



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING September 24, 2002 COUNCIL CHAMBER, DE LA GUERRA PLAZA

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### CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:01 p.m. (The Ordinance Committee met at 12:30 p.m., and the Finance Committee met at 1:30 p.m.)

### 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: Acting City Administrator Peter K. Wilson, City Attorney Daniel J. Wallace, Deputy City Clerk Susan Tschech.

### CEREMONIAL ITEMS

#### Proclamations

1. SUBJECT: PROCLAMATION DECLARING THE MONTH OF SEPTEMBER 2002 AS NATIONAL ADULT CARE SERVICES MONTH (120.04)

ACTION: Proclamation presented to Chris Jones, President of the Friendship Adult Day Care Center Board of Directors.

2. SUBJECT: PROCLAMATION DECLARING THE MONTH OF SEPTEMBER 2002 AS ALCOHOL AND DRUG ADDICTION RECOVERY MONTH (120.04)

ACTION: Proclamation presented to the Community Recovery Network Project Director.

## **PUBLIC COMMENT**

SPEAKERS: No one wished to speak.

## **ITEM REMOVED FROM CONSENT CALENDAR**

5. SUBJECT: SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2003 (230.05)

RECOMMENDATION: That Council approve the General Fund supplemental appropriations totaling \$260,000 related to the City Hall basement remodeling project (\$175,000) and consulting services for the Neighborhood Preservation Ordinance (\$85,000) using General Fund unappropriated reserves.

By consensus, the Council continued this item to October 1, 2002.

## **CONSENT CALENDAR** (Item Nos. 3, 4, and 6 - 18)

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

### **MOTION:**

Councilmembers Horton/Fairly 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 September 10, 2002.

ACTION: Approved the recommendation.

4. SUBJECT: FISCAL YEAR 2003 INTERIM FINANCIAL STATEMENTS FOR THE TWO MONTHS ENDED AUGUST 30, 2002 (250.02)

RECOMMENDATION: That Council accept the fiscal year 2003 Interim Financial Statements for the Two Months Ended August 30, 2002.

ACTION: Approved the recommendation (September 24, 2002, Finance Director's report).

6. SUBJECT: ADDITION OF ASSOCIATE PLANNER POSITION (410.06)

RECOMMENDATION: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 02-076, the Position and Salary Control Resolution for Fiscal Year 2002-2003, Affecting the Airport Department Effective October 5, 2002; and
- B. Appropriate \$49,313 to the fiscal year 2003 Airport Operating Budget from Airport Fund Reserves above policy limits.

ACTION: Approved the recommendations; Resolution No. 02-112 (September 24, 2002, Airport Director's report).

7. SUBJECT: REPEAL OF CHAPTER 9.38, HOTEL REGISTERS (800.01)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara to Repeal Chapter 9.38 of the Municipal Code Regarding Hotel Registers. (Introduced on September 17, 2002)

ACTION: Approved the recommendation; Ordinance No. 5249.

8. SUBJECT: REVISIONS TO THE MUNICIPAL CODE TO PROVIDE FOR THE NEW SOLID WASTE COLLECTION AND DISPOSAL AGREEMENTS (630.01)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Sections 7.16.010, 7.16.021, 7.16.180, 7.16.250, 7.16.270, 7.16.280, and 7.16.310 of the Santa Barbara Municipal Code Relating to the Collection of Refuse by Contractors. (Introduced on September 17, 2002)

ACTION: Approved the recommendation; Ordinance No. 5250.

9. SUBJECT: AMENDMENT TO MUNICIPAL CODE TO REDUCE SPEED LIMIT ON ONTARE ROAD (530.05)

RECOMMENDATION: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Section 10.60.015 of the Municipal Code Reducing the Prima Facie Speed Limit on Ontare Road From Sunset Drive to State Street From 30 to 25 Miles Per Hour. (Introduced on September 17, 2002)

ACTION: Approved the recommendation; Ordinance No. 5251.

10. SUBJECT: DOUGLAS FAMILY PRESERVE CARETAKER AGREEMENT (570.05)

RECOMMENDATION: That Council authorize the Parks and Recreation Director to execute a Caretaker Rental Agreement for the Douglas Family Preserve with Jim Rita through October 1, 2003.

ACTION: Approved the recommendation; Agreement No. 20,789 (September 24, 2002, Parks and Recreation Director's report).

11. SUBJECT: RECORDS DESTRUCTION (160.06)

RECOMMENDATION: That the Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Certain Documents Held by the Finance Department.

ACTION: Approved the recommendation; Resolution No. 02-113 (September 24, 2002, Finance Director's report).

12. SUBJECT: LEASE AGREEMENT WITH ROBERT J. BLACK, DBA R.J. BLACK ENTERPRISES, AT THE AIRPORT (330.04)

RECOMMENDATION: That Council approve and authorize the City Administrator to execute a two-year Lease Agreement with Robert J. Black, a Sole Proprietor, dba R.J. Black Enterprises, for 8,453 square feet of land at 6180 Robert Kiester Place, at the Santa Barbara Airport, commencing October 1, 2002, and ending September 30, 2004, for a total monthly rental of \$1,459.

ACTION: Approved the recommendation; Agreement No. 20,790 (September 24, 2002, Airport Director's report).

13. SUBJECT: LEASE AGREEMENT WITH THOMAS MEHLING, AT THE AIRPORT (330.04)

RECOMMENDATION: That Council approve and authorize the City Administrator to execute a month-to-month Lease Agreement with Thomas Mehling, a Sole Proprietor, for 2,084 square feet of Building 247, 400 David Love Place, at the Santa Barbara Airport, effective August 1, 2002, for a monthly rental of \$1,751, exclusive of utilities.

ACTION: Approved the recommendation; Agreement No. 20,791 (September 24, 2002, Airport Director's report).

14. SUBJECT: APPROPRIATION OF ADDITIONAL FUNDS TO LIBRARY DEPARTMENT (570.04)

RECOMMENDATION: That Council:

- A. Appropriate \$10,000 to the Fiscal Year 2002-2003 Library Department operating budget from the Carpinteria Library Insurance Trust for the purchase of collection materials at the Carpinteria Branch Library;
- B. Appropriate \$40,134 to the Fiscal Year 2002-2003 Library Department operating budget from the Eleanor d'Arrast Trust for staff assistance at the Montecito Branch Library; and
- C. Appropriate \$116,450 to the Fiscal Year 2002-2003 Library Department operating budget from the Miscellaneous Library Trust for library collection materials and equipment.

ACTION: Approved the recommendations (September 24, 2002, Library Director's report).

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

RECOMMENDATION: That Council approve and authorize the Finance Director to execute the Community Promotion contract with the Summer Solstice Celebration, Inc., in the amount of \$45,914 to support year-round salary and administrative expenses, October 1, 2002, through September 30, 2003.

ACTION: Approved the recommendation; Agreement No. 20,792 (September 24, 2002, Finance Director's report).

16. SUBJECT: DONATION OF FIRE VEHICLE (330.05)

RECOMMENDATION: That Council authorize the donation of one (1) surplus 1979 Ford 1-Ton Flatbed Truck, Vehicle No. 0966, to Oxnard College Regional Fire Academy.

ACTION: Approved the recommendation (September 24, 2002, Fire Chief's report).

## NOTICES

17. The City Clerk has on Thursday, September 19, 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.

18. City Advisory Group Recruitment:
  - A. That the City Clerk's Office will accept applications through Friday, October 25, 2002, at 5:00 p.m. to fill vacancies on various City Advisory Groups, including the positions whose terms will expire December 31, 2002, and the unscheduled vacancies resulting from resignations accepted by the Council through October 22, 2002;
  - B. That the City Council will conduct interviews of applicants for vacancies on various City Advisory Groups on Tuesday, November 12, 2002, at 4:00 p.m. (Estimated Time), and Tuesday, November 19, 2002, at 4:00 p.m. (Estimated Time); and
  - C. That the City Council will make appointments to fill vacancies on various City Advisory Groups on Tuesday, December 10, 2002.

This concluded the Consent Calendar.

## **ORDINANCE COMMITTEE AND FINANCE COMMITTEE REPORTS**

### ORDINANCE COMMITTEE

19. SUBJECT: SPECIAL ORDINANCE COMMITTEE AGENDA, SEPTEMBER 24, 2002, 12:30 P.M., IN COUNCIL CHAMBER FOR CONSIDERATION OF RECREATIONAL VEHICLE OVERNIGHT PARKING ON SPECIFIED CITY PROPERTIES AND IN CERTAIN COMMERCIAL ZONES (120.03)
20. SUBJECT: REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Gregg Hart reported that the Committee reviewed a draft ordinance pertaining to overnight parking of recreational vehicles; this discussion will be continued next week.

### FINANCE COMMITTEE

21. SUBJECT: FINANCE COMMITTEE AGENDA, SEPTEMBER 24, 2002, 1:30 P.M., IN ROOM 15 FOR CONSIDERATION OF THE AUGUST 2002 INVESTMENT REPORT (120.03)  
(See Agenda Item No. 23)
22. SUBJECT: REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dan Secord reported that the Committee considered the August 2002 Investment Report, and he suggested that Council take action on this matter at this time (Agenda Item No. 23).

23. SUBJECT: AUGUST 2002 INVESTMENT REPORT (260.02)

RECOMMENDATION: That Council accept the August 2002 Investment Report.

DOCUMENTS:

September 24, 2002, Finance Director's report.

SPEAKERS:

Staff: Treasury Manager Cynthia Odell.

MOTION:

Councilmembers Secord/Fairly to accept the report.

VOTE:

Unanimous voice vote.

### **ORDINANCES FOR INTRODUCTION**

24. SUBJECT: MONTECITO HALL FIRST AMENDMENT TO LEASE AGREEMENT (570.04)

RECOMMENDATION: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a First Amendment to Lease Agreement Between the City of Santa Barbara, the County of Santa Barbara, and the Montecito Association for Lease by the County of Property at 1469 East Valley Road, Montecito, as Space for Community Library, Office Use and Public Meeting Hall.

DOCUMENTS:

- September 24, 2002, Library Director's report.
- Proposed Ordinance.

The title of the ordinance was read.

SPEAKERS:

Staff: Library Director Carol Keator.

MOTION:

Councilmembers Secord/Horton to approve the recommendation.

VOTE:

Unanimous voice vote.

25. SUBJECT: ADDITION AND AMENDMENTS TO THE MUNICIPAL CODE REGARDING PEDICABS (520.04)

RECOMMENDATION: That the City Council introduce and subsequently adopt, by reading of title only:

- A. An Ordinance of the Council of the City of Santa Barbara Adding Chapter 5.28 to the Santa Barbara Municipal Code Pertaining to Pedicabs;
- B. An Ordinance of the Council of the City of Santa Barbara Amending Section 5.29.010 of the Santa Barbara Municipal Code Deleting References to Pedicabs; and
- C. An Ordinance of the Council of the City of Santa Barbara Amending Section 10.48.100 of the Santa Barbara Municipal Code Pertaining to Taxicab Stands.

DOCUMENTS:

- September 24, 2002, report from the Chief of Police.
- Proposed Ordinances.

The titles of the ordinances were read.

SPEAKERS:

- Staff: Police Officer Scott Naganuma, City Attorney Daniel Wallace, Acting City Administrator Peter Wilson.
- Members of the Public: Chris Asher, Lane Vance, Joseph Nelson, Dominic Clark, Seth Tuton, Forrest Lang, Brad VanSchoyck.

MOTION:

Councilmembers Secord/Falcone to approve the recommendations.

VOTE:

Majority voice vote (Noes: Councilmembers Fodayemi, Hart).

26. SUBJECT: 2001 CALIFORNIA CODE OF REGULATIONS AND 1997 UNIFORM BUILDING CODES (640.04)

RECOMMENDATION: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Santa Barbara Municipal Code Chapter 22.04, Adopting by Reference the Uniform Administrative Code (1997 Edition); the California Building Code (2001 Edition); the Uniform Housing Code (1997 Edition); the Uniform Code for the Abatement of Dangerous Buildings (1997 Edition); the California Plumbing Code (2001 Edition); the California Mechanical Code (2001 Edition); the California Electrical Code (2001 Edition); Appendix Chapter 1 of the Uniform Code for Building Conservation (1997 Edition); Adopting Revisions to Said Codes; Adopting and Deleting Certain Appendix Chapters of Said Codes.

(Cont'd)

26. (Cont'd)

DOCUMENTS:

- September 24, 2002, Acting Community Development Director's report.
- Proposed Ordinance.

The title of the ordinance was read.

SPEAKERS:

Staff: Building Inspector/Plan Check Supervisor Philip Bunn, Building Inspector/Plan Check Supervisor Jim Buster.

MOTION:

Councilmembers Secord/Horton to approve the recommendation.

VOTE:

Unanimous voice vote.

27. SUBJECT: 2000 UNIFORM FIRE CODE WITH LOCAL AMENDMENTS (520.03)

RECOMMENDATION: That the Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Santa Barbara Municipal Code Chapter 8.04, Adopting by Reference the 2000 Edition of the Uniform Fire Code, Volume 1, the 2001 California Fire Code, and Certain Appendices of Said Codes; Adopting Local Amendments to Said Codes; and Repealing Ordinance No. 5100 (Adoption of Previous Uniform Fire Code).

DOCUMENTS:

- September 24, 2002, Fire Chief's report.
- Proposed Ordinance.

The title of the ordinance was read.

SPEAKERS:

Staff: Fire Chief Warner McGrew.

MOTION:

Councilmembers Horton/Folayemi to approve the recommendation.

VOTE:

Unanimous voice vote.

28. SUBJECT: VESSELS MOORED OR ANCHORED EAST OF STEARNS WHARF (570.03)

RECOMMENDATION: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Section 17.13.020 of the Santa Barbara Municipal Code, Changing the Date that Vessels May Moor or Anchor East of Stearns Wharf.

DOCUMENTS:

- September 24, 2002, Waterfront Director's report.
- Proposed Ordinance.

The title of the ordinance was read.

SPEAKERS:

Staff: Waterfront Director John Bridley.

MOTION:

Councilmembers Secord/Fairly to approve the recommendation.

VOTE:

Unanimous voice vote.

**RECESS**

3:31 p.m. - 3:41 p.m.

**ADMINISTRATIVE AND ATTORNEY REPORTS**

PUBLIC WORKS DEPARTMENT

29. SUBJECT: COUNTY OF SANTA BARBARA PRESENTATION ON TAJIGUAS LANDFILL PROJECT (630.01)

RECOMMENDATION: That Council:

- A. Hear a presentation from Phil Demery, County of Santa Barbara Public Works Director, regarding the Tajiguas Landfill Project; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Supporting the Certification of the Environmental Impact Report for the Tajiguas Landfill Project and to Encourage Other Municipalities and Special Districts Within the County to Support the Tajiguas Landfill Project at the State Level.

DOCUMENTS:

- September 24, 2002, Public Works Director's report.
- Proposed Resolution.

(Cont'd)

29. (Cont'd)

The title of the resolution was read.

**SPEAKERS:**

County of Santa Barbara: Public Works Director Phil Demery.

**MOTION:**

Councilmembers Secord/Hart to approve the recommendations;  
Resolution No. 02-114.

**VOTE:**

Unanimous roll call vote.

Councilmember Fairly left the meeting at 4:27 p.m.

**FIRE DEPARTMENT**

30. SUBJECT: ACCEPT NATIONAL FIRE PLAN GRANT AND MATCHING FUNDS  
(520.03)

**RECOMMENDATION:** That Council:

- A. Accept a grant in the amount of \$55,000 from the State and Private Forestry, National Fire Plan Program, administered by the United States Forest Service for environmental review of the City Wildland Fire Plan;
- B. Increase appropriation by \$55,000 in the General Fund Fire Department budget to complete the work of environmental review for the City Wildland Fire Plan, funded from a corresponding \$55,000 increase in estimated revenues; and
- C. Transfer \$25,000 to the Fire Department budget from the General Fund Appropriated Reserve budget for fiscal year 2003 to match the State and Private Forestry, National Fire Plan Program grant.

**DOCUMENTS:**

September 24, 2002, Fire Chief's report.

**SPEAKERS:**

Staff: Fire Chief Warner McGrew, Fire Inspector Ann Marx.

**MOTION:**

Councilmembers Secord/Horton to approve the recommendations.

**VOTE:**

Unanimous voice vote (Absent: Councilmember Fairly).

AIRPORT DEPARTMENT

31. SUBJECT: T-HANGAR DEVELOPMENT AT THE AIRPORT (560.04)

RECOMMENDATION: That Council approve an *Airport T-Hangar Development Program* that proposes the Airport Department fund, design, construct and operate the first phase of development of approximately 20 t-hangars on the Airport, at a total project cost of approximately \$2.7 million.

DOCUMENTS:

September 24, 2002, Airport Director's report.

SPEAKERS:

- Staff: Airport Director Karen Ramsdell, Acting City Administrator Peter Wilson.
- Members of the Public: Ronald Hays, Gordon Feingold.

MOTION:

Councilmembers Secord/Folayemi to approve the recommendation.

VOTE:

Unanimous voice vote (Absent: Councilmember Fairly).

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 5:10 p.m.

SANTA BARBARA CITY COUNCIL

MABI COVARRUBIAS PLISKY, CMC  
CITY CLERK SERVICES MANAGER

ATTEST:

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

\_\_\_\_\_  
SUSAN TSCHECH  
DEPUTY CITY CLERK