECOMMENDATION: That Council waive the reading and approve
the minutes of the regular meeting of July 3, 2001
(adjourned for lack of a quorum).

ACTION: Approved the recommendation.

**4. SUBJECT: AGREEMENT FOR WORKERS' COMPENSATION CLAIMS
ADMINISTRATION 350.08)**

RECOMMENDATION: That City Council approve and authorize the City Administrator to execute an agreement for professional services with JT2 Integrated Resources to provide workers' compensation claims administration for two (2) fiscal years beginning July 1, 2001, and ending June 30, 2003, for annual fees of \$95,197 and \$99,005, respectively.

ACTION: Approved the recommendation; Agreement No. 20,334 (July 13, 2001, City Administrator's report).

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5. SUBJECT: PROFESSIONAL SERVICES CONTRACT WITH URS CORPORATION TO PREPARE PRELIMINARY PLANS FOR THE BOHNETT PARK CREEK RESTORATION PROJECT 570.05) Parks, A-D

RECOMMENDATION: That Council approve and authorize the City Administrator to execute a professional services contract with URS Corporation in the amount of \$61,950 to complete background investigations and prepare final preliminary plans for the Bohnett Park Creek Restoration Project.

ACTION: Approved the recommendation; Contract No. 20,335 July 13, 2001, City Administrator's report).

6. SUBJECT: LICENSE AGREEMENT FOR SURFBOARD AND BOOGIE BOARD RENTAL CONCESSIONAIRE 330.08)

RECOMMENDATION: That Council approve and authorize the City Administrator to execute a Soft Surfboard and Boogie Board Rental License Agreement with Surf N Wear's Beach House for soft surfboard and boogie board rentals at Leadbetter Beach.

ACTION: Approved the recommendation; Agreement No. 20,336 July 13, 2001, City Administrator's report).

7. SUBJECT: APPROVAL OF AN AMENDMENT TO ADD PROPERTY AT 508 CONEJO ROAD, SANTA BARBARA, TO AGREEMENT NO. 20,043 CONCERNING THE HAZARD MITIGATION GRANT PROGRAM HMGP) 640.04) Conejo Road Landslide Area

RECOMMENDATION: That Council authorize the City Administrator to execute an amendment to agreement 20,043 with the Conejo Landslide Open Space Demonstration Garden, Inc., to make Hazard Mitigation Program Grant funds from the City of Santa Barbara's approved grant available to the owner of 508 Conejo Road, Santa Barbara.

ACTION: Approved the recommendation; Agreement No. 20,043.1
July 13, 2001, City Administrator's report).

8. SUBJECT: AMEND THE LEASE FOR 222 EAST ANAPAMU STREET TO ADD
STORAGE SPACE 330.03)

RECOMMENDATION: That Council authorize the City
Administrator to negotiate and execute an amendment to the

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Lease Agreement for 222 East Anapamu Street to include approximately 588 square feet of basement storage space at \$1.00 per square foot per month.

SPEAKER:

Staff: Public Works Administrative Officer Bill McTomney.

ACTION: Approved the recommendation; Agreement No. 20,337 July 13, 2001, City Administrator's report).

9. **SUBJECT: ACCEPTANCE OF DEDICATION FOR A STREET EASEMENT DEED, EXECUTION OF AN AGREEMENT TO ASSIGN WATER EXTRACTION RIGHTS, AND ACCEPTANCE OF WATER EXTRACTION RIGHTS FOR 425-431 EAST ORTEGA STREET 330.03) Easements/Water Extraction Rights**

RECOMMENDATION: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting a Street Easement on the Real Property Located at 425-431 East Ortega Street, APNs 031-092-019 and 031-092-020;
- B. Approve and authorize the City Administrator to execute and record an Agreement Assigning Water Extraction Rights; and
- C. 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 425-431 East Ortega Street, APNs 031-092-019 and 031-092-020.

ACTION: Approved the recommendations; Agreement No. 20,338; Resolution Nos. 01-087 and 01-088 July 13, 2001, City Administrator's report).

10. **SUBJECT: LEGISLATIVE ANALYSIS AND RECOMMENDATIONS 160.02) State**

RECOMMENDATION: That Council take the following action regarding legislative matters:

- A. **SUPPORT S. 997** (Boxer), which would authorize \$71.25 million over five years from the federal budget for the Department of Agriculture's Sudden Oak Death Syndrome (SODS) efforts;
- B. **SUPPORT SB 211** (Torlakson), which would authorize a redevelopment agency that adopted a redevelopment plan

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on or before December 31, 1984, to extend the plan in order to pay off indebtedness, and to continue to receive property tax increment revenues with respect to the plan, for up to 10 additional years;

- C. SUPPORT SB 10 Soto), which would extend the date of repeal of certain state law provisions that authorize the use of federal transportation funds for construction of bicycle and pedestrian safety and traffic calming projects, including the Safe Routes to School" program, from January 1, 2002, to January 1, 2005; and
- D. Authorize the Mayor to send letters to and, as needed, contact the appropriate legislators, the League of California Cities and other appropriate parties to convey the City's position.

SPEAKER:

Staff: Housing and Redevelopment Manager David Gustafson.

ACTION: Approved the recommendations July 13, 2001, City Administrator's report).

NOTICES

- 11. The City Clerk has on Friday, July 13, 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.
- 12. Finance Committee meeting, July 17, 2001, at 1:00 p.m. in Room 15 for consideration of Requests from Outside Organizations. 120.03) Finance Committee
- 13. Ordinance Committee meeting, July 17, 2001, at 1:00 p.m. in the Council Chamber for consideration of Telecommunications

Right-of-Way Compensation. 120.03) Ordinance Committee

14. Cancellation of Redevelopment Agency meeting, July 17, 2001, at 2:00 p.m. 620.03) Agendas and Minutes
15. The City Council will hold a Closed Session on Thursday, July 19, 2001, at 9:00 a.m. in Room 15 regarding the City Administrator recruitment. 440.05)

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16. The City Council will conduct a site visit on Monday, July 23, 2001, at 1:30 p.m. to the property located at 1130 State Street, which is the subject of an appeal hearing set for July 24, 2001, at 6:00 p.m. 640.07) HLC
17. Cancellation of the regular City Council meetings of August 7, and August 14, 2001, due to lack of a quorum. 120.09)

This completed the Consent Calendar.

REPORTS FROM FINANCE AND ORDINANCE COMMITTEES

18. Report from the Finance Committee.

Finance Committee Chair Tom Roberts stated that the Committee met to consider requests from the Liberty Program and Paint California as directed by Council on June 19, 2001. The Committee decided to deny both requests.

19. Report from the Ordinance Committee.

Ordinance Committee Chair Marty Blum stated that the Committee met to consider an Ordinance regarding telecommunications right-of-way compensation. The Committee decided to forward this to City Council as a closed session due to litigation by Cox Cable.

ADMINISTRATIVE REPORTS

CITY ADMINISTRATOR

20. SUBJECT: NARROWING CERTAIN STREETS INITIATIVE PETITION
110.03) Initiatives Narrowing Certain Streets)

RECOMMENDATION: That Council:

A. Receive the Certificate from the County Clerk-Recorder-Assessor and Registrar of Voters dated July 12, 2001, indicating that the subject initiative petition does have sufficient valid signatures; and

B. Refer the subject initiative petition to City staff to prepare a report on the effect of the initiative as provided in Elections Code Section 9212(a)(1), 2), 4), 7), and 8) to be presented at the City Council meeting of July 31, 2001.

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DOCUMENTS:

July 13, 2001, City Administrator's report.

SPEAKERS:

Staff: City Clerk Services Manager Mabi Covarrubias
Plisky, City Administrator Sandra Tripp-Jones, City
Attorney Daniel Wallace.
Streets R Us: Elisabeth Donati.

MOTION:

Councilmembers Garcia/Roberts to approve the
recommendations and direct staff to identify potential
impacts to pedestrian safety and the potential
constraints on the City in addressing the safety
issues.

VOTE:

Unanimous voice vote. Absent: Councilmember Fairly)

CITY ATTORNEY

21. SUBJECT: DEFENSE OF LAWSUIT, ELISABETH DONATI, ET AL., V.
THE CITY OF SANTA BARBARA, SBSC NO. 1044018 110.03)
Initiatives Narrowing Certain Streets)

RECOMMENDATION: That Council authorize the City Attorney to
defend the lawsuit, Elisabeth Donati, et al., v. The City of
Santa Barbara, SBSC No. 1044018, an action for declaratory
relief, and to take whatever legal action may be required to
resolve the question of whether or not the initiative
petition is a proper subject for the initiative process.

DOCUMENTS:

July 13, 2001, City Attorney's report.
June 19, 2001, Complaint for Declaratory Relief and
Injunction.

SPEAKERS:

Staff: City Attorney Daniel Wallace.

MOTION:

Councilmembers Secord/Garcia to approve the recommendation.

VOTE:

Unanimous voice vote. Absent: Councilmember Fairly)

COMMUNITY DEVELOPMENT DEPARTMENT

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22. SUBJECT: REQUEST FROM SANTA BARBARA COUNTY TO SUPPORT AN
ADJUSTMENT TO CENSUS DATA 150.01) Miscellaneous

RECOMMENDATION: That Council:

- A. Support the County of Santa Barbara's request to the U.S. Census Bureau to move population from Census Block 060830029032004 to Census Block 060830029031032; and
- B. Authorize the Mayor to send a letter to the County of Santa Barbara indicating the City's support.

DOCUMENTS:

July 13, 2001, City Administrator's report.

SPEAKERS:

Staff: Housing and Redevelopment Manager David Gustafson.
Santa Barbara County: Deputy County Administrator James Laponis.

MOTION:

Councilmembers Hart/Secord to approve the recommendations.

VOTE:

Unanimous voice vote. Absent: Councilmember Fairly)

23. SUBJECT: CLARIFICATION REGARDING THE ENVIRONMENTAL REVIEW
AND PROCESSING FOR THE DRAFT DOUGLAS FAMILY PRESERVE
MANAGEMENT PLAN AND THE OFF-LEASH DOG PARK LOCATIONS STUDY
570.05) Parks, A-D Douglas Family Preserve)

RECOMMENDATION: That City Council:

- A. Consider comments of the Douglas Family Preserve Advisory Committee and the Park and Recreation Commission;
- B. Authorize the City Administrator to negotiate and

execute a contract with Jones & Stokes, in an amount not to exceed \$92,338, plus \$7,000 for contingencies, for a total of \$99,338, for the preparation of technical environmental studies for the Douglas Family Preserve Management Plan and the Off-Leash Dog Park Locations Study at Hale Park and Shoreline Beach adding beach area west to City limits);

- C. Allocate \$50,000 from the fiscal year 2002 General Fund Appropriated Reserve for Off-Leash Technical Studies to

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the Community Development Parks and Recreation Department budget for the technical studies identified in Recommendation B;

- D. Direct staff to continue the environmental review process for the Draft Douglas Family Preserve Management Plan described in the Council Agenda Report, including the recommended Master Management Plan changes; and
- E. Confirm that the full range of off-leash dog use alternatives for the Douglas Family Preserve, described in the Council Agenda Report, dated June 1, 2001 with exception of a fenced closure), shall be evaluated in the technical studies and assessed during the project's environmental review.

DOCUMENTS:

July 13, 2001, City Administrator's report.

SPEAKERS:

Staff: Community Development Director David Davis;
City Administrator Sandra Tripp-Jones; Parks and Recreation Director Richard Johns.
Members of the Public: Dr. Lee E. Heller, Dog PAC.

MOTION:

Councilmembers Roberts/Secord to approve the recommendations as revised; Contract No. 20,339.

VOTE:

Unanimous voice vote. Absent: Councilmember Fairly)

Councilmember Roberts left the meeting at 3:15 p.m.

PARKS AND RECREATION DEPARTMENT

24. SUBJECT: FRANKLIN, WESTSIDE, AND LOUISE LOWRY DAVIS
COMMUNITY CENTERS AND YOUTH SPORTS CENTER LEASE AGREEMENTS

330.04) General

RECOMMENDATION: That Council approve and authorize the City Administrator to execute the following lease agreements for space at the Franklin Neighborhood Center with: Cornelia Moore Dental Foundation, County of Santa Barbara Health Care Services, Endowment for Youth, and Women's Economic Ventures; for space at the Westside Community Center with: Community Action Commission/Senior Services, Easy Lift

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Transportation, Inc., Independent Living Resource Center, Rental Housing Mediation Task Force, Santa Barbara City College/Early Childhood Education Program, Santa Barbara Special Olympics, and United Cerebral Palsy Association; for space at the Louise Lowry Davis Center with NAACP/Santa Barbara Chapter; and at the Youth Sports Center with Primo Boxing Club.

DOCUMENTS:

July 13, 2001, City Administrator's report.

MOTION:

Councilmembers Secord/Blum to approve the recommendation; Agreement Nos. 20,340 20,352.

VOTE:

Unanimous voice vote. Absent: Councilmembers Fairly, Roberts)

Councilmember Roberts entered the meeting at 3:17 p.m.

**25. SUBJECT: MISSION CREEK OUTFALL MANAGEMENT PLAN PERMITS
530.03) Mission Creek**

RECOMMENDATION: That Council:

- A. Approve and authorize the General Services Manager to issue a purchase order to Pat Saley and Associates in the amount of \$10,000 for the coordination of applications, correspondence and technical studies to agencies involved in approving permits for the Mission Creek Outfall Management Plan; and
- B. Allocate \$10,000 from the fiscal year 2002 General Fund Appropriated Reserve to the Parks and Recreation Department budget for project management necessary for environmental review and discretionary approvals of the Mission Creek Outfall Management Plan.
To be considered with Item No. 26)

DOCUMENTS:

July 13, 2001, City Administrator's report.

SPEAKERS:

Staff: Parks and Recreation Director Richard Johns.

MOTION:

Councilmembers Roberts/Garcia to approve the recommendations.

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VOTE:

Unanimous voice vote. Absent: Councilmember Fairly)

26. SUBJECT: MISSION CREEK OUTFALL MANAGEMENT PLAN TECHNICAL STUDIES 530.03) Mission Creek

RECOMMENDATION: That Council:

- A. Hear a staff presentation on the current status of maintenance operations and opening the mouth of Mission Creek Outfall at East Beach;
- B. Declare the Mission Creek Outfall Management Plan a project for the purposes of environmental review;
- C. Increase appropriations in the Fiscal Year 2001-2002 Parks and Recreation General Fund budget in the amount of \$27,250; and
- D. Approve and authorize the General Services Manager to issue a purchase order to URS Corporation in the amount of \$24,750, plus \$2,500 for contingencies, for a total of \$27,250, for technical studies including biological resources and water quality evaluation.

To be considered with Item No. 25)

DOCUMENTS:

July 13, 2001, City Administrator's report.
Power Point slide presentation.

SPEAKERS:

Staff: Parks and Recreation Director Richard Johns,
City Administrator Sandra Tripp-Jones.
Pat Saley and Associates: Pat Saley.

MOTION:

Councilmembers Roberts/Blum to approve the recommendations.

VOTE:

Unanimous voice vote. Absent: Councilmember Fairly)

MAYOR AND COUNCIL MATTERS

27. SUBJECT: SUPPLEMENTAL APPROPRIATION ARTS FUNDING
230.02) Contracts/Funding Actions

RECOMMENDATION FROM THE FINANCE COMMITTEE: That Council:

- A. Approve a supplemental appropriation of \$50,000 to the fiscal year 2002 General Fund Community Promotion budget for Community Arts Funding; and

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B. Fund the supplemental appropriation from the balance of the fiscal year 2001 General Fund Appropriated Reserve.

DOCUMENTS:

July 13, 2001, Finance Committee's report.

SPEAKERS:

Members of the Public: Ken Loch.

MOTION:

Councilmembers Roberts/Hart to approve the recommendations.

VOTE:

Unanimous voice vote. Absent: Councilmember Fairly)

BOARD AND COMMISSION REPORTS

28. SUBJECT: SANTA BARBARA BEAUTIFUL REQUEST FOR OFFICIAL TREE DESIGNATION FOR THE CITY OF SANTA BARBARA 570.05) Park Commission Actions

RECOMMENDATION FROM THE PARK COMMISSION: That Council designate the Jacaranda mimosifolia Jacaranda) and Quercus agrifolia Coast Live Oak) as official City trees, as recommended by the Park Commission on May 23, 2001.

DOCUMENTS:

July 13, 2001, Park Commission's report.

SPEAKERS:

Staff: Parks and Recreation Director Richard Johns, Arborist Dan Condon.

MOTION:

Councilmembers Hart/Blum to approve the recommendation.

VOTE:

Unanimous voice vote. Absent: Councilmember Fairly)

ADJOURNMENT

Mayor Miller adjourned the meeting at 3:49 p.m., to Thursday, July 19, 2001, at 9:00 a.m. in Room 15 for a Closed Session. See Item No. 15)

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

ATTEST:

HARRIET MILLER
MAYOR

BRENDA ALCAZAR
DEPUTY CITY CLERK