

08/21/2001
11:54 am

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CITY OF SANTA BARBARA
CITY COUNCIL MINUTES

REGULAR MEETING
May 8, 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, Tom Roberts, Dan B. Secord, Mayor Miller.
Councilmembers absent: None.
Staff present: Acting City Administrator Peter K. Wilson, City
Attorney Daniel J. Wallace, Deputy City Clerk Brenda Alcazar.

PUBLIC COMMENT

SPEAKERS:

Bruce Rittenhouse, Mac Bakewell, Raymond Appleton, Bob
Hansen, and Eric Schott.

CONSENT CALENDAR Item Nos. 1 15)

MOTION:

Councilmembers Roberts/Blum to approve the Consent
Calendar.

VOTE:

Unanimous voice vote.

1. SUBJECT: MINUTES

RECOMMENDATION: That Council waive the reading and approve the minutes of the special meeting of April 19, 2001, the adjourned regular meeting of April 23, 2001, and the regular

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meeting of April 24, 2001.

ACTION: Approved the recommendation.

2. SUBJECT: COMMUNITY DEVELOPMENT DEPARTMENT'S MANAGEMENT
AUDIT 410.06)

X
610.01

RECOMMENDATION: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 00-054, the Position and Salary Control Resolution for Fiscal Year 2000-2001, Affecting the Community Development Department Effective May 19, 2001.

SPEAKERS:

Staff: Community Development Director David Davis,
Acting City Administrator Peter K. Wilson.

ACTION: Approved the recommendation; Resolution No. 01-039 May 4, 2001, City Administrator's report; March 5, 2001, Community Development Department Organization Review Final Report, prepared by Shannon Associates).

3. SUBJECT: LEASE AGREEMENT WITH LEO TIDWELL EXCAVATING
CORPORATION, AT THE AIRPORT 330.04)

RECOMMENDATION: That Council approve and authorize the City Administrator to execute a month-to-month Lease Agreement with Leo Tidwell Excavating Corporation, a California Corporation, for 1,224 square feet of office, 1,334 square feet of storage, and 8,258 sq. ft. of adjacent land at Building 304, 53-D Gerald Cass Place, at the Santa Barbara Municipal Airport, effective April 1, 2001, for a monthly rental of \$3,505, exclusive of utilities.

ACTION: Approved the recommendation; Agreement No. 20,263

May 4, 2001, City Administrator's report).

4. SUBJECT: LEASE AGREEMENT WITH HOT LINE CONSTRUCTION, INC.,
AT THE AIRPORT 330.04)

RECOMMENDATION: That Council approve and authorize the City

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Administrator to execute a month-to-month Lease Agreement with Hot Line Construction, Inc., a California Corporation, for 23,040 square feet of land, 451 Frederic Lopez Road, at the Santa Barbara Municipal Airport, effective April 1, 2001, for a monthly rental of \$3,000.

ACTION: Approved the recommendation; Agreement No. 20,264 May 4, 2001, City Administrator's report).

5. SUBJECT: CONSULTANT AGREEMENT WITH BOOZ ALLEN & HAMILTON, FOR AN AIRPORT ECONOMIC IMPACT STUDY 560.01)

RECOMMENDATION: That Council approve and authorize the City Administrator to execute an agreement with Booz Allen & Hamilton to perform consulting services for an Airport Economic Impact Study, in an amount not to exceed \$50,000.

ACTION: Approved the recommendation; Agreement No. 20,265 May 4, 2001, City Administrator's report).

6. SUBJECT: NOTICE OF COMPLETION ADDITION TO FIRE STATION #6, CONTRACT NO. 20,057 700.08)

RECOMMENDATION: That Council accept the work completed by J. W. Bailey Construction Company, Contract No. 20,057, for the Addition to Fire Station #6 Project, Bid No. 6045, located at 1802 Cliff Drive, Santa Barbara, California, in the final contract amount of \$292,088, including approved changes, and approve filing of a Notice of Completion.

ACTION: Approved the recommendation May 4, 2001, City Administrator's report).

7. SUBJECT: NOTICE OF COMPLETION NEW TRAFFIC SIGNALS AT ARRELLAGA AND STATE STREETS INTERSECTION, AND NEW 400 BLOCK STATE STREET MID-BLOCK CROSSWALK, CONTRACT NO. 19,870

530.05)

RECOMMENDATION: That Council accept the work completed by Taft Electric Company, Contract No. 19,870, for the New Traffic Signals at Arrellaga and State Streets Intersection, and New 400 Block State Street Mid-Block Crosswalk Project, Bid No. 3272, located at the intersection of State Street and Arrellaga Streets and at 413-418 State Street, in the

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final contract amount of \$148,199.39, including approved changes, and approve filing of a Notice of Completion.

ACTION: Approved the recommendation May 4, 2001, City Administrator's report).

8. SUBJECT: 1819 SAN ANDRES STREET APPROVAL OF PARCEL MAP AND EXECUTION OF AGREEMENTS (640.08)

X

640.08

Condo Dev./Conversions

X

330.03

Easements, Water Extract. Rts.

RECOMMENDATION: That Council:

- A. Approve and authorize the City Administrator to record Parcel Map No. 20,638 by Robert C. Aker and Jyl Aker, Husband and Wife, as Community Property, for a condominium conversion project of one single residential dwelling to three residential condominiums, located at 1819 San Andres Street, APN 043-152-010, finding the map in conformance with the General Plan and applicable specific plans of the City;
- B. Approve and authorize the City Administrator to execute and record an Agreement Relating to Subdivision Map Conditions Imposed on Real Property;
- C. Approve and authorize the City Administrator to execute and record an Agreement Assigning Water Extraction Rights; and
- D. 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 1819 San Andres Street, APN 043-152-010.

ACTION: Approved the recommendations; Agreement Nos. 20,266 and 20,267; Resolution No. 01-040 May 4, 2001, City

Administrator's report).

9. SUBJECT: LEGISLATIVE ANALYSIS AND RECOMMENDATIONS
160.02) State

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

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- A. SUPPORT AB 3 Ashburn) which would restrict the total amount of revenue allocated to a county's Education Revenue Augmentation Fund ERAF) for fiscal year 2001-2002 to the amount that was allocated for fiscal year 2000-2001, requiring remaining revenues to be allocated among local agencies in the county in accordance with the agency's proportionate share of contribution to the ERAF;
- B. SUPPORT SB 783 Brulte) which would enact the Crime Laboratories Construction Act of 2001, appropriating \$200 million from the state general fund for the construction, equipment, renovation, and infrastructure costs of new local forensic laboratories and the remodeling of existing local forensic laboratories;
- C. OPPOSE AB 754 Mountjoy) which would exempt records or statements made during the meet and confer" process to resolve construction claims from being used as a basis for a false claim action;
- D. SUPPORT AB 63 Cedillo) which would allow cities to crosscheck their business license tax database against the Franchise Tax Board's records to ensure that all businesses paying state taxes are paying duly owed local taxes;
- E. SUPPORT AB 745 Cox) which would change the state mandate process by including a local government alternate with voting rights to the Commission on State Mandates;
- F. OPPOSE AB 196 Correa) which would establish blood borne infectious disease" as a disputable presumption of job causation for workers' compensation benefits for certain public safety employees; and
- G. 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.

ACTION: Approved the recommendations May 4, 2001, City Administrator's report).

NOTICES

10. The City Clerk has on Friday, May 4, 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.

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11. Finance Committee meeting, May 8, 2001, at 1:00 p.m. in Room 15 for consideration of the Fiscal Year 2002 Proposed Budget. 120.03) Finance Committee
12. Cancellation of Redevelopment Agency meeting, May 8, 2001, at 2:00 p.m. 620.03) Agendas & Minutes
13. The City Council will conduct a site visit on Monday, May 14, 2001, at 1:30 p.m. to the property located at 801 E. Montecito St., which is the subject of a public hearing set for May 15, 2001, at 6:00 p.m. 640.07) ABR
14. Cancellation of the regular City Council meeting of May 29, 2001, due to lack of a quorum. 120.09)
15. Application No. 01-05-__ before the Public Utilities Commission filed by Southern California Gas Company for authority to increase its Gas Revenue Requirements. 150.02) PUC

This completed the Consent Calendar.

REPORT FROM FINANCE COMMITTEE

16. Report from the Finance Committee.

ACTION: Finance Committee Chair Tom Roberts reported that the Committee met to discuss proposed changes to fees and service charges that will be presented to Council at a later date as part of the entire budget process.

ADMINISTRATIVE REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

17. SUBJECT: REQUEST FOR PRELIMINARY DESIGNATION OF COMMUNITY PRIORITY 640.09) Non. Residential Bldg. Approval

RECOMMENDATION: That Council make a preliminary finding that the project proposed by Braille Institute located at 2031 De la Vina Street meets a present need directly related to public health, safety or general welfare and grant the project a Preliminary Community Priority Designation for 6,000 square feet of floor area.

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DOCUMENTS:

May 4, 2001, City Administrator's report.

SPEAKERS:

Staff: City Planner Bettie Hennon.

MOTION:

Councilmembers Roberts/Garcia to approve the recommendation.

VOTE:

Unanimous voice vote.

18. SUBJECT: UPCOMING WORK SESSIONS ON HOUSING ISSUES ACTIVE PRIORITY PROJECT) 660.01)

RECOMMENDATION: That Council receive a status report on planning efforts underway for a series of joint work sessions with the Planning Commission on possible new housing programs and strategies.

DOCUMENTS:

May 4, 2001, City Administrators' report.

SPEAKERS:

Staff: Senior Planner II Elizabeth Limon.

DISCUSSION:

Staff reviewed the various areas for which they have been compiling information in preparation of the joint work sessions. The first work session is planned for June 2001.

PUBLIC WORKS DEPARTMENT

19. SUBJECT: AGREEMENT WITH ARCHITECTS WEST TO ACKNOWLEDGE AND IDENTIFY RISKS ASSOCIATED WITH SOILS AFFECTING DESIGN OF THE WATERFRONT ADMINISTRATIVE OFFICES 570.03) Const., Maint. & Repair

RECOMMENDATION: That Council authorize the Public Works Director to execute an Acknowledgment and Acceptance of Risks for Ehlen and Spiess, Inc., Structural Engineers, regarding potential soil instability beneath the proposed Waterfront offices located at 132 Harbor Way that are now being designed by Architects West pursuant to Agreement Number 19,691.

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DOCUMENTS:

May 4, 2001, City Administrator's report.

SPEAKERS:

Staff: Principal City Engineer John Schoof, City
Attorney Dan Wallace.

MOTION:

Councilmembers Garcia/Secord to approve the
recommendation.

VOTE:

Unanimous voice vote.

MAYOR AND COUNCIL MATTERS

20. SUBJECT: CANCELLATION OF COUNCIL MEETINGS 120.09)

RECOMMENDATION: That Council cancel the Council meetings of
August 7 and 14 due to lack of a quorum. Mayor Miller)

DOCUMENTS:

May 4, 2001, Mayor's report.

MOTION:

Councilmembers Garcia/Secord to approve the
recommendation.

VOTE:

Unanimous voice vote.

21. SUBJECT: INVITATION TO THE COUNTY BOARD OF SUPERVISORS TO
HOLD A JOINT MEETING WITH THE CITY COUNCIL IN ORDER TO
ESTABLISH A REGIONAL TASK GROUP ON SOLID WASTE 120.16)

X

630.01

Admin.

RECOMMENDATION: That Council authorize the Mayor to send a

letter of invitation to the County Board of Supervisors to consider holding a joint meeting of the City Council and County Board of Supervisors for the purpose of establishing a Regional Task Group on Solid Waste. Mayor Miller)

DOCUMENTS:

May 4, 2001, Mayor's report.

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SPEAKERS:

Staff: Acting City Administrator Peter K. Wilson.

MOTION:

Councilmembers Hart/Blum to approve the recommendation.

VOTE:

Unanimous voice vote.

22. SUBJECT: REQUEST FOR \$30,000 OF CITY FUNDING FOR THE 3RD ANNUAL FIRST NIGHT CELEBRATION 520.04)

RECOMMENDATION FROM THE FINANCE COMMITTEE: That Council:

- A. Approve the request from the Santa Barbara Region Chamber of Commerce for a City contribution in the amount of \$30,000 for the 3rd Annual First Night Celebration; and
- B. Allocate \$30,000 from the Fiscal Year 2001 General Fund Appropriated Reserve to the Community Promotion Program budget to fund the request.

DOCUMENTS:

May 4, 2001, Finance Committee's report.

SPEAKERS:

Santa Barbara Region Chamber of Commerce: Steve Cushman.

MOTION:

Councilmembers Roberts/Hart to approve the recommendation.

VOTE:

Unanimous voice vote.

ORDINANCES FOR ADOPTION

23. SUBJECT: MEMORANDUM OF UNDERSTANDING WITH POLICE OFFICERS ASSOCIATION 440.02)

RECOMMENDATION: That Council:

- A. Adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting the Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara Police Officers Association introduced on May 1, 2001, as Bill No. 5206);
- B. Adopt, by reading of title only, An Ordinance of the

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Council of the City of Santa Barbara Amending the Memorandum of Understanding Between the City of Santa Barbara and the Airport and Harbor Patrol Officers' and Treatment Plants' Bargaining Units Treatment and Patrol Units) Ordinance No. 5166) introduced on May 1, 2001, as Bill No. 5208); and

- C. Adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara City Supervisory Employees' Bargaining Unit Ordinance No. 5183) introduced on May 1, 2001, as Bill No. 5209).

DOCUMENTS:

Previous documents submitted May 1, 2001.
Proposed Ordinance.

SPEAKERS:

Staff: Acting City Administrator Peter K. Wilson;
Assistant City Administrator Joan Kent; Police Sergeant Michael R. McGrew.

MOTION:

Councilmembers Hart/Garcia to approve the recommendations; Ordinance Nos. 5186 5188.

VOTE:

Unanimous roll call vote.

24. SUBJECT: 31 WEST CARRILLO STREET CARRILLO HOTEL)
ENCROACHMENT PERMIT FOR SUBSURFACE SHORING; GRANT OF PUBLIC
UTILITIES LICENSE 330.08)

RECOMMENDATION: That Council:

- A. Adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving an Encroachment Permit to Urban Pacific LLC, a California Limited Liability Company, Owner of 31 West Carrillo Street APN 039-321-001), for Proposed

Subsurface Shoring Walls and Tie-back Anchors Located Within Chapala Street and Carrillo Street, and Located Under Parking Structure No. 2 APNs 039-321-045 & 047) and Authorizing the City Administrator to Execute the Same introduced on May 1, 2001, as Bill No. 5210); and

B. Adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Authorizing the City Administrator to Execute a Public Utilities License for Proposed Subsurface

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Public Utilities Located in a Paseo and Driveway Adjacent to
Parking Structure No. 2, on Land Known as City-owned APN 039-321-
045 introduced on May 1, 2001, as Bill No. 5211).

DOCUMENTS:

Previous documents submitted May 1, 2001.
Proposed Ordinance.

MOTION:

Councilmembers Garcia/Roberts to approve the
recommendations; Ordinance Nos. 5189 and 5190.

VOTE:

Unanimous roll call vote.

RECESS

2:58 p.m. 3:00 p.m.

CLOSED SESSIONS

25A. SUBJECT: CONFERENCE WITH REAL PROPERTY NEGOTIATOR 330.03)
General

RECOMMENDATION FROM THE CITY ADMINISTRATOR: That Council
hold a closed session to consider instructions to Deputy
City Administrator Peter K. Wilson and Airport Director
Karen Ramsdell, and the City Attorney, regarding
negotiations with Santa Barbara Realty Holding Company,
L.L.C., represented by Russell A. Goodman and Peter Brown,
with respect to the acquisition of an easement over the real
property known as Cabrillo Business Park Property the
former Delco Electronic Division Plant), located at
southwest corner of Hollister and Los Carneros Road APN 073-
45-05), pursuant to the authority of section 54956.8 of the
Government Code, and take appropriate action as needed.
Under negotiation: Acquisition of Easement Rights and Land-
Use Covenants.

Scheduling: Duration, 30 minutes; anytime
Continued from May 1, 2001, Item No. 26)

DOCUMENTS:

April 27, 2001, City Attorney's report.

TIME:

3:00 p.m. 3:45 p.m.

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ANNOUNCEMENT:

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

25. SUBJECT: CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
160.03) Closed Sessions

RECOMMENDATION FROM THE CITY ATTORNEY: That Council hold a closed session to consider pending litigation pursuant to subsection a) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is Stearns Wharf Company, etc., et al. v. Southern California Edison Company, etc., et al., SBSC No. 1002806.

Scheduling: Duration, 10 minutes; anytime

DOCUMENTS:

April 20, 2001, City Attorney's report.

TIME:

3:45 p.m. 4:00 p.m.

ANNOUNCEMENT:

At the beginning of the evening session of the meeting, City Attorney Daniel Wallace announced that the Council authorized the City Attorney to appeal the judgment of the Superior Court in Santa Barbara County against the City in this matter.

RECESS

4:00 p.m. 6:00 p.m.

Mayor Miller presiding.

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

Councilmembers absent: None.

Staff present: Acting City Administrator Wilson, City Attorney Wallace, Deputy City Clerk Alcazar.

The City Council reconvened in the City Council Chamber. City Attorney Daniel Wallace made a report regarding the Closed Sessions, Item Nos. 25 and 25A (see report under each item).

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SPEAKERS:

Rod Sumner.

PUBLIC HEARING

26. SUBJECT: PROPOSED FISCAL YEAR 2002 AND 2003 FINANCIAL PLAN
(230.05)

RECOMMENDATION: That Council:

- A. Continue the public hearing on the Fiscal Year 2002 Recommended Budget from Tuesday, May 1, 2001;
- B. Hear from outside organizations requesting City funding and refer these requests to the Finance Committee for recommendation;
- C. Hear a presentation from staff on Council Goals and an overview of proposed changes in service; and
- D. Continue the public hearing to Tuesday, May 15, at 6:00 p.m. 2:00 p.m.

DOCUMENTS:

May 4, 2001, City Administrator's report.
May 8, 2001, copy of Power point presentation.
May 7, 2001, letter submitted by W. T. Thomson.
Undated 3 Year Budget submitted by Stephanie Langsdorf.

PUBLIC HEARING OPENED:

6:03 p.m.

SPEAKERS:

Members of the public: Pete Jordano, Coast Village Road Association; Tom Thomson, Santa Barbara Hockey Association; Josephine Tapia, Lower Westside Community Center; Michael Marzolla, Agua Pura; Bud Laurent, Executive Director, Community Environmental Council; Stephanie Langsdorf, Growing Solutions Restoration Education Institute; Nanci Bratcher, Fighting Back; Donna Simmons, Incubators 2000; Alex Rodriguez, Santa

Barbara Hispanic Chamber of Commerce.
Community Development and Human Services Committee:
Karena Jew, Rudy Moreno, and Dorothy Walker.

MOTION:

Councilmembers Hart/Garcia to forward the requests for funding, with the exception of the request from the Santa Barbara Hockey Association, to the Finance

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Committee.

VOTE:

Unanimous voice vote.

MOTION:

Councilmembers Garcia/Blum to forward the request from the Santa Barbara Hockey Association for funding to the Finance Committee.

VOTE:

Unanimous voice vote Abstention: Councilmember Roberts).

SPEAKERS:

Staff: Assistant Finance Director Robert Samario, Acting City Administrator Peter K. Wilson, Assistant City Administrator Joan Kent, Airport Director Karen Ramsdell, Community Development Director David Davis, Fire Chief Warner McGrew, Parks and Recreation Director Richard Johns, Police Chief Camerino Sanchez, Public Works Director David Johnson, Waterfront Director John Bridley.

ACTION:

By consensus, the Council approved the recommendations and continued the public hearing to Tuesday, May 15, 2001, at 2:00 p.m.

ADJOURNMENT

Mayor Miller adjourned the meeting at 9:16 p.m., to Monday, May 14, 2001, at 1:30 p.m. for a site visit to the property located at 801 E. Montecito St.

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

ATTEST:

HARRIET MILLER
MAYOR

BRENDA ALCAZAR
DEPUTY CITY CLERK