

08/21/2001  
11:54 am

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CITY OF SANTA BARBARA  
CITY COUNCIL MINUTES

REGULAR MEETING  
November 14, 2000  
COUNCIL CHAMBER, DE LA GUERRA PLAZA

CALL TO ORDER:

Mayor Harriet Miller called the meeting to order at 2:02 p.m.  
The Ordinance Committee met at 1:00 p.m. The Finance 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, Tom Roberts, Dan B. Secord, Mayor Miller.  
Councilmembers absent: Gregg A. Hart.  
Staff present: City Administrator/Clerk Sandra Tripp-Jones, City  
Attorney Daniel J. Wallace, Deputy City Clerk Susan Tschech.

PUBLIC COMMENT:

1. Scott Wenz and Ken Loch spoke.  
180.03

CONSENT CALENDAR Item Nos. 2 13):

MOTION:

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

VOTE:

Unanimous voice vote Absent: Councilmember Hart).

2. Recommendation that Council waive the reading and approve the minutes of the adjourned regular meeting of October 23, 2000, the regular meeting of October 31, 2000 adjourned for lack of a quorum) and the special meeting of November 3, 2000.

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Concurred with the recommendation.

3. Recommendation that Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving the Filing of an Application for the Trees for the Millennium” Tree Planting Grant Program to Provide for the Planting of 500 Street Trees.

Concurred with the recommendation; adopted Resolution No. 00-129 November 10, 2000 City Administrator's report).

570.05  
Trees

4. Recommendation that Council approve and authorize the City Administrator to execute a month-to-month Lease Agreement with Solana Estate Inc., a California Corporation, for 2,418 square feet of Building 268, 301-B John Donaldson Place, at the Santa Barbara Municipal Airport, effective November 1, 2000 for a monthly rental of \$1,934, exclusive of utilities.

Concurred with the recommendation; Agreement No. 20,087 November 10, 2000 City Administrator's report).

330.04  
Airport

5. Recommendation that Council authorize the City Administrator to execute a contract with the Santa Barbara County Arts Commission for staffing and administration of the Arts Advisory Committee, the Community Events and Festivals Committee, the Visual Art in Public Places Program, the Audience Development and Marketing Grants and Community Arts programs, Cultural District development, and the State of the Art Gallery in the amount of \$442,770.00 as approved in the Fiscal Year 2000-01 Budget.

SPEAKERS:

Member of the Public: Ken Loch.

Concurred with the recommendation; Contract No. 20,088  
November 10, 2000 City Administrator's report).

150.04

Arts Consortium/Partnership

X

6010.04

Arts Programs

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6. Recommendation that Council authorize the City Administrator to negotiate and execute an agreement with DMG Maximus, Inc. for a contract amount not to exceed \$29,000 for a cost allocation plan update and an evaluation of the City's building fees.

Concurred with the recommendation; Agreement No. 20,089  
November 10, 2000 City Administrator's report).

210.01

X

640.04

Administration

Set a date for public hearing:

7. Recommendation that Council:
  - A. Set the date of December 19, 2000 at 6:00 p.m. for hearing the appeal filed by James P. Ballantine, Esq., attorney for Magic Flowers, Jess Pagliassotti and other business and property owners on Coast Village Road, of the Planning Commission approval of an application by Santa Barbara Certified Farmers Market, for property located at the 1100-1200 blocks of Coast Village Road, APN 009-291-RW; C-1 Limited Commercial/ SD-3 Coastal Overlay Zones, General Plan Designation: General Commerce/Street/Buffer/Bikeway. The discretionary applications required for this project are a Conditional Use Permit and a Coastal Development Permit to allow the public right-of-way on the 1100-1200 blocks of Coast Village Road to be used for a Farmers Market on Friday mornings; and
  - B. Set the date of December 18, 2000 at 1:30 p.m. for a site visit to the property located in the 1100-1200 blocks of Coast Village Road.

Concurred with the recommendations October 30, 2000  
letter of appeal).

640.07  
Planning Commission

Notices to be filed:

8. that the City Clerk has on Friday, November 10, 2000 at 3:00 p.m., duly posted this agenda in the Office of the City Clerk and on the City Hall Public Notice Board on the

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outside balcony of City Hall.

9. of Ordinance Committee meeting, November 14, 2000 at 1:00 p.m. in the Council Chamber for consideration of proposed amendments regarding historic resources.

120.03

10. of Redevelopment Agency meeting, November 14, 2000 at 2:00 p.m. in the Council Chamber.

620.03

Agendas

11. of joint City Council/Redevelopment Agency meeting, November 14, 2000 at 2:00 p.m. to consider Item No. 15 on the Council Agenda and Item No. 4 on the Redevelopment Agency Agenda.

620.03

Agendas

12. that the City Council will conduct a site visit on Monday, November 20, 2000 at 1:30 p.m. to the property located at 2550 Treasure Drive, which is the subject of an appeal hearing set for November 21, 2000 at 6:00 p.m.

640.07

PC-2550 Treasure Drive

13. of cancellation of the regular City Council meeting of December 5, 2000 due to lack of a quorum.

120.09

This completed the Consent Calendar.

RECESS:

2:12 p.m. 2:32 p.m., during which time the first portion of the Redevelopment Agency meeting was completed.

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY SESSION:

The City Council and Redevelopment Agency convened in joint session at 2:32 p.m.

ADMINISTRATIVE REPORTS:

Community Development Department

15. Recommendation that Council:

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- A. Adopt, by reading of title only, A Resolution of the City Council of the City of Santa Barbara Approving a Grant of \$150,000 in HOME Funds to the Housing Authority of the City of Santa Barbara for the Construction of Three New Affordable Housing Units at 705 Olive Street; and
- B. Authorize the City Administrator to negotiate and execute a Grant Agreement with the Housing Authority of the City of Santa Barbara and other documents related to the transaction in a form acceptable to the City Attorney.  
To be considered with Redevelopment Agency Agenda Item No. 4)

CITY COUNCIL DOCUMENTS:

November 10, 2000 City Administrator's report.  
Proposed Resolution.

REDEVELOPMENT AGENCY DOCUMENTS:

November 10, 2000 Executive Director's report recommending that the Redevelopment Agency Board:

- A. Adopt, by reading of title only, A Resolution of the Redevelopment Agency of the City of Santa Barbara Committing \$60,000 in California Housing Finance Agency's Housing Enabled by Local Partnership" (HELP) Funds as a Predevelopment Loan to the Housing Authority of the City of Santa Barbara for the Construction of Three New Affordable Housing Units at 705 Olive Street; and
- B. Authorize the Executive Director of the Agency to negotiate and execute a predevelopment loan agreement with the Housing Authority of the City of Santa Barbara and other documents related to the transaction in a form acceptable to Agency Counsel.  
Proposed Resolution.

SPEAKERS:

Staff: Housing Programs Supervisor Steven Faulstich,  
Housing and Redevelopment Manager David Gustafson.

**MOTION:**

Council/Agency members Roberts/Secord to adopt City Council Resolution No. 00-130 and Redevelopment Agency Resolution No. 944, authorize the City Administrator to execute City Council Agreement No. 20,090, and

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authorize the Executive Director to execute  
Redevelopment Agency Agreement No. RO-358.

VOTE:

Unanimous roll call vote Absent: Council/Agency  
member Hart).

660.04  
Affordable Housing Development

The City Council and Redevelopment Agency joint session concluded  
at 2:41 p.m. The Redevelopment Agency meeting was adjourned at  
2:41 p.m. The Council meeting remained in session.

REPORT FROM ORDINANCE COMMITTEE:

14. Report from the Ordinance Committee.

Ordinance Committee Chair Gilbert Garcia reported that the  
Committee had discussed proposed amendments to Municipal  
Code Chapters 22.22 and 22.68 to implement a demolition  
review process. The Committee requested minor revisions to  
the ordinance, after which it will be forwarded to Council  
for introduction and subsequent adoption.

ADMINISTRATIVE REPORTS:

Public Works Department

16. Recommendation that Council receive a Staff presentation on  
the:

- A. Summary of 1999-2000 Clean Water Activities; and
- B. Outcome of Measure B and Summary of next steps.

DOCUMENTS:

November 10, 2000 City Administrator's report.  
November 13, 2000 letter from Heal the Ocean.

SPEAKERS:

Staff: Assistant to the City Administrator Marcelo

Lopez, City Administrator Sandra Tripp-Jones.  
Members of the Public: Tim Allison, Yes on Measure B;  
Sharyn Main, South Coast Watershed Alliance; Hillary  
Hauser, Heal the Ocean; Robert Almy, Project Clean  
Water; Keith Zandona, Surfrider Santa Barbara.

By consensus, the Council received the presentation.

540.14

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17. Recommendation that Council receive, for information only, the Capital Projects First Quarter Update for Fiscal Year 2000-2001.

DOCUMENTS:

November 10, 2000 City Administrator's report.

SPEAKERS:

Staff: City Engineer Pat Kelly, who showed slides of various capital projects in progress or completed during the first quarter; Public Works Director David Johnson.

By consensus, the Council received the report.

230.01

ATTORNEY REPORTS:

18. Recommendation that Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring the Kiosks Within the 00 Block of West De La Guerra Street a Public Nuisance, Ordering Their Immediate Abatement and Removal, Establishing a Hearing Date on November 28th, 2000 at 2 p.m. for All Persons and Property Owners Having Any Objections to the Proposed Abatement, and Giving Notice that the City Council May Authorize the Director of Public Works or City Engineer to Abate Said Nuisance and Assess Costs Against the Owners Pursuant to the Requirements of Santa Barbara Municipal Code Chapter 22.21.

DOCUMENTS:

November 10, 2000 City Attorney's report.

Proposed Resolution.

Photographs of easement area where kiosks are currently placed, submitted by Staff.

SPEAKERS:

Staff: City Attorney Daniel Wallace, Deputy City  
Attorney William Carroll.

RECESS:

3:22 p.m. 3:29 p.m.

SPEAKERS Cont'd):

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Members of the Public: Jana Zimmer, Attorney representing the Balboa Building; Allen Jones; Dan Signor; Mary Weeks, Pierre Lafond; Hamid Fallahi, Café Express; Peter DeGalan, The Taubman Co.

MOTION:

Councilmembers Roberts/Secord to concur with the recommendation; Resolution No. 00-131.

VOTE:

Unanimous roll call vote Absent: Councilmember Hart).

530.04

Administration

X

160.01

REQUESTS FROM THE PUBLIC:

19. Request from the Greater Eastside Merchants Association for temporary encroachment upon portions of State Highway 144 for the Milpas Street Holiday Parade.

Staff recommendation that Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Requesting the California Department of Transportation to Permit the Temporary Encroachment Upon Portions of State Highway 144 on the 9th of December, 2000.

DOCUMENTS:

October 5, 2000 letter from the Milpas Street Holiday Parade.

November 10, 2000 City Administrator's report.  
Proposed Resolution.

SPEAKERS:

Staff: City Administrator Sandra Tripp-Jones, who advised that the proposed resolution was unnecessary, since State Highway 144 had recently been relinquished

to the City, and that the action required of Council was simply to approve and permit the parade.

**MOTION:**

Councilmembers Secord/Roberts to grant approval for the parade.

**VOTE:**

Unanimous voice vote Absent: Councilmember Hart).

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520.04  
Special Events

ORDINANCES FOR INTRODUCTION:

20. 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 Encroachment Permit to Chapala Lofts, L.P., A California Limited Partnership, Owner of 326-328 Chapala Street APNS 037-251-004 & 006), for a Proposed Colonnaded Arcade Over the Chapala Street Public Sidewalk, and authorizing the City Administrator to execute the same.

DOCUMENTS:

November 10, 2000 City Administrator's report.  
Proposed Ordinance.

MOTION:

Councilmembers Secord/Roberts to concur with the recommendation; introduced the Ordinance as Bill No. 5189; Agreement No. 20,091.

VOTE:

Unanimous voice vote Absent: Councilmember Hart).  
330.10

ORDINANCES FOR ADOPTION:

21. 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 City Employees' Association General Unit) Introduced on November 7, 2000 as Bill No. 5186); and
  - B. 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 Airport and Harbor Patrol Officers' and Treatment Plants' Bargaining Units Treatment and Patrol Units) Introduced on November 7, 2000 as Bill No. 5187).

DOCUMENTS:

Previous documents submitted November 7, 2000.

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Proposed Ordinances.

MOTION:

Councilmembers Secord/Roberts to concur with the  
recommendations; Ordinance Nos. 5165 and 5166.

VOTE:

Unanimous roll call vote Absent: Councilmember Hart).  
440.02

RECESS:

4:13 p.m. 4:28 p.m.

CLOSED SESSIONS:

22. CONFERENCE WITH REAL PROPERTY NEGOTIATOR recommendation  
from the City Administrator that Council hold a closed  
session to consider instructions to City staff regarding  
real property negotiations with Howard G. Larson regarding  
the real property located at 222 E. Anapamu Street APN 029-  
162-005). Instructions to negotiator will direct staff to  
negotiate the terms of a possible acquisition of a City  
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  
representatives David Johnson, Public Works Director, and  
Bill McTomney, Public Works Administrative Officer, with  
property owners Howard G. or John Larson. Under  
negotiation: possible lease of property terms.

Scheduling: Duration, 10 minutes; anytime

DOCUMENTS:

November 10, 2000 City Administrator's report.

Closed Session held 4:28 p.m. 4:43 p.m.;  
Councilmember Hart was absent. Following a brief  
recess, City Attorney Daniel Wallace announced that no  
reportable action was taken during the closed session.

330.03  
General

RECESS:

4:43 p.m. 4:44 p.m.

The City Council reconvened in the Council Chamber.

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Councilmembers Fairly and Hart were absent. City Attorney Daniel Wallace reported on the Closed Session, Item No. 22.

ADJOURNMENT:

Mayor Miller adjourned the meeting at 4:44 p.m. to Monday, November 20, 2000 at 1:30 p.m. for a site visit to 2550 Treasure Drive.

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

ATTEST:

HARRIET MILLER  
MAYOR

SUSAN TSCHECH  
DEPUTY CITY CLERK